

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 10 section 2543.

§ 730. "Commissioners" defined

Wherever the term "Commissioners" is used in this chapter, such term shall be deemed to refer to the Commissioner of the District of Columbia.

(Aug. 6, 1956, ch. 974, §10, as added Jan. 30, 1968, Pub. L. 90-251, § 4, 82 Stat. 4.)

CODIFICATION

Section is also set out in D.C. Code, §1-1809.

TRANSFER OF FUNCTIONS

Except as otherwise provided in Reorg. Plan No. 3 of 1967, eff. Aug. 11, 1967 (in part), 32 F.R. 11669, 81 Stat. 948, all functions of the Board of Commissioners of the District of Columbia were transferred to the Commissioner of the District of Columbia by section 401 of Reorg. Plan No. 3 of 1967. The office of Commissioner of the District of Columbia, as established by Reorg. Plan No. 3 of 1967, was abolished as of noon Jan. 2, 1975, by Pub. L. 93-198, title VII, §711, Dec. 24, 1973, 87 Stat. 818, and replaced by the office of Mayor of the District of Columbia by section 421 of Pub. L. 93-198, classified to section 1-241 of the District of Columbia Code.

CHAPTER 31—CIVIL WAR CENTENNIAL COMMISSION

§§ 741 to 747. Omitted

CODIFICATION

Sections 741 to 747 related to the Civil War Centennial Commission, which terminated pursuant to former section 746 of this title.

Section 741, Pub. L. 85-305, §1, Sept. 7, 1957, 71 Stat. 626, provided for establishment and membership of Civil War Centennial Commission.

Section 742, Pub. L. 85-305, §2, Sept. 7, 1957, 71 Stat. 626, authorized Commission to prepare an overall program including specific plans commemorating the one hundredth anniversary of Civil War.

Section 743, Pub. L. 85-305, §3, Sept. 7, 1957, 71 Stat. 627, authorized Commission to preserve and develop the historic battlefield sites of Civil War to insure a fitting observance as their centennial occurs.

Section 744, Pub. L. 85-305, §4, Sept. 7, 1957, 71 Stat. 627, authorized a Presidential proclamation inviting people of the United States to participate in observance of centennial celebration.

Section 745, Pub. L. 85-305, §5, Sept. 7, 1957, 71 Stat. 627, authorized Commission to accept donations of money, property or personal services and to contract for materials and supplies, and designated National Park Service as agency to provide all general administrative services.

Section 746, Pub. L. 85-305, §6, Sept. 7, 1957, 71 Stat. 627, provided for hiring of employees, accounting of funds, a national assembly, a report submitted to Congress not later than Mar. 1, 1958, on preliminary plans of Commission, annual reports thereafter, and a final report submitted no later than May 1, 1966 (upon which date the Commission terminated), and disposal of property and funds of Commission upon its termination.

Section 747, Pub. L. 85-305, §7, Sept. 7, 1957, 71 Stat. 628, provided for transportation and reimbursement to members of Commission.

§ 748. Repealed. Pub. L. 88-448, title IV, § 402(a)(33), Aug. 19, 1964, 78 Stat. 495

Section, Pub. L. 85-305, §8, Sept. 7, 1957, 71 Stat. 628, related to employment of retired officers. See section 8301 et seq. of Title 5, Government Organization and Employees.

EFFECTIVE DATE OF REPEAL

Repeal effective on first day of first month which begins later than ninetieth day following Aug. 19, 1964, see section 403 of Pub. L. 88-448.

§ 749. Omitted

CODIFICATION

Section, Pub. L. 85-305, §9, Sept. 7, 1957, 71 Stat. 628; Pub. L. 85-918, Sept. 2, 1958, 72 Stat. 1769, authorized appropriations of not to exceed \$100,000 in any one fiscal year. See note for former section 746 of this title.

