

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
130103 .....	36:78d.	June 17, 1959, Pub. L. 86-47, § 5, 73 Stat. 78.

In subsection (a)(1), the words “are as provided in the constitution and bylaws of the corporation” are substituted for “shall . . . be determined as the constitution and bylaws of the corporation may provide” for consistency in the revised title.

In subsection (a)(2)(A), the words “at any time” are added for clarity.

§ 130104. Governing body

(a) NATIONAL CONVENTION.—(1) The national convention is the supreme governing authority of the corporation.

(2) The national convention is composed of officers and elected representatives from the States and other local subdivisions of the corporation as provided in the constitution and bylaws. However, the form of government of the corporation must be representative of the membership at large and may not permit concentration of control in a limited number of members or in a self-perpetuating group not representative of the membership at large.

(3) The meetings of the national convention may be held in the District of Columbia or in any State, territory, or possession of the United States.

(b) OFFICERS.—The titles, manner of selection, term of office, and duties of the officers are as provided in the constitution and bylaws of the corporation.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1372.)

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Revised Section	Source (U.S. Code)	Source (Statutes at Large)
130104(a) .....	36:78e.	June 17, 1959, Pub. L. 86-47, §§ 6, 7, 73 Stat. 78.
130104(b) .....	36:78f.	

In subsection (a)(2), the words “several”, “always”, “thereof”, and “the hands of” are omitted as unnecessary.

In subsection (a)(3), the words “State, territory, or possession of the United States” are substituted for “State or Territory” for consistency in the revised title and with other titles of the United States Code.

§ 130105. 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) choose officers, managers, agents, and employees as the activities of the corporation require;

(4) make contracts;

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

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

(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. 1372.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
130105 .....	36:78c(2)–(10).	June 17, 1959, Pub. L. 86-47, § 4(2)–(10), 73 Stat. 77.

In clause (1), the word “alter” is omitted as included in “amend”. The words “not inconsistent with the laws of the United States or 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 (4), the words “make contracts” are substituted for “contract and be contracted with” for consistency in the revised title and to eliminate unnecessary words.

Clause (5) is substituted for “take by lease, gift, purchase, grant, devise, or bequest from any public body or agency or any private corporation, association, partnership, firm, or individual and to hold absolutely or in trust for any of the purposes of the corporation any property, real, personal, or mixed, necessary or convenient for attaining the objects and carrying into effect the purposes of the corporation” and “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 (6), 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 (7), the words “complain and defend in any court of competent jurisdiction” are omitted as unnecessary.

In clause (8), the words “any other act” are substituted for “any and all acts and things” for consistency in the revised title and to eliminate unnecessary words. The word “objects” is omitted as included in “purposes”.

§ 130106. Exclusive right to name, seals, emblems, and badges

The corporation and its subordinate divisions have the exclusive right to use the name “Ladies of the Grand Army of the Republic”. The corporation has the exclusive right to use and to allow others to use seals, emblems, and badges the corporation adopts.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1372.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
130106 .....	36:78o.	June 17, 1959, Pub. L. 86-47, § 16, 73 Stat. 79.

The word “sole” is omitted as included in “exclusive”. The words “allow others to use” are substituted for “allow or refuse the use of”, and the words “the corporation adopts” are substituted for “as have heretofore been used by the Ladies of the Grand Army of the Republic”, for consistency in the revised title.