

In subsection (b)(3), the word “among” is substituted for “amongst” to use more common terminology.

In subsection (b)(10), the word “whomsoever” is omitted as unnecessary.

§ 140503. Membership

(a) ACTIVE MEMBERS.—An individual is eligible for active membership in the corporation if the individual—

- (1) is of good moral character; and
- (2) has received the Purple Heart for wounds received as a member, of any rank, of the Armed Forces of the United States or any foreign country during military or naval combat against an armed enemy of the United States.

(b) ASSOCIATE MEMBERS.—The corporation may extend eligibility for membership as associate members to the parents, spouse, siblings, and lineal descendants of an individual described in subsection (a) of this section on terms provided in its constitution and bylaws.

(c) VOTING.—Each member described in subsection (a) of this section has one vote on each matter submitted to a vote at a meeting of the members.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1382; Pub. L. 110–207, § 2, Apr. 30, 2008, 122 Stat. 719.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
140503	36:826.	Aug. 26, 1958, Pub. L. 85–761, § 6, 72 Stat. 857.

In this section, the text of 36:826(d) is omitted as obsolete.

In subsection (a), the words “has received” are substituted for “who have received or who may hereafter receive”, and the words “as a member” are substituted for “are, have been, or may become members”, for clarity and to eliminate unnecessary words.

In subsection (b), the word “may” is substituted for “shall have the power, moreover, to” for consistency and to eliminate unnecessary words.

AMENDMENTS

2008—Subsec. (b). Pub. L. 110–207 substituted “the parents, spouse, siblings, and lineal descendants” for “parents and lineal descendants”.

§ 140504. 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 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 18 directors.

(b) OFFICERS.—(1) The officers of the corporation are a commander, a senior vice commander, a chaplain, an adjutant, a finance officer, a judge advocate, an inspector, a surgeon, a historian, and other elected officers as provided in the constitution and bylaws.

(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. 1382.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
140504(a)	36:827.	Aug. 26, 1958, Pub. L. 85–761, §§ 7, 8, 72 Stat. 857.
140504(b)	36:828.	

In subsection (a), the text of 36:827(a) is omitted as obsolete.

§ 140505. 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;
- (6) charge and collect membership dues; and
- (7) sue and be sued.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1382.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
140505	36:824(2)–(9). 36:836.	Aug. 26, 1958, Pub. L. 85–761, §§ 4(2)–(9), 16, 72 Stat. 856, 859.

In this section, the text of 36:836 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 or any State in which the corporation is to operate” are omitted as unnecessary.

Clause (4) is substituted for “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 object 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, 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” to eliminate unnecessary words. 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.

§ 140506. Restrictions

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