

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
170105	36:1160.	Aug. 11, 1971, Pub. L. 92-93, §10, 85 Stat. 318.

The words “sole”, “have and”, and “in carrying out its purposes” are omitted as unnecessary.

§ 170106. 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 shall be nonpolitical and may not provide financial aid to, or otherwise promote the candidacy of, an individual seeking 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, a director, officer, member, or employee 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 employee or reimbursement for actual necessary expenses in amounts approved by the board of directors.

(e) LOANS.—The corporation may not make a loan to a director, officer, member, or employee. Directors who vote for or assent to making such a loan, 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. 1441.)

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<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
170106(a), (b).	36:1155.	Aug. 11, 1971, Pub. L. 92-93, §§5, 6, 14, 85 Stat. 318, 319.
170106(c)	36:1156.	
170106(d)	36:1164(a).	
170106(e)	36:1164(b).	

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 (c), the words “as an organization” are omitted as unnecessary.

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

§ 170107. Headquarters and principal place of business

The headquarters and principal place of business of the corporation shall be in the District of Columbia. However, the activities of the corporation are not confined to the District of Columbia but may be conducted throughout the States, territories, and possessions of the United States.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1441.)

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<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
170107	36:1158.	Aug. 11, 1971, Pub. L. 92-93, §8, 85 Stat. 318.

The words “activities of the corporation are not confined to the District of Columbia but may be” are substituted for “activities of said organization, as set out herein, shall not be confined to said city, but shall be” for consistency in the revised title.

§ 170108. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, executive committee, and committees having any of the authority of its executive committee; 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. 1441.)

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<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
170108	36:1161.	Aug. 11, 1971, Pub. L. 92-93, §11, 85 Stat. 318.

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)(3), the words “registered office or” are omitted for consistency in the revised title.

§ 170109. Service of process

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 an organization, chapter, or post 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. 1441.)

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<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
170109	36:1162.	Aug. 11, 1971, Pub. L. 92-93, §12, 85 Stat. 318.

The words “precedent”, “herein”, 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” for consistency in the revised title. The words “post office” and “authorized” are omitted as unnecessary. The words “legal process” are substituted for “local process” for consistency in the revised title.

§ 170110. 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. 1442.)

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Revised Section	Source (U.S. Code)	Source (Statutes at Large)
170110	36:1165.	Aug. 11, 1971, Pub. L. 92-93, § 15, 85 Stat. 319.

§ 170111. Distribution of assets on dissolution or final liquidation

On dissolution or final liquidation of the corporation, any assets remaining after the discharge or satisfactory provision for discharge of all liabilities shall be transferred to the Secretary of Veterans Affairs to be applied to the care and comfort of paralyzed veterans.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1442.)

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Revised Section	Source (U.S. Code)	Source (Statutes at Large)
170111	36:1159.	Aug. 11, 1971, Pub. L. 92-93, § 9, 85 Stat. 318; June 13, 1991, Pub. L. 102-54, § 13(n)(5), 105 Stat. 278.

The words “dissolution or final liquidation” are substituted for “final dissolution or liquidation” for consistency in the revised title. The words “Secretary of Veterans Affairs” are substituted for “Department of Veterans Affairs” because under 38:303 the Secretary is the head of the Department.

CHAPTER 1703—PEARL HARBOR SURVIVORS ASSOCIATION

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§ 170301. 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. 1442.)

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Revised Section	Source (U.S. Code)	Source (Statutes at Large)
170301	36:3613.	Oct. 7, 1985, Pub. L. 99-119, § 14, 99 Stat. 500.

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”.

§ 170302. Organization

(a) FEDERAL CHARTER.—Pearl Harbor Survivors Association (in this chapter, the “corporation”), a nonprofit corporation incorporated in Missouri, 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. 1442.)

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Revised Section	Source (U.S. Code)	Source (Statutes at Large)
170302(a)	36:3601.	Oct. 7, 1985, Pub. L. 99-119, §§ 1, 17, 99 Stat. 498, 501.
170302(b)	36:3616.	

This section is substituted for the source provisions for consistency in the revised title.

§ 170303. Purposes

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

- (1) upholding and defending the Constitution of the United States;
- (2) collating, preserving, and encouraging the study of historical episodes, chronicles, mementos, and events pertaining to “The Day of Infamy, 7 December 1941”, and in particular those memories and records of patriotic service performed by the heroic Pearl Harbor survivors and nonsurvivors;
- (3) shielding from neglect the graves, past and future, of those who served at Pearl Harbor on that day;
- (4) stimulating communities and political subdivisions into taking more interest in the affairs and future of the United States to keep our Nation alert;
- (5) fighting unceasingly for our national security to protect the United States from enemies within and without our borders;
- (6) preserving the American way of life and fostering the spirit and practice of Americanism; and
- (7) instilling love of country and flag and promoting soundness of mind and body in the youth of our Nation.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1442.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
170303	36:3603.	Oct. 7, 1985, Pub. L. 99-119, § 3, 99 Stat. 498.

Before clause (1), the word “objects” is omitted as unnecessary.

§ 170304. Membership

(a) ELIGIBILITY.—Eligibility for membership in the corporation and the rights and privileges of members are as provided in the constitution and bylaws of the corporation.

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

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1443.)