

In subsection (b), the word “Thereafter” is omitted as obsolete.

§ 153705. Powers

The corporation may—

- (1) adopt and amend a constitution and by-laws for the management of its property and the regulation of its affairs;
- (2) adopt and alter a corporate seal;
- (3) choose officers as the corporation requires;
- (4) make contracts;
- (5) acquire, own, lease, encumber, and transfer property as necessary or convenient to carry out the purposes of the corporation; and
- (6) sue and be sued.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1429.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
153705	36:1004(2)–(8). 36:1018.	Sept. 7, 1962, Pub. L. 87–650, §§ 4(2)–(8), 18, 76 Stat. 503, 506.

In this section, the text of 36:1018 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.

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, grants, 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 “complain and defend in any court of competent jurisdiction” are omitted as unnecessary.

§ 153706. Exclusive right to name, seals, emblems, and badges

The corporation and its subordinate corps have the exclusive right to use the name “National Woman’s Relief Corps, Auxiliary to 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. 1429.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
153706	36:1017.	Sept. 7, 1962, Pub. L. 87–650, § 17, 76 Stat. 505.

The word “sole” is omitted as included in “exclusive”. The words “the corporation adopts” are substituted for “as have heretofore been used by the Illinois corporation described in section 1018 of this title” for consistency in the revised title. The words “and the right to which may be lawfully transferred to the corporation” are omitted as executed.

§ 153707. Restrictions

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

(b) POLITICAL ACTIVITIES.—The corporation or an officer or agent 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, an officer or member during the life of the corporation or on its dissolution or final liquidation. This subsection does not prevent the payment of reasonable compensation to an officer or reimbursement for actual necessary expenses in amounts approved by the council of administration of the corporation.

(d) LOANS.—The corporation may not make a loan or advance to an officer or member of the corporation. Members of the council of administration who vote for or assent to making a loan or advance to an officer or member, 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. 1429.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
153707(a)	36:1013.	Sept. 7, 1962, Pub. L. 87–650, §§ 10, 11, 13, 76 Stat. 504, 505.
153707(b)	36:1011.	
153707(c)	36:1010(a).	
153707(d)	36:1010(b).	

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

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

In subsection (d), the words “or advance” are added in 2 places for consistency in the subsection. In the first sentence, the words “or member” are added for consistency in the subsection.

§ 153708. Principal office

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

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1429.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
153708	36:1009(a).	Sept. 7, 1962, Pub. L. 87–650, § 9(a), 76 Stat. 504.

The word “various” is omitted as unnecessary.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1430.)

§ 153709. Records and inspection

- (a) RECORDS.—The corporation shall keep—
 - (1) correct and complete records of account; and
 - (2) minutes of the proceedings of its national convention.

(b) INSPECTION.—A member, 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. 1430.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
153709	36:1014.	Sept. 7, 1962, Pub. L. 87–650, §14, 76 Stat. 505.

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

§ 153710. Service of process

The corporation shall have a designated agent in the District of Columbia to receive service of process, notice, or demand for the corporation. Designation of the agent shall be filed in the office of the Mayor of the District of Columbia or another office designated by the Mayor. Notice to or service on the agent is notice to or service on the corporation.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1430.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
153710	36:1009(b).	Sept. 7, 1962, Pub. L. 87–650, §9(b), 76 Stat. 504.

The words “at all times” and “authorized” are omitted as unnecessary. The words “Designation of the agent shall be filed” are substituted for “The corporation shall file . . . a statement designating the initial and each successor registered agent of the corporation immediately following any such designation” for consistency in the revised title and to eliminate unnecessary words. The words “office of Mayor of the District of Columbia” are substituted for “Commissioners of the District of Columbia” in section 9(b) of the Act of September 7, 1962 (Public Law 87–650, 76 Stat. 504), because under section 401 of Reorganization Plan No. 3 of 1967 (5 App. U.S.C.), the functions of the Board of Commissioners of the District of Columbia were transferred to the Commissioner of the District of Columbia, and under sections 421 and 711 of the District of Columbia Self-Government and Governmental Reorganization Act (Public Law 93–198, 87 Stat. 789, 818), the office of Commissioner of the District of Columbia was abolished and replaced by the office of Mayor of the District of Columbia. The words “Notice to or service on the agent is notice to or service on the corporation” are substituted for “service of such process, notice or demand required or permitted by law to be served upon the corporation may be served upon such agent” for consistency in the revised title and to eliminate unnecessary words.

§ 153711. 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.

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
153711	36:1012.	Sept. 7, 1962, Pub. L. 87–650, §12, 76 Stat. 505.

§ 153712. Annual report

Not later than 6 months after the end of each fiscal year, the corporation shall submit a report to Congress on the activities of the corporation during the prior fiscal year. The report may consist of a report on the proceedings of the national convention during that fiscal year. The report may not be printed as a public document.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1430.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
153712	36:1016.	Sept. 7, 1962, Pub. L. 87–650, §16, 76 Stat. 505.

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of reporting provisions in this section, see section 3003 of Pub. L. 104–66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and page 204 of House Document No. 103–7.

§ 153713. Distribution of assets on dissolution or final liquidation

On dissolution or final liquidation of the corporation, its assets shall be distributed as follows:

- (1) All liabilities shall be paid and discharged, or adequate provision for payment and discharge shall be made.
- (2) Assets held on condition requiring return or transfer on dissolution of the corporation shall be returned or transferred as required by the condition.
- (3) Assets received and held subject to a limitation permitting use only for charitable, religious, benevolent, educational, or similar purposes, but not held on a condition requiring return or transfer on dissolution of the corporation, shall be transferred to one or more appropriate domestic or foreign corporations, societies, or organizations under a plan of distribution adopted as provided in this chapter.
- (4) Other assets shall be distributed as provided by the articles of incorporation or bylaws to the extent that the articles or bylaws provide the distributive rights of members, or any class of members, or provide for distribution to others.
- (5) Any remaining assets may be distributed to persons, societies, organizations, or domestic or foreign corporations engaged in activities not for profit, as provided in a plan of distribution adopted by the council of administration of the corporation and in compliance with the constitution and bylaws of the corporation.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1430.)