

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
230103 .....	36:115.	May 28, 1936, ch. 471, § 5, 49 Stat. 1391; May 29, 1953, ch. 85, § 2, 67 Stat. 40; Mar. 7, 1995, Pub. L. 104-3, 109 Stat. 47.

The words “is eligible for membership . . . only if” are substituted for “may not be a member . . . unless” for consistency in the revised title. The words “served honorably as a member of the armed forces of the United States” are substituted for “served honorably as a member of the Armed Forces of the United States” and “while a member of the Armed Forces of the United States, served honorably” to eliminate unnecessary words. In clause (2), the words “at least” are substituted for “not less than” for consistency in the revised title.

**Editorial Notes**

AMENDMENTS

2016—Par. (3). Pub. L. 114-328 inserted “or 351” after “section 310”.

2002—Par. (3). Pub. L. 107-242 added par. (3).

**§ 230104. Powers**

The corporation may—

(1) adopt and amend a constitution, bylaws, and regulations to carry out the purposes of the corporation;

(2) adopt and alter a corporate seal;

(3) establish and maintain offices to conduct its activities;

(4) make contracts;

(5) acquire, own, lease, encumber, and transfer property as necessary and appropriate to carry out the purposes of the corporation;

(6) establish, regulate, and discontinue subordinate State and territorial subdivisions and local chapters or posts;

(7) publish a magazine and other publications;

(8) sue and be sued; and

(9) do any other act necessary and proper to carry out the purposes of the corporation.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1481.)

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<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
230104 .....	36:114 (words before 4th semicolon less perpetual succession, words after 5th semicolon). 36:116.	May 28, 1936, ch. 471, § 4 (words before 4th semicolon less perpetual succession, words after 5th semicolon), 6, 49 Stat. 1391.

In this section, the text of 36:116 is omitted as executed and obsolete.

In clause (1), the words “apply, and administer” are omitted as unnecessary and for consistency in the revised title. The words “not inconsistent with the laws of the United States or of any State” are omitted as unnecessary.

In clause (2), the words “at pleasure” are omitted for consistency in the revised title.

In clause (3), the word “activities” is substituted for “business” for consistency in the revised title.

Clauses (4) and (5) are substituted for “to receive, hold, own, use, and dispose of such real estate, personal property, money, contract, rights, and privileges as

shall be deemed necessary and incidental for its corporate purposes” for consistency in the revised title and to eliminate unnecessary words.

In clause (8), the words “in courts of law and equity” are omitted as unnecessary.

In clause (9), the words “do any other act” are substituted for “generally to do any and all such acts and things” for consistency in the revised title and to eliminate unnecessary words.

**§ 230105. Exclusive right to name, seal, emblems, and badges**

The corporation has the exclusive right to use the name “Veterans of Foreign Wars of the United States” and its corporate seal and to manufacture and use emblems and badges the corporation adopts.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1482.)

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230105 .....	36:114 (words between 4th and 5th semicolons). 36:117.	May 28, 1936, ch. 471, §§ 4 (words between 4th and 5th semicolons), 7, 49 Stat. 1391.

The words “sole”, “to have and”, and “in carrying out its purposes” in 36:117 are omitted as unnecessary. The words “as may be deemed necessary in the fulfillment of the purposes of the corporation” are omitted as unnecessary.

**§ 230106. 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, the name and address of an agent in that State on whom legal process or demands against the corporation may be served.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1482.)

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<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
230106 .....	36:119.	May 28, 1936, ch. 471, § 9, 49 Stat. 1391.

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 of State” for consistency in the revised title. The words “post-office” and “authorized” are omitted as unnecessary.

**§ 230107. Annual report**

Not later than January 1 of each year, the corporation shall submit a report to Congress on the activities of the corporation during the prior fiscal year. The report may not be printed as a public document.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1482.)

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<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
230107 .....	36:118.	May 28, 1936, ch. 471, § 8, 49 Stat. 1391; Aug. 30, 1964, Pub. L. 88-504, § 4(10), 78 Stat. 637.