

§ 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 in-

spect 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.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
190109	36:233.	June 30, 1950, ch. 431, § 13, 64 Stat. 314.

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

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

AMENDMENTS

2009—Subsec. (a)(2). Pub. L. 111–113 substituted “other national entities of the corporation;” for “national council;”.

§ 190110. Service of process

(a) DISTRICT OF COLUMBIA.—The corporation shall have a designated agent in the District of Columbia to receive service of process for the corporation. Notice to or service on the agent is notice to or service on the corporation.

(b) STATES, TERRITORIES, AND POSSESSIONS.—As a condition to the exercise of any power or privilege granted by this chapter, the corporation shall file, with the secretary of state or other designated official of each State, territory, or possession of the United States in which a subordinate department or local chapter is organized, the name and address of an agent in that State, territory, or possession on whom legal process or demands against the corporation may be served.

(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>
190110(a)	36:236 (2d, last sentences).	June 30, 1950, ch. 431, §§ 16 (2d, last sentences), 17, 64 Stat. 315.
190110(b)	36:237.	

In subsection (b), the words “precedent” and “or conferred” are omitted as unnecessary. The words “with the secretary of state or other designated official” are substituted for “in the office of the secretary of state, or similar officer” for consistency in the revised title. The words “post office” are omitted as unnecessary.

§ 190111. 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. 1449.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
190111	36:232.	June 30, 1950, ch. 431, § 12, 64 Stat. 314.

§ 190112. Distribution of assets on dissolution or final liquidation

On dissolution or final liquidation of the corporation, any assets remaining after the dis-

charge of all liabilities shall be divided equally among the then active officers and members.
(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1449.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
190112	36:231 (words after 2d comma).	June 30, 1950, ch. 431, §11 (words after 2d comma), 64 Stat. 314.

The word "satisfaction" is omitted as included in "discharge", and the word "obligations" is omitted as included in "liabilities". The word "outstanding" is omitted as unnecessary.

CHAPTER 1903—RETIRED ENLISTED ASSOCIATION, INCORPORATED

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- 190302. Organization.
- 190303. Purposes.
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- 190312. Liability for acts of officers and agents.
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§ 190301. Definition

For purposes of this chapter, "State" includes the District of Columbia and the territories and possessions of the United States.
(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1449.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
190301	36:5117.	Oct. 23, 1992, Pub. L. 102-484, title XVIII, §1838, 106 Stat. 2586.

The words "the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands" are omitted as included in "the territories and possessions of the United States".

§ 190302. Organization

(a) FEDERAL CHARTER.—Retired Enlisted Association, Incorporated (in this chapter, the "corporation"), a nonprofit corporation incorporated in Colorado, is a federally chartered corporation.

(b) EXPIRATION OF CHARTER.—If the corporation does not comply with any provision of this chapter, the charter granted by this chapter expires.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1449.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
190302(a)	36:5101.	Oct. 23, 1992, Pub. L. 102-484, title XVIII, §§1821, 1835 (last sentence), 1837, 106 Stat. 2584, 2586.
190302(b)	36:5114 (last sentence). 36:5116.	

This section is substituted for the source provisions for consistency in the revised title and to eliminate unnecessary words.

§ 190303. Purposes

The purposes of the corporation are as provided in its articles of incorporation and bylaws and include—

- (1) upholding and defending the Constitution of the United States;
- (2) promoting health, prosperity, and scholarship among its members and their dependents and survivors through benevolent programs;
- (3) assisting veterans and their dependents and survivors through a service program established for that purpose;
- (4) improving conditions for retired enlisted service members, veterans, and their dependents and survivors; and
- (5) fostering fraternal and social activities among its members in recognition that cooperative action is required for the furtherance of their common interests.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1449.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
190303	36:5103.	Oct. 23, 1992, Pub. L. 102-484, title XVIII, §1823, 106 Stat. 2584.

The word "objects" is omitted as included in "purposes".

§ 190304. Membership

(a) ELIGIBILITY.—Except as provided in this chapter, eligibility for membership in the corporation and the rights and privileges of members are as provided in the articles of incorporation and bylaws.

(b) NONDISCRIMINATION.—The terms of membership may not discriminate on the basis of race, color, religion, sex, disability, age, or national origin.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1450.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
190304(a)	36:5105.	Oct. 23, 1992, Pub. L. 102-484, title XVIII, §1825, 106 Stat. 2584.
190304(b)	36:5108 (related to membership).	Oct. 23, 1992, Pub. L. 102-484, title XVIII, §1828 (related to membership), 106 Stat. 2586; Nov. 30, 1993, Pub. L. 103-160, title XI, §1182(c)(6), 107 Stat. 1772.

In subsection (a), the words "Except as provided in this chapter" are substituted for "Except as provided in section 5108 of this title" for consistency in the revised title.

In subsection (b), the words "The terms of membership" are substituted for "In establishing the conditions of membership in the corporation" for consistency in the revised title and to eliminate unnecessary words.