

fied in the constitution of the corporation,” for “and the national public relations officer.”.

Subsec. (d)(1). Pub. L. 111–113, §2(c), substituted “president, president elect, and last past president,” for “president and last past president.”.

§ 190105. Powers

The corporation may—

- (1) adopt and amend a constitution and by-laws;
- (2) adopt and alter a corporate seal;
- (3) adopt and alter emblems and badges;
- (4) acquire, own, lease, encumber, and transfer property as necessary to carry out the purposes of the corporation;
- (5) publish a magazine, newspaper, and other publications;
- (6) establish, regulate, and discontinue subordinate departmental subdivisions and local chapters;
- (7) sue and be sued; and
- (8) do any other act necessary and proper to carry out the purposes of the corporation.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1447.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
190105	36:224 (less perpetual succession). 36:228.	June 30, 1950, ch. 431, §§ 4 (less perpetual succession), 8, 64 Stat. 313, 314.

In this section, the text of 36:228 is omitted as executed and obsolete.

In clause (1), the words “not inconsistent with the laws of the United States or of any State” are omitted as unnecessary.

Clause (4) is substituted for “acquire, hold, lease, and dispose of such real and personal property as may be necessary to carry out the corporate object and purpose” and “accept gifts, legacies, and devises in furtherance of the corporate object and purpose” for consistency in the revised title and to eliminate unnecessary words.

In clause (8), the words “and all . . . and things” and “object” are omitted as unnecessary.

§ 190106. Exclusive right to name, seals, emblems, and badges

The corporation and its subordinate departmental subdivisions and local chapters have the exclusive right to use the name “Reserve Officers Association of the United States” and seals, emblems, and badges the corporation adopts.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1448.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
190106	36:238.	June 30, 1950, ch. 431, §18, 64 Stat. 315.

The words “sole”, “to have, and”, “in carrying out its object and purpose”, and “lawfully” are omitted as unnecessary.

§ 190107. Restrictions

(a) PROFIT.—The corporation may not engage in business for profit.

(b) STOCK.—The corporation may not issue stock.

(c) POLITICAL ACTIVITIES.—The corporation or an officer or member as such may not contribute to, support, or assist a political party or candidate for public office.

(d) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, an officer or member except on dissolution or final liquidation of the corporation.

(e) LOANS.—The corporation may not make a loan or advance to an officer or member of the national executive committee. Members of the national executive committee who vote for or assent to making a loan or advance to an officer, and officers who participate in making the loan or advance, are jointly and severally liable to the corporation for the amount of the loan or advance until it is repaid.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1448.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
190107(a), (b).	36:229.	June 30, 1950, ch. 431, §§ 9, 10, 11 (words before 2d comma), 14, 64 Stat. 314.
190107(c)	36:230.	
190107(d)	36:231 (words before 2d comma).	
190107(e)	36:234.	

In subsection (a), the words “pecuniary” and “or gain” are omitted as unnecessary.

In subsection (b), the word “capital” is omitted as unnecessary.

In subsection (d), the words “inure to the benefit of” are substituted for “inure to” for consistency in the revised title.

In subsection (e), the words “or advance” are added in 2 places for consistency in the subsection.

§ 190108. Headquarters

The headquarters of the corporation shall be in the District of Columbia.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1448.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
190108	36:236 (1st sentence).	June 30, 1950, ch. 431, §16 (1st sentence), 64 Stat. 315

The word “national” is omitted as unnecessary.

§ 190109. Records and inspection

(a) RECORDS.—The corporation shall keep—

- (1) correct and complete records of account;
- (2) minutes of the proceedings of its national conventions, national executive committee, and other national entities of the corporation; and
- (3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1448; Pub. L. 111–113, §2(d), Dec. 14, 2009, 123 Stat. 3027.)