CHAPTER 32—VETERANS OF WORLD WAR I OF THE UNITED STATES OF AMERICA

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§ 761. Corporation created

The following-named persons provided that they meet the eligibility requirements set forth in section 765 of this title: Harlan W. Barnes, Portland, Oregon; Lewis Brake, Mount Vernon, Illinois; Fred J. Hollenbeck, Cape Vincent, New York; Reginald H. Murphy, Junior, Washington, District of Columbia; Stanton L. Smiley, Gary, Indiana; Emerson R. J. Follett, Dover, New Hampshire; M. George Deutch, Buffalo, New York; Patrick F. O'Connor, Braddock, Pennsylvania; Charles L. Gore, Baltimore, Maryland; Arch MacIntyre, Tampa, Florida;

G. Edwin Slater, Detroit, Michigan; John E. Erickson, Minneapolis, Minnesota; Al. H. Ohlsen, San Francisco, California; Arthur G. Estes, Albuquerque, New Mexico; M. C. Hermann, San Francisco, California; Merle E. Hopper, Roscommon, Michigan; Harry J. Millen, Watertown, New York; John C. Van Etten, Olympia, Washington; Emanuel Levy, Fort Wayne, Indiana; A. T. G. Novak, Seattle, Washington; Doctor Harry E. Mort, Saint Louis, Missouri; Martin F. Iverson, Washington, District of Columbia; Monte C. Walton, Portland, Oregon; Bert Mansfield, Portland, Oregon; W. N. Knight,

Salisbury, North Carolina; Reverend George G. Shurtz, Newcomerstown, Ohio;

David G. Bollinger, Lakewood, Ohio; Catherine Sawyer, Napa County, California; Joseph Bergrath, Madison, Illinois; Arthur Means, Mena, Arkansas; James Butler, Long Beach, California; Joseph P. Crider, Westerly, Rhode Island; Frank Heise, Washington, District of Columbia; Joseph W. Padderatz, New Smyrna Beach, Florida; George Burdick, Twin Falls, Idaho; Dean V. Thompson, Boise, Idaho; M. H. Bond, Centralia, Illinois; Denton Opp, Aurora, Indiana; Paul Hadley, Rehoboth Beach, Delaware; George M. Leary, Quincy, Massachusetts; Charles Cooper, Clare, Michigan; Jack Greenwood, Minneapolis, Minnesota; Howard E. White, Kansas City, Missouri; C. P. Biffle, Polson, Montana;

John Twardus, Stratham, New Hampshire; Gustave G. W. Laegeler, Newark, New Jersey; George F. Patton, Portales, New Mexico; William F. Schwab, Buffalo, New York; E. G. Kittles, Charlotte, North Carolina; Victor E. Morgan, Bridgeport, Ohio; Ray Snider, La Grande, Oregon; Leslie E. Barnhart, Uniontown, Pennsylvania; J. L. FitzGibbon, Columbia, South Carolina; C. W. Nevins, Fort Worth, Texas; Howard Houck, San Pedro, California; Charles Wetter, Santa Ana, California; A. Thomas Wheaton, Dearborn, Michigan; T. D. Ladd, Amarillo, Texas; Cornelius B. Prins, Fort Pierce, Florida;

Charles Ulmer, Wellington, Kansas; Louis Alterici, Charleroi, Pennsylvania; Robert Brown, Minneapolis, Minnesota; Joseph J. Strobel, Molalla, Oregon; James R. McClain, Springfield, Illinois; Henry H. Hitchings, Johnson City, New York; Albert J. Graf, Lake View, New York; William E. Kilgore, Ludlow, Kentucky; Leo Thornton, Hammond, Indiana; Daniel A. Chester, Spencer, North Carolina; Frank B. Pace, Oklahoma City, Oklahoma; O. B. Pritchett, Jefferson City, Missouri; Dayton H. Montgomery, Hot Springs, Arkansas; Melvin D. Eddy, Belmont, Massachusetts; James L. Culbert, Haverhill, Massachusetts;

Joseph Perrone, New London, Connecticut; George H. Hoak, Houton Lake Heights, Michigan; and William A. McVeigh, Victorville, California, and their associates and successors, are created and declared to be a body corporate of the District of Columbia, where its legal domicile shall be, the name of which shall be Veterans of World War I of the United States of America, Incorporated (hereinafter referred to as the "corporation"), and by such name the said corporation shall be known and have perpetual succession, the powers, limitations, and restrictions herein contained.

(Pub. L. 85-530, §1, July 18, 1958, 72 Stat. 370.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 762 of this title.

