

In subsection (a), the words “is not eligible for all classes of membership” are substituted for “in no case shall eligibility for all classes of membership include” to eliminate unnecessary words.

**§ 230304. 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 of the corporation. 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. Each elected representative is entitled to one vote at the national convention.

(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) BOARD OF ADMINISTRATION.—(1) During the intervals between the national convention, the board of administration is the governing board of the corporation and is responsible for the general policies, program, and activities of the corporation.

(2) The board shall consist of at least 7 members elected in the manner and for the term provided in the constitution and bylaws.

(c) OFFICERS.—(1) The officers of the corporation are a national commander, a national senior vice commander, a national junior vice commander, a national quartermaster, a national adjutant, a national judge advocate, 9 regional vice commanders, and other officers as provided in the constitution and bylaws. One individual may hold the offices of national quartermaster and national adjutant.

(2) The titles, manner of selection, 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. 1483.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
230304(a) .....	36:766(a).	July 18, 1958, Pub. L. 85–530, §§ 6(a), 7, 8, 72 Stat. 372.
230304(b)(1)	36:767(a).	
230304(b)(2)	36:767(b), (c).	
230304(c) .....	36:768.	

In subsection (a)(2), the words “always” 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.

In subsection (b)(2), the text of 36:767(b) is omitted as executed and obsolete.

**§ 230305. 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, employees, and agents 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.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1484.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
230305 .....	36:764(2)–(10).  36:778.	July 18, 1958, Pub. L. 85–530, §§ 4(2)–(10), 18, 72 Stat. 371, 375.

In this section, the text of 36:778 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 (4), the words “make contracts” are substituted for “contract and be contracted with” for consistency in the revised title and to eliminate unnecessary words.

Clause (5) is substituted for “take by lease, gift, purchase, grant, devise, or bequest from any public body or agency or any private corporation, association, partnership, firm, or individual and to hold absolutely or in trust for any of the purposes of the corporation any property, real, personal, or mixed, necessary or convenient for attaining the objects 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 by, or (B) otherwise limiting or controlling the ownership of property by, a corporation operating in such State” are omitted as unnecessary.

In clause (6), 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 and 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.

In clause (8), the words “any other act” are substituted for “any and all acts and things” for consistency in the revised title and to eliminate unnecessary words. The word “objects” is omitted as included in “purposes”.

**§ 230306. Exclusive right to name, seals, emblems, and badges**

The corporation and its subordinate divisions have the exclusive right to use the name “Veter-

ans of World War I of the United States of America, Incorporated”. The corporation has the exclusive right to use, and to allow others to use, seals, emblems, and badges the corporation adopts.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1484.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
230306 .....	36:777.	July 18, 1958, Pub. L. 85-530, §17, 72 Stat. 374.

The words “sole”, “or refuse”, and “and such emblems, seals, and badges as have heretofore been used by the Ohio corporation described in section 778 of this title” are omitted as unnecessary. The words “and the right to which may be lawfully transferred to the corporation” are omitted as executed.

§ 230307. Restrictions

(a) STOCKS AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) POLITICAL ACTIVITIES.—The corporation or an officer or agent 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, an officer or member during the life of the corporation or on its dissolution or final liquidation. This subsection does not prevent the payment of compensation to an officer or reimbursement for actual necessary expenses in amounts approved by the board of administration of the corporation.

(d) LOANS.—The corporation may not make a loan or advance to an officer or employee. Members of the board of administration who vote for or assent to making a loan or advance to an officer or employee, 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. 1484.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
230307(a) .....	36:773.	July 18, 1958, Pub. L. 85-530, §§10, 11, 13, 72 Stat. 373, 374.
230307(b) .....	36:771.	
230307(c) .....	36:770(a).	
230307(d) .....	36:770(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 “This subsection does not” are substituted for “Nothing in this subsection, however, shall be construed to” for consistency in the revised title and to eliminate unnecessary words.

In subsection (d), the words “or advance” are added in 2 places for consistency in the subsection.

§ 230308. Principal office

The principal office of the corporation shall be in the District of Columbia or another place de-

termined by the board of administration. However, the activities of the corporation are not confined to the place where the principal office is located but may be conducted in the District of Columbia and throughout the States, territories, and possessions of the United States.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1485.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
230308 .....	36:769(a).	July 18, 1958, Pub. L. 85-530, §9(a), 72 Stat. 373.

The word “various” is omitted as unnecessary.

§ 230309. Records and inspection

(a) RECORDS.—The corporation shall keep—  
 (1) correct and complete records of account; and  
 (2) minutes of the proceedings of its national convention and board of administration.

(b) INSPECTION.—A member, 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. 1485.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
230309 .....	36:774.	July 18, 1958, Pub. L. 85-530, §14, 72 Stat. 374.

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.

§ 230310. 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. 1485.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
230310 .....	36:769(b).	July 18, 1958, Pub. L. 85-530, §9(b), 72 Stat. 373.

The words “at all times” are omitted as unnecessary. The words “to receive” are substituted for “authorized to accept”, and the word “is” is substituted for “will be deemed”, for consistency in the revised title.

§ 230311. 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. 1485.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
230311 .....	36:772.	July 18, 1958, Pub. L. 85-530, §12, 72 Stat. 374.