

The text of 36:4707 is omitted as executed and obsolete.

In clause (1), the word “rules” is omitted as included in “regulations”. The words “not inconsistent with the laws of the United States of America, or any State thereof” are omitted as unnecessary.

In clause (2), the words “adopt and alter” are substituted for “adopt . . . and the same to alter at pleasure” for consistency in the revised title.

In clause (3), the words “acquire and own property” are substituted for “hold such real and personal estate . . . and . . . receive real and personal property by gift, devise, or bequest” for consistency in the revised title and to eliminate unnecessary words.

In clause (6), the words “in courts of law and equity” are omitted as unnecessary and for consistency in the revised title.

§ 210106. Restrictions

(a) EXCLUSIVELY EDUCATIONAL PURPOSES.—The corporation shall be operated exclusively for educational purposes.

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

(c) DISTRIBUTIONS OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of any member or individual.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1456.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
210106	36:4705.	May 31, 1920, ch. 216, § 5, 41 Stat. 693.

In subsection (a), the words “is organized and” are omitted as executed and obsolete.

In subsection (b), the words “certificates of” are omitted as unnecessary.

In subsection (c), the words “income or assets” are substituted for “earnings, income, or funds” for consistency in the revised title.

§ 210107. Nonapplication of audit requirements

The audit requirements of section 10101 of this title do not apply to the corporation.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1456.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
210107	(no source).	

This section is added to except the Theodore Roosevelt Association from the application of section 10101 of the revised title, restating 36:1101–1103, which imposes audit requirements on certain federally chartered corporations. The Association is not included in the list of corporations set out in 36:1101 to which the audit requirements apply.

CHAPTER 2103—369TH VETERANS’ ASSOCIATION

- Sec. 210301. Definition.
- 210302. Organization.
- 210303. Purposes.
- 210304. Membership.
- 210305. Governing body.
- 210306. Powers.

- Sec. 210307. Exclusive right to name, seals, emblems, and badges.
- 210308. Restrictions.
- 210309. Duty to maintain tax-exempt status.
- 210310. Records and inspection.
- 210311. Service of process.
- 210312. Liability for acts of officers and agents.
- 210313. Annual report.

§ 210301. 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. 1457.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
210301	36:3013.	Oct. 30, 1984, Pub. L. 98–565, § 14, 98 Stat. 2922.

The words “the Commonwealth of Puerto Rico” are omitted as included in “the territories and possessions of the United States”.

§ 210302. Organization

(a) FEDERAL CHARTER.—369th Veterans’ Association (in this chapter, the “corporation”), a nonprofit corporation incorporated in New York, 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. 1457.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
210302(a)	36:3001.	Oct. 30, 1984, Pub. L. 98–565, §§ 1, 15 (last sentence), 17, 98 Stat. 2920, 2922.
210302(b)	36:3014 (last sentence). 36:3016.	

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

§ 210303. Purposes

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

- (1) promoting the principles of friendship and good will among its members;
- (2) engaging in social and civic activities that tend to enhance the welfare of its members and inculcate the true principles of good citizenship in its members; and
- (3) memorializing, individually and collectively, the patriotic services of its members in the 369th anti-aircraft artillery group and other units in the Armed Forces of the United States.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1457.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
210303	36:3003.	Oct. 30, 1984, Pub. L. 98–565, § 3, 98 Stat. 2920.

Before clause (1), the word “objects” is omitted as included in “purposes”.

In clause (3), the words “the several units of” are omitted as unnecessary.

§ 210304. Membership

(a) ELIGIBILITY.—Except as provided in this chapter, eligibility for membership in the corporation and the rights and privileges of members are as provided in the constitution and by-laws 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. 1457.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
210304(a)	36:3005 (words before 3d comma).	Oct. 30, 1984, Pub. L. 98–565, §5 (words before 3d comma, words after 3d comma related to discrimination in membership), 98 Stat. 2920.
210304(b)	36:3005 (words after 3d comma related to discrimination in membership).	

§ 210305. Governing body

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

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

(c) NONDISCRIMINATION.—The requirements for holding office in the corporation may not discriminate on the basis of race, color, religion, or national origin.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1457.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
210305(a)	36:3006.	Oct. 30, 1984, Pub. L. 98–565, §§5 (words after 3d comma related to discrimination in holding office), 6, 7, 98 Stat. 2920, 2921.
210305(b)	36:3007.	
210305(c)	36:3005 (words after 3d comma related to discrimination in holding office).	

The words “and in conformity with the laws of the State or States in which it is incorporated” in 36:3006 and “and in conformity with the laws of the State or States wherein it is incorporated” in 36:3007 are omitted as unnecessary.

§ 210306. Powers

The corporation has only the powers provided in its bylaws and articles of incorporation filed in each State in which it is incorporated.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1457.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
210306	36:3002.	Oct. 30, 1984, Pub. L. 98–565, §2, 98 Stat. 2920.

The words “and subject to the laws of such State or States” are omitted as unnecessary.

§ 210307. Exclusive right to name, seals, emblems, and badges

The corporation has the exclusive right to use the name “369th Veterans’ Association” and seals, emblems, and badges the corporation adopts. This section does not affect any vested rights.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1458.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
210307	36:3015.	Oct. 30, 1984, Pub. L. 98–565, §16, 98 Stat. 2922.

The words “sole and” are omitted as unnecessary. The words “This section does not affect any vested rights” are substituted for “Nothing in this section shall be construed to interfere or conflict with established or vested rights” for consistency in the revised title.

§ 210308. Restrictions

(a) STOCKS 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 participate in any political activity or in any manner attempt to influence legislation.

(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 during the life of the charter granted by this chapter. This subsection does not prevent the payment of reasonable compensation to an officer or reimbursement for actual necessary expenses in amounts approved by the board of directors.

(d) LOANS.—The corporation may not make a loan to a director, officer, or employee.

(e) CLAIM OF GOVERNMENTAL APPROVAL OR AUTHORITY.—The corporation may not claim congressional approval or the authority of the United States Government for any of its activities.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1458.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
210308	36:3008.	Oct. 30, 1984, Pub. L. 98–565, §8, 98 Stat. 2921.

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 prevent” are substituted for “Nothing in this subsection shall be construed to prevent” for consistency in the revised title.

§ 210309. Duty to maintain tax-exempt status

The corporation shall maintain its status as an organization exempt from taxation under the