

Before clause (1), the word “purposes” is substituted for “principles and objects” for consistency in the revised title.

**§ 110303. Governing body**

(a) BOARD OF DIRECTORS.—(1) The board of directors is the governing body of the corporation. Between meetings of the corporation, the board is responsible for the general policies and program of the corporation. The board is responsible for the control of all funds of the corporation.

(2) The number of directors, their manner of selection (including the filling of vacancies), and their term of office are as provided in the constitution and bylaws of the corporation. However, the board shall have at least 36 directors.

(b) OFFICERS.—(1) The officers of the corporation are a president, one or more vice presidents as provided in the constitution and bylaws, a secretary, and a treasurer.

(2) The manner of election, term of office, and duties of the officers are as provided in the constitution and bylaws.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1369.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
110303(a)(1)	36:916(c).	Sept. 2, 1958, Pub. L. 85-903, §§ 6, 7, 72 Stat. 1739.
110303(a)(2) 110303(b) .....	36:916(a), (b). 36:917.	

In subsection (a)(1), the word “funds” is substituted for “finances” for consistency in the revised title.

In subsection (a)(2), the text of 36:916(a) and the word “Thereafter” are omitted as executed.

**§ 110304. Powers**

The corporation may—

(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) make contracts;

(4) acquire, own, lease, encumber, and transfer property as necessary or convenient to carry out the purposes of the corporation;

(5) borrow money, issue instruments of indebtedness, and secure its obligations by granting security interests in its property; and

(6) sue and be sued.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1369.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
110304 .....	36:914(b)–(h).  36:925.	Sept. 2, 1958, Pub. L. 85-903, §§ 4(b)–(h), 15, 72 Stat. 1739, 1741.

In this section, the text of 36:925 is omitted as executed and obsolete.

In clause (1), the word “alter” is omitted as included in “amend”. The words “not inconsistent with the laws of the United States” and “said constitution and bylaws should likewise not be inconsistent with the laws of 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 (3), the words “make contracts” are substituted for “contract and be contracted with” for consistency in the revised title.

Clause (4) is substituted for “to take by lease, gift, purchase, grant, devise, or bequest from any private corporation, association, partnership, firm, or individual, and to hold any property, real, personal, or mixed, necessary or convenient for attaining the objects and carrying into effect the purposes of the corporation” and “to transfer, convey, lease, sublease, encumber, and otherwise alienate real, personal, or mixed property” for consistency in the revised title and to eliminate unnecessary words. The words “subject, however, to applicable provisions of law of any State (A) governing the amount or kind of property which may be held by, or (B) otherwise limiting or controlling the ownership of property by, a corporation operating in such State” are omitted as unnecessary.

In clause (5), the words “for the purposes of the corporation” are omitted as unnecessary. The words “issue instruments of indebtedness, and secure its obligations by granting security interests in its property” are substituted for “issue bonds therefor, and secure the same by mortgage, deed of trust, pledge, or otherwise” for consistency in the revised title. The words “subject in every case to all applicable provisions of Federal and State laws” are omitted as unnecessary.

In clause (6), the words “complain and defend in any court of competent jurisdiction” are omitted as unnecessary.

**§ 110305. 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 assist a political party or candidate for public office.

(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 or officer. This subsection does not prevent the payment of compensation to an officer or employee in an amount approved by the executive committee of the corporation.

(d) LOANS.—The corporation may not make a loan to a director, officer, or employee. Directors who vote for or assent to making a loan to a director, officer, or employee, and officers who participate in making the loan, are jointly and severally liable to the corporation for the amount of the loan until it is repaid.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1370.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
110305(a) .....	36:921.	Sept. 2, 1958, Pub. L. 85-903, §§ 8, 9, 11, 72 Stat. 1740.
110305(b) .....	36:919.	
110305(c) .....	36:918(a).	
110305(d) .....	36:918(b).	

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

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

In subsection (c), the words “inure to the benefit of” are substituted for “inure to” for consistency in the revised title. The words “This subsection does not prevent” are substituted for “Nothing in this section, however, shall be construed to prevent” for consistency in the revised title and to eliminate unnecessary words.

**§ 110306. Principal office**

The principal office of the corporation shall be in the District of Columbia. However, the activities of the corporation are not confined to the District of Columbia but may be conducted throughout the States, territories, and possessions of the United States.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1370.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
110306 .....	36:915(a).	Sept. 2, 1958, Pub. L. 85–903, §5(a), 72 Stat. 1739.

The word “various” is omitted as unnecessary.

**§ 110307. Records and inspection**

(a) RECORDS.—The corporation shall keep—

- (1) correct and complete records of account;
- (2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; 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. 1370.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
110307 .....	36:922.	Sept. 2, 1958, Pub. L. 85–903, §12, 72 Stat. 1740.

The word “records” is substituted for “books and records” for consistency in the revised title and with other titles of the United States Code.

**§ 110308. Service of process**

The corporation shall have a designated agent in its headquarters in the District of Columbia to receive service of process for the corporation. Notice to or service on the agent, or mailed to the headquarters of the corporation in the District of Columbia, is notice to or service on the corporation.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1370.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
110308 .....	36:915(b).	Sept. 2, 1958, Pub. L. 85–903, §5(b), 72 Stat. 1739.

The words “at all times” are omitted as unnecessary.

**§ 110309. Liability for acts of officers and agents**

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1370.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
110309 .....	36:920.	Sept. 2, 1958, Pub. L. 85–903, §10, 72 Stat. 1740.

**§ 110310. Distribution of assets on dissolution or final liquidation**

On dissolution or final liquidation of the corporation, any assets remaining after the discharge of all liabilities shall be distributed as provided by the board of directors, but in compliance with the constitution and bylaws of the corporation. This section does not allow assets to be distributed to an officer or employee or to inure to the benefit of a private person.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1370.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
110310 .....	36:924.	Sept. 2, 1958, Pub. L. 85–903, §14, 72 Stat. 1741.

The words “dissolution or final liquidation” are substituted for “final dissolution or liquidation” for consistency in the revised title. The word “satisfaction” is omitted as included in “discharge”, and the word “obligations” is omitted as included in “liabilities”. The words “outstanding” and “all Federal and State laws applicable thereto” are omitted as unnecessary. The words “This section does not allow” are substituted for “Nothing in this section shall be construed so as to permit” for consistency in the revised title.

**CHAPTERS 1105 THROUGH 1199—RESERVED**

AMENDMENTS

2014—Pub. L. 113–237, §3(b)(10), Dec. 18, 2014, 128 Stat. 2837, added placeholder for chapters 1105 to 1199.

**CHAPTER 1201—KOREAN WAR VETERANS ASSOCIATION, INCORPORATED**

Sec.

- 120101. Organization.
- 120102. Purposes.
- 120103. Membership.
- 120104. Governing body.
- 120105. Powers.
- 120106. Restrictions.
- 120107. Tax-exempt status required as condition of charter.
- 120108. Records and inspection.
- 120109. Service of process.
- 120110. Liability for acts of officers and agents.
- 120111. Annual report.
- 120112. Definition.

AMENDMENTS

2008—Pub. L. 110–254, §1(a), June 30, 2008, 122 Stat. 2419, substituted chapter heading and table of sections consisting of items 120101 to 120112 for “[RESERVED]”.

**§ 120101. Organization**

(a) FEDERAL CHARTER.—Korean War Veterans Association, Incorporated (in this chapter, the “corporation”), a nonprofit organization that meets the requirements for a veterans service organization under section 501(c)(19) of the Internal Revenue Code of 1986 and that is organized under the laws of the State of New York, is a federally chartered corporation.