§ 762. Completion of organization

The persons named in section 761 of this title are authorized, a majority concurring, to complete the organization of the corporation by the selection of officers and employees, the adoption of regulations and bylaws, not inconsistent with

this chapter, and the doing of such other acts as may be necessary for such purpose.

(Pub. L. 85-530, §2, July 18, 1958, 72 Stat. 371.)

§ 763. Objects and purposes of corporation

The purposes of the corporation shall be patriotic, fraternal, historical, and educational, in the service and for the benefit of veterans of World War I and are as follows:

(1) To provide for the veterans of World War I an organization for their mutual benefit, pleasure, and amusement, which will afford them the opportunities and means for personal contact with each other in order to keep alive friendships and memories of World War I and to venerate the memory of their honored dead;

(2) To cooperate to the fullest extent and in a harmonious manner with all veterans' organizations to the end that the best interests of all veterans of all wars in which the United States of America has participated, and the widows and orphans of deceased veterans of such wars, may be best served;

(3) To stimulate communities and political subdivisions into taking more interest in veterans of World War I, the widows and orphans of such deceased veterans, and the problems of such veterans and their widows and orphans;

(4) To collate, preserve, and encourage the study of historical episodes, chronicles, mementos, and events pertaining to World War I;

(5) To fight vigorously to uphold the Constitution and laws of the United States, as well as the individual States of the Union and to foster the spirit and practice of true Americanism;

(6) To fight unceasingly for our national security in order to protect Americans from enemies within our borders, as well as those from without, to the end that our American way of life be preserved;

(7) To fight to the utmost all those alien forces, particularly forces such as communism, whose objectives are to deny our very existence as a free people; and

(8) To do any and all acts and things necessary and proper to carry out the objects and purposes of the corporation.

(Pub. L. 85-530, §3, July 18, 1958, 72 Stat. 371.)

§ 764. Powers of corporation

The corporation shall have power—

(1) to have succession by its corporate name;

(2) to sue and be sued, complain and defend in any court of competent jurisdiction;

(3) to adopt, use, alter a corporate seal;

(4) to choose such officers, managers, agents, and employees as the activities of the corporation may require;

(5) to adopt, amend, and alter a constitution and bylaws not inconsistent with the laws of the United States or any State in which the corporation is to operate, for the management of its property and the regulation of its affairs;

(6) to contract and be contracted with;

(7) to 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, 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;

(8) to transfer, convey, lease, sublease, encumber, and otherwise alienate real, personal, or mixed property;

(9) to borrow money for the purposes of the corporation, issue bonds therefor, and secure the same by mortgage, deed of trust, pledge, or otherwise, subject in every case to all applicable provisions of Federal and State laws; and

(10) to do any and all acts and things necessary and proper to carry out the objects and purposes of the corporation.

(Pub. L. 85-530, § 4, July 18, 1958, 72 Stat. 371.)

§ 765. Membership

Eligibility for membership in the corporation and the rights, privileges, and designation of classes of members shall be determined as the constitution and bylaws of the corporation may provide but in no case shall eligibility for all classes of membership include persons who did not serve honorably in the armed forces of the United States during the period beginning April 6, 1917 and ending November 11, 1918.

(Pub. L. 85-530, § 5, July 18, 1958, 72 Stat. 372.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 761, 767 of this title.

§ 766. Governing authority; composition; form; meeting places

(a) The supreme governing authority of the corporation shall be the national convention thereof, composed of such officers and elected representatives from the several States and other local subdivisions of the corporate organization as shall be provided by the constitution and bylaws, each of such duly elected representatives to be entitled to one vote at such national convention. The form of the government of the corporation shall always be representative of the membership at large and shall not permit the concentration of the control thereof in the hands of a limited number of members or in a self-perpetuating group not so representative. The meetings of the national convention may be held in any State or Territory or in the District of Columbia.

(b) Each member of the corporation, other than associate or honorary members, shall have the right to one vote on each matter submitted to a vote at all other meetings of the members of the corporation.

(Pub. L. 85-530, § 6, July 18, 1958, 72 Stat. 372.)

§ 767. Board of administration

(a) Governing period

During the intervals between the national convention, the board of administration shall be

the governing board of the corporation and shall be responsible for the general policies, programs, and activities of the corporation.

