

**§ 120105. Powers**

The corporation has only those powers provided in its bylaws and articles of incorporation filed in each State in which it is incorporated.

(Added Pub. L. 110-254, §1(a)(2), June 30, 2008, 122 Stat. 2420.)

**§ 120106. 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 of the corporation as such, may not contribute to, support, or participate in any political activity or in any manner attempt to influence legislation.

(c) LOAN.—The corporation may not make a loan to a director, officer, or employee of the corporation.

(d) CLAIM OF GOVERNMENTAL APPROVAL OR AUTHORITY.—The corporation may not claim congressional approval, or the authority of the United States, for any activity of the corporation.

(e) CORPORATE STATUS.—The corporation shall maintain its status as a corporation incorporated under the laws of the State of New York.

(Added Pub. L. 110-254, §1(a)(2), June 30, 2008, 122 Stat. 2420.)

**§ 120107. Tax-exempt status required as condition of charter**

If the corporation fails to maintain its status as an organization exempt from taxation under the Internal Revenue Code of 1986, the charter granted under this chapter shall terminate.

(Added Pub. L. 110-254, §1(a)(2), June 30, 2008, 122 Stat. 2421.)

REFERENCES IN TEXT

The Internal Revenue Code of 1986, referred to in text, is classified generally to Title 26, Internal Revenue Code.

**§ 120108. Records and inspection**

(a) RECORDS.—The corporation shall keep—

- (1) correct and complete records of account;
- (2) minutes of the proceedings of the members, board of directors, and committees of the corporation having any of the authority of the board of directors of the corporation; and
- (3) at the principal office of the corporation, a record of the names and addresses of the members of the corporation entitled to vote on matters relating to the corporation.

(b) INSPECTION.—A member entitled to vote on any matter relating to the corporation, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

(Added Pub. L. 110-254, §1(a)(2), June 30, 2008, 122 Stat. 2421.)

(Added Pub. L. 110-254, §1(a)(2), June 30, 2008, 122 Stat. 2421.)

**§ 120109. Service of process**

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.

(Added Pub. L. 110-254, §1(a)(2), June 30, 2008, 122 Stat. 2421.)

**§ 120110. Liability for acts of officers and agents**

The corporation is liable for any act of any officer or agent of the corporation acting within the scope of the authority of the corporation.

(Added Pub. L. 110-254, §1(a)(2), June 30, 2008, 122 Stat. 2421.)

**§ 120111. Annual report**

The corporation shall submit to Congress an annual report on the activities of the corporation during the preceding fiscal year. The report shall be submitted at the same time as the report of the audit required by section 10101(b) of this title. The report may not be printed as a public document.

(Added Pub. L. 110-254, §1(a)(2), June 30, 2008, 122 Stat. 2421.)

**§ 120112. Definition**

For purposes of this chapter, the term “State” includes the District of Columbia and the territories and possessions of the United States.

(Added Pub. L. 110-254, §1(a)(2), June 30, 2008, 122 Stat. 2421.)

**CHAPTERS 1203 THROUGH 1299—RESERVED**

AMENDMENTS

2014—Pub. L. 113-237, §3(b)(11), Dec. 18, 2014, 128 Stat. 2837, added placeholder for chapters 1203 to 1299.

**CHAPTER 1301—LADIES OF THE GRAND ARMY OF THE REPUBLIC**

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**§ 130101. Organization**

(a) FEDERAL CHARTER.—Ladies of the Grand Army of the Republic (in this chapter, the “corporation”) is a federally chartered corporation.

(b) PLACE OF INCORPORATION AND DOMICILE.—The corporation is declared to be incorporated and domiciled in the District of Columbia.

(c) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1371.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
130101 .....	36:78. 36:78a. 36:78c(1).	June 17, 1959, Pub. L. 86-47, §§ 1, 2, 4(1), 73 Stat. 76, 77.

This section is substituted for the source provisions for consistency in the revised title and to eliminate executed and unnecessary words. The text of 36:78a is omitted as executed and obsolete.

§ 130102. Purposes

The purposes of the corporation are—

- (1) to perpetuate the memory of the Grand Army of the Republic and of the men who saved the Union in 1861 to 1865;
- (2) to assist in every practicable way in preserving, and making available for research, documents and records pertaining to the Grand Army of the Republic and its members;
- (3) to cooperate in doing honor to all those who have served our country patriotically in any way;
- (4) to teach patriotism, the duties of citizenship, the true history of our country, and the love and honor of our flag;
- (5) to oppose every tendency or movement that would weaken loyalty to, destroy, or impair our constitutional Union; and
- (6) to inculcate and broadly sustain the American principles of representative government, equal rights, and impartial justice for all.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1371.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
130102 .....	36:78b.	June 17, 1959, Pub. L. 86-47, § 3, 73 Stat. 77.

In clause (5), the words “destroy, or impair” are substituted for “make for the destruction or impairment of” to eliminate unnecessary words.

§ 130103. Membership

(a) ELIGIBILITY.—(1) Except as provided in this chapter, eligibility for membership in the corporation and the rights, privileges, and designation of classes of members are as provided in the constitution and bylaws of the corporation.

(2) Eligibility for membership is limited to female blood relatives of an individual who—

(A) served at any time during the period April 12, 1861, through April 9, 1865, as a soldier or sailor in—

- (i) the United States Army, Navy, Marine Corps, or Revenue-Cutter Service; or
- (ii) a State regiment that was called into active service and was subject to orders of United States general officers during that period; and

(B) was honorably discharged from, or died in, that service.

(b) VOTING.—Each member 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. 1371.)

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.)

HISTORICAL AND REVISION NOTES

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.