

§ 170305. Governing body

(a) BOARD OF DIRECTORS.—The board of directors and the responsibilities of the board are as provided in the articles of incorporation.

(b) OFFICERS.—The officers and the election of officers are as provided in the articles of incorporation.

(c) NONDISCRIMINATION.—The requirements for holding office in the corporation may not discriminate on the basis of race, color, religion, or national origin.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1443.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
170305(a)	36:3606.	Oct. 7, 1985, Pub. L. 99-119, §§5 (words after 1st comma related to discrimination in holding office), 6, 7, 99 Stat. 499.
170305(b)	36:3607.	
170305(c)	36:3605 (words after 1st comma related to discrimination in holding office).	

In subsections (a) and (b), the words “and in conformity with the laws of the State in which it is incorporated” are omitted as unnecessary.

In subsection (a), the words “composition of” are omitted as unnecessary.

In subsection (b), the words “positions of” are omitted as unnecessary.

§ 170306. Powers

The corporation has the powers provided in its bylaws and articles of incorporation filed in the State in which it is incorporated, including the power to—

- (1) adopt and amend a constitution and bylaws for the management of its property and the regulation of its affairs;
- (2) adopt and alter a corporate seal;
- (3) adopt emblems and badges;
- (4) establish, maintain, and regulate offices to conduct the affairs of the corporation;
- (5) publish a magazine and other publications;
- (6) charge and collect membership dues and subscription fees and receive contributions or grants of money or property to be used to carry out the purposes of the corporation;
- (7) accept gifts, legacies, and devisees that will further the purposes of the corporation;
- (8) promote the formation of auxiliaries, the membership requirements of which shall be as provided in the constitution and the bylaws of the corporation;
- (9) sue and be sued; and
- (10) do any other act necessary or desirable to carry out the purposes of the corporation.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1443.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
170306	36:3602.	Oct. 7, 1985, Pub. L. 99-119, §2, 99 Stat. 498.

Before clause (1), the words “(hereinafter in this chapter referred to as the ‘corporation’)” and “and sub-

ject to the laws of such State” are omitted as unnecessary.

In clause (1), the words “alter” and “not inconsistent with the laws of the United States or any State in which the corporation is to operate” are omitted as unnecessary.

In clause (2), the word “use” is omitted as unnecessary.

In clause (9), the words “complain, and defend in any court of competent jurisdiction” are omitted as unnecessary.

In clause (10), the words “lawful”, “and things”, and “objects and” are omitted as unnecessary.

§ 170307. Exclusive right to name, seals, emblems, and badges

The corporation and its regional districts and local branches have the exclusive right to use the name “Pearl Harbor Survivors Association” and seals, emblems, and badges the corporation adopts.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1443.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
170307	36:3615.	Oct. 7, 1985, Pub. L. 99-119, §16, 99 Stat. 501.

The word “sole” is omitted as included in “exclusive”. The words “in carrying out its purposes” are omitted as unnecessary.

§ 170308. Restrictions

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) POLITICAL ACTIVITIES.—The corporation or a director or officer as such may not contribute to, support, or participate in any political activity or in any manner attempt to influence legislation.

(c) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member during the life of the charter granted by this chapter or on dissolution or final liquidation of the corporation. This subsection does not prevent the payment of compensation to an officer or reimbursement for actual necessary expenses in amounts approved by the board of directors.

(d) LOANS.—The corporation may not make a loan to a director, officer, or employee.

(e) CLAIM OF GOVERNMENTAL APPROVAL OR AUTHORIZATION.—The corporation may not claim congressional approval or the authority of the United States Government for any of its activities.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1443.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
170308(a)	36:3608(c).	Oct. 7, 1985, Pub. L. 99-119, §8, 99 Stat. 499.
170308(b)	36:3608(d).	
170308(c)	36:3608(a).	
170308(d)	36:3608(b).	
170308(e)	36:3608(e).	

In subsection (a), the words “any shares of” are omitted as unnecessary.