

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
130301(a)	36:631 (related to creation and declaration of incorporation).	Aug. 4, 1955, ch. 546, §§ 1, 2, 4(1), 69 Stat. 486, 487.
130301(b)	36:632. 36:631 (related to place of incorporation and domicile).	
130301(c)	36:631 (related to perpetual succession).	
130301(d)	36:634(1). 36:648.	June 21, 1961, Pub. L. 87-56, § 1, 75 Stat. 95.

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

In subsection (a), the text of 36:632 is omitted as executed and obsolete.

In subsection (d), the words “The corporation known as the Army and Navy Legion of Valor of the United States of America, Incorporated, which was incorporated by the Act entitled ‘An Act to Incorporate the Army and Navy Legion of Valor of the United States of America’, approved August 4, 1955 (69 Stat. 486), shall be known and designated on and after June 21, 1961 as the Legion of Valor of the United States of America, Incorporated, and” are omitted as executed. The words “such corporation under the name of” and “such corporation under and by the name of” are omitted as unnecessary. The words “is deemed” are substituted for “shall be held” for consistency in the revised title.

§ 130302. Principles and purposes

(a) PRINCIPLES.—The principles underlying the corporation are patriotic allegiance to the United States of America, fidelity to the constitution and laws of the United States, the security of civil liberty, and the permanence of free institutions.

(b) PURPOSES.—The purposes of the corporation are—

(1) to cherish the memories of the valiant deeds in arms for which the Congressional Medal of Honor, the Distinguished Service Cross, the Navy Cross, and the Air Force Cross are the insignia;

(2) to promote true fellowship among its members;

(3) to advance the best interests of members of the Armed Forces of the United States of America;

(4) to extend all possible relief to needy members of the corporation and their widows and children; and

(5) to stimulate patriotism in the minds of our youth by encouraging the study of the patriotic, military, and naval history of our Nation.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1374.)

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Revised Section	Source (U.S. Code)	Source (Statutes at Large)
130302	36:633.	Aug. 4, 1955, ch. 546, § 3, 69 Stat. 487; June 21, 1961, Pub. L. 87-56, § 2, 75 Stat. 95.

In subsection (b), the word “purposes” is substituted for “objects” for consistency in the revised title. The words “Navy Cross” are restated before “Air Force

Cross” in accordance with the order preferred by the Legion of Valor of the United States of America, Incorporated.

§ 130303. Membership

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

(1) is of good moral character; and

(2) has received a Congressional Medal of Honor, a Distinguished Service Cross, a Navy Cross, or an Air Force Cross awarded for acts of extraordinary heroism in connection with military or naval operations against an armed enemy, or for heroism of a specially distinguished character, as a member of the Armed Forces of the United States or any foreign country.

(b) EXTENSION OF ELIGIBILITY TO PARENTS AND DESCENDANTS.—The corporation may extend eligibility for membership, either active or associate, to parents 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 (except an associate 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. 1374.)

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Revised Section	Source (U.S. Code)	Source (Statutes at Large)
130303	36:636.	Aug. 4, 1955, ch. 546, § 6, 69 Stat. 488; June 21, 1961, Pub. L. 87-56, § 2, 75 Stat. 95.

In subsection (a)(2), the words “has received” are substituted for “who have received or who may hereafter receive” to eliminate unnecessary words. The words “Navy Cross” are restated before “Air Force Cross” in accordance with the order preferred by the Legion of Valor of the United States of America, Incorporated. The words “as a member” are substituted for “are, have been, or may become members . . . of whatever rank” for clarity and to eliminate unnecessary words.

In subsection (b), the words “on terms” are substituted for “under such conditions and upon such terms” to eliminate unnecessary words.

In subsection (c), the words “the right to” are omitted as unnecessary.

The text of 36:636(d) is omitted as obsolete.

§ 130304. 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 10 directors.

(b) OFFICERS.—(1) The officers of the corporation are a commander, a senior vice commander, a junior vice commander, a chaplain, an adjutant and quartermaster, a judge advocate, an inspector, a surgeon, a historian, and any aides-de-camp 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. 1375.)

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Revised Section	Source (U.S. Code)	Source (Statutes at Large)
130304(a)	36:637.	Aug. 4, 1955, ch. 546, §§ 7, 8, 69 Stat. 488.
130304(b)	36:638.	

In subsection (a), the text of 36:637(a) and the word “Thereafter” in 36:637(b) are omitted as executed and obsolete. In paragraph (1), the word “funds” is substituted for “finances” for consistency in the revised title.

§ 130305. 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. 1375.)

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Revised Section	Source (U.S. Code)	Source (Statutes at Large)
130305	36:634(2)-(9).	Aug. 4, 1955, ch. 546, §§ 4(2)-(9), 16, 69 Stat. 487, 490.
	36:646.	

In this section, the text of 36:646 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 (3), the words “make contracts” are substituted for “contract and be contracted with” for consistency in the revised title.

Clause (4) is substituted for “to 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 objects and carrying into effect the purposes of the corporation” and “to 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 (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” 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.

§ 130306. 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 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, a director, officer, or member except on dissolution or final liquidation of the corporation. This subsection does not prevent the payment of compensation to an officer in an amount approved by the executive committee of the corporation.

(d) LOANS.—The corporation may not make a loan to a director, officer, or employee. Directors who vote for or assent to making a loan to a director, officer, or employee, and officers who participate in making the loan, are jointly and severally liable to the corporation for the amount of the loan until it is repaid.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1375.)

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Revised Section	Source (U.S. Code)	Source (Statutes at Large)
130306(a)	36:642.	Aug. 4, 1955, ch. 546, §§ 9, 10, 12, 69 Stat. 489.
130306(b)	36:640.	
130306(c)	36:639(a).	
130306(d)	36:639(b).	

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

In subsection (b), the words “or otherwise” 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. The words “as provided in section 645 of this title” are omitted as unnecessary. The words “This subsection does not prevent” are substituted for “Nothing in this subsection, however, shall be construed to prevent” for consistency in the revised title and to eliminate unnecessary words. The reference to the “executive committee of the corporation” is retained although 36:637 and 36:638 do not create an executive committee.

§ 130307. Principal office

The principal office of the corporation shall be in a place decided by the board of directors. However, the activities of the corporation are not confined to the place where the principal office is located but may be conducted throughout the States, territories, and possessions of the United States.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1376.)

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Revised Section	Source (U.S. Code)	Source (Statutes at Large)
130307	36:635(a).	Aug. 4, 1955, ch. 546, § 5(a), 69 Stat. 487.