(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1329.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
40101	36:2613.	Aug. 17, 1984, Pub. L. 98–382, § 14, 98 Stat. 1345.

The words ''the Commonwealth of Puerto Rico'' are omitted as included in ''the territories and possession of the United States''.

§ 40102. Organization

(a) FEDERAL CHARTER.—Catholic War Veterans of the United States of America, Incorporated (in this chapter, the ''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. 1329.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
40102(a)	36:2601.	Aug. 17, 1984, Pub. L. 98–382, §§ 1, 15 (last sentence), 16, 98 Stat. 1343, 1345.
40102(b)	36:2614 (last sentence). 36:2615.	

This section is substituted for the source provisions for consistency in the revised title and to eliminate unnecessary words.

§ 40103. Purposes

The purposes of the corporation are as provided in the articles of incorporation and include a continuing commitment, on a national basis, to—

(1) preserve, protect, and defend the Constitution of the United States and the laws of the States;

(2) commemorate the wars, campaigns, and military actions of the United States to reflect profound respect, high honor, and great tribute on the glorious dead and the surviving veterans of those wars, campaigns, and actions and to give all Americans a greater understanding of and appreciation for the sacrifices of those who participated in them for all Americans;

(3) stimulate to the highest degree possible the interests of the entire Nation in the problems of veterans, their widows, and orphans;

(4) cooperate to the fullest extent and in a harmonious manner with all veterans' organizations in common projects designed to serve the interests of all veterans of all wars in which the United States has participated;

(5) collate, preserve, and encourage the study of historical episodes, chronicles, mementos, and events pertaining to the wars, campaigns, and military actions of the United States;

(6) inculcate an enduring love of country, a deep and abiding sense of patriotism, and a profound commitment to Americanism among all the people of the United States;

(7) encourage, among the youth of our Nation, respect for our national flag, our anthem, and the traditions of America;

(8) preserve the freedoms of all the people, national peace, prosperity, tranquility, good will, the permanence of free institutions, and the defense of the United States;

(9) foster the association of veterans of the Catholic faith who have served in the Armed Forces of the United States;

(10) encourage morality in government, labor, management, economic, social, fraternal, and all other phases of American life;

(11) promote the realization that the family is the basic unit of society;

(12) increase our love, honor, and service to God and to our fellow man without regard to race, creed, color, or national origin; and

(13) function as a veterans' and patriotic organization as authorized by the laws of each State in which it is incorporated.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1329; Pub. L. 109–284, § 5(6), Sept. 27, 2006, 120 Stat. 1212.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
40103	36:2603.	Aug. 17, 1984, Pub. L. 98–382, § 3, 98 Stat. 1343.

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

AMENDMENTS

2006—Par. (13). Pub. L. 109–284 substituted ''laws of each State'' for ''laws of the each State''.

§ 40104. Membership

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

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1330.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
40104	36:2605.	Aug. 17, 1984, Pub. L. 98–382, § 5, 98 Stat. 1344.

§ 40105. 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.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1330.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
40105(a)	36:2606.	Aug. 17, 1984, Pub. L. 98–382, §§ 6, 7, 98 Stat. 1344.
40105(b)	36:2607.	

The words ''and in conformity with the laws of the State or States in which it is incorporated'' in 36:2606 and ''and in conformity with the laws of the State or States wherein it is incorporated'' in 36:2607 are omitted as unnecessary.

§ 40106. 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. 1330.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
40106	36:2602.	Aug. 17, 1984, Pub. L. 98–382, § 2, 98 Stat. 1343.

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

§ 40107. Restrictions

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

(b) 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 employee in an amount approved by the board of directors.

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

(d) CLAIM OF GOVERNMENTAL APPROVAL OR AUTHORIZATION.—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. 1330.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
40107	36:2608.	Aug. 17, 1984, Pub. L. 98–382, § 8, 98 Stat. 1344.

In subsection (a), the words ''any shares of'' are omitted as unnecessary.

In subsection (b), the words ''inure to the benefit of'' are substituted for ''inure to'' for consistency in the revised title.

§ 40108. Duty to maintain tax-exempt status

The corporation shall maintain its status as an organization exempt from taxation under the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.).

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1330.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
40108	36:2614 (1st sentence).	Aug. 17, 1984, Pub. L. 98–382, § 15 (1st sentence), 98 Stat. 1345.

§ 40109. Records and inspection

(a) RECORDS.—The corporation shall keep—

(1) correct and complete records of account;

(2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; 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. 1331.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
40109	36:2610.	Aug. 17, 1984, Pub. L. 98–382, § 10, 98 Stat. 1345.

The word ''records'' is substituted for ''books and records'' for consistency in the revised title and with other titles of the United States Code. The words ''Nothing in this section shall be construed to contravene any applicable State law'' are omitted as unnecessary.

§ 40110. Service of process

The corporation shall comply with the law on service of process of each State in which it is incorporated and each State in which it carries on activities.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1331.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
40110	36:2604.	Aug. 17, 1984, Pub. L. 98–382, § 4, 98 Stat. 1344.

§ 40111. 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. 1331.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
40111	36:2609.	Aug. 17, 1984, Pub. L. 98–382, § 9, 98 Stat. 1345.

§ 40112. Annual report

The corporation shall submit an annual report to Congress on the activities of the corporation during the prior fiscal year. The report shall be submitted at the same time as the report of the audit required by section 10101 of this title. The report may not be printed as a public document.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1331.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
40112	36:2611.	Aug. 17, 1984, Pub. L. 98–382, § 12, 98 Stat. 1345.

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of reporting provisions in this section, see section 3003 of Pub. L. 104–66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and page 198 of House Document No. 103–7.