

(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 by-laws 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.

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HISTORICAL AND REVISION NOTES

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

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.

(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. 1383.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
140506(a)	36:832.	Aug. 26, 1958, Pub. L. 85-761, §§9, 10, 12, 72 Stat. 858.
140506(b)	36:830.	
140506(c)	36:829(a).	
140506(d)	36:829(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. The words “as provided in section 835 of this title” are omitted as unnecessary.

§ 140507. Principal office

The principal office of the corporation shall be in the District of Columbia or another place decided by the national executive board. 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. 1383.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
140507	36:825(a).	Aug. 26, 1958, Pub. L. 85-761, §5(a), 72 Stat. 856.

The word “various” is omitted as unnecessary.

§ 140508. Records and inspection

(a) RECORDS.—The corporation shall keep—

- (1) correct and complete records of account;
- (2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; 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 inspect the records of the corporation for any proper purpose, at any reasonable time.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1383.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
140508	36:833.	Aug. 26, 1958, Pub. L. 85-761, §13, 72 Stat. 858.

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

§ 140509. 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. 1383.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
140509	36:831.	Aug. 26, 1958, Pub. L. 85-761, §11, 72 Stat. 858.

§ 140510. 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, or mailed to the business address of the agent, is notice to or service on the corporation.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1384.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
140510	36:825(b).	Aug. 26, 1958, Pub. L. 85-761, §5(b), 72 Stat. 857.

The words “at all times” are omitted as unnecessary.

§ 140511. Distribution of assets on dissolution or final liquidation

On dissolution or final liquidation of the corporation, any assets remaining after the discharge of all liabilities shall be distributed as provided by the board of directors, but in compliance with the constitution and bylaws of the corporation.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1384.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
140511	36:835.	Aug. 26, 1958, Pub. L. 85-761, §15, 72 Stat. 859.

The word “satisfaction” is omitted as included in “discharge”, and the word “obligations” is omitted as included in “liabilities”. The words “outstanding” and “all Federal and State laws applicable thereto” are omitted as unnecessary.

CHAPTER 1407—MILITARY ORDER OF THE WORLD WARS

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§ 140701. 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. 1384.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
140701	36:5016.	Oct. 23, 1992, Pub. L. 102-484, title XVIII, §1817, 106 Stat. 2584.

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”.

§ 140702. Organization

(a) FEDERAL CHARTER.—Military Order of the World Wars (in this chapter, the “corporation”), a nonprofit corporation incorporated in the District of Columbia, is a federally chartered corporation.

(b) EXPIRATION OF CHARTER.—The charter granted by this chapter expires if the corporation fails to comply with any provision of—

- (1) its bylaws or articles of incorporation;
- (2) this chapter; or
- (3) the laws of the District of Columbia that apply to corporations such as the corporation recognized under this chapter.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1384.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
140702(a)	36:5001.	Oct. 23, 1992, Pub. L. 102-484, title XVIII, §§1801, 1815 (last sentence), 1816, 106 Stat. 2581, 2583.
140702(b)	36:5014 (last sentence). 36:5015.	

Subsection (a) is substituted for the source provision for consistency in the revised title.

In subsection (b), the words “restriction or other” in 36:5015 are omitted as unnecessary. The text of 36:5014 (last sentence) is omitted as unnecessary because of clause (2) of the revised subsection.

§ 140703. Purposes

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

- (1) promoting military service associations;
- (2) promoting patriotic education and military, naval, and air science;
- (3) defending the honor and integrity of the United States Government and the Constitution;