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AMENDMENTS

2008—Pub. L. 110-254, §1(a), June 30, 2008, 122 Stat. 2419, substituted chapter heading and table of sections consisting of items 120101 to 120112 for “[RESERVED]”.

§ 120101. Organization

(a) FEDERAL CHARTER.—Korean War Veterans Association, Incorporated (in this chapter, the “corporation”), a nonprofit organization that meets the requirements for a veterans service organization under section 501(c)(19) of the Internal Revenue Code of 1986 and that is organized under the laws of the State of New York, is a federally chartered corporation.

(b) EXPIRATION OF CHARTER.—If the corporation does not comply with the provisions of this chapter, the charter granted by subsection (a) shall expire.

(Added Pub. L. 110-254, §1(a)(2), June 30, 2008, 122 Stat. 2419.)

Editorial Notes

REFERENCES IN TEXT

Section 501(c)(19) of the Internal Revenue Code of 1986, referred to in subsec. (a), is classified to section 501(c)(19) of Title 26, Internal Revenue Code.

§ 120102. Purposes

The purposes of the corporation are those provided in the articles of incorporation of the corporation and shall include the following:

(1) To organize as a veterans service organization in order to maintain a continuing interest in the welfare of veterans of the Korean War, and rehabilitation of the disabled veterans of the Korean War to include all that served during active hostilities and subsequently in defense of the Republic of Korea, and their families.

(2) To establish facilities for the assistance of all veterans and to represent them in their claims before the Department of Veterans Affairs and other organizations without charge.

(3) To perpetuate and preserve the comradeship and friendships born on the field of battle and nurtured by the common experience of service to the United States during the time of war and peace.

(4) To honor the memory of the men and women who gave their lives so that the United States and the world might be free and live by the creation of living memorial, monuments, and other forms of additional educational, cultural, and recreational facilities.

(5) To preserve for the people of the United States and posterity of such people the great

and basic truths and enduring principles upon which the United States was founded.

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

§ 120103. Membership

Eligibility for membership in the corporation, and the rights and privileges of members of the corporation, are as provided in the bylaws of the corporation.

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

§ 120104. Governing body

(a) BOARD OF DIRECTORS.—The composition of the board of directors of the corporation, and the responsibilities of the board, are as provided in the articles of incorporation of the corporation.

(b) OFFICERS.—The positions of officers of the corporation, and the election of the officers, are as provided in the articles of incorporation.

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

§ 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.)