(b) Initial board

Upon the enactment of this chapter the membership of the initial board of administration of the corporation shall consist of such of the following present members of the board of administration of the Veterans of World War I of the United States of America, Incorporated (the corporation described in section 778 of this title) as qualify for membership under section 765 of this title and who are qualified members of said board of administration, to wit: Harlan W. Barnes, Lewis Brake, Fred J. Hollenbeck, Reginald H. Murphy, Junior, Stanton L. Smiley, Catherine Sawyer, Emerson R. J. Follett, M. George Deutsch, Patrick F. O'Connor, Charles L. Gore, Arch MacIntyre, G. Edwin Slater, John E. Erickson, A. H. Ohlsen, and Arthur G. Estes.

(c) Election

Thereafter, the board of administration of the corporation shall consist of not less than seven members elected in the manner and for the term prescribed in the constitution and bylaws of the corporation.

(Pub. L. 85-530, § 7, July 18, 1958, 72 Stat. 372.)

REFERENCES IN TEXT

Enactment of this chapter, referred to in subsec. (b), means enactment of Pub. L. 85-530, which was enacted July 18, 1958.

§ 768. Officers

The officers of the corporation shall be a national commander, a national senior vice commander, a national junior vice commander, a national quartermaster, a national adjutant (which latter two offices may be held by one person), a national judge advocate, nine regional vice commanders, and such other officers as may be prescribed in the constitution and bylaws. The officers of the corporation shall be selected in such manner and for such terms and with such duties and titles as may be prescribed in the constitution and bylaws of the corporation.

(Pub. L. 85-530, § 8, July 18, 1958, 72 Stat. 373.)

§ 769. Principal office; territorial scope of activities; agent for service of process

(a) The principal office of the corporation shall be located in Washington, District of Columbia, or in such other place as may be determined by the board of administration; but the activities of the corporation shall not be confined to that place, but may be conducted throughout the various States, the District of Columbia, and Territories and possessions of the United States.

(b) The corporation shall have in the District of Columbia at all times a designated agent authorized to accept services of process for the corporation; and notice to or service upon such agent, or mailed to the business address of such agent, will be deemed notice to or service upon the corporation.

(Pub. L. 85-530, § 9, July 18, 1958, 72 Stat. 373.)

§ 770. Distribution of income or assets to members; loans

(a) No part of the income or assets of the corporation shall inure to any of its members or officers as such, or be distributed to any of them during the life of the corporation or upon its dissolution or final liquidation. Nothing in this subsection, however, shall be construed to prevent the payment of compensation to officers of the corporation or reimbursement for actual necessary expenses in amounts approved by the board of administration of the corporation.

(b) The corporation shall not make loans to its officers or employees. Any member of the board of administration who votes for or assents to the making of a loan or advance to an officer or employee of the corporation, and any officer who participates in the making of such a loan or advance, shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

(Pub. L. 85-530, §10, July 18, 1958, 72 Stat. 373.)

§ 771. Nonpolitical nature of corporation

The corporation and its officers and agents as such shall not contribute to or otherwise support or assist any political party or candidate for public office.

(Pub. L. 85-530, §11, July 18, 1958, 72 Stat. 373.)

§ 772. Liability for acts of officers and agents

The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

(Pub. L. 85-530, §12, July 18, 1958, 72 Stat. 374.)

§ 773. Prohibition against issuance of stock or payment of dividends

The corporation shall have no power to issue any shares of stock or to declare or pay any dividends.

(Pub. L. 85-530, §13, July 18, 1958, 72 Stat. 374.)

§ 774. Books and records; inspection

The corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its national convention and board of administration. All books and records of the corporation may be inspected by any member, or his agent or attorney, for any proper purpose, at any reasonable time.

(Pub. L. 85-530, §14, July 18, 1958, 72 Stat. 374.)

§ 775. Repealed. Pub. L. 88-504, §4(27), Aug. 30, 1964, 78 Stat. 637

Section, Pub. L. 85-530, §15, July 18, 1958, 72 Stat. 374, related to audit of financial transactions and report of such audit to Congress. See sections 1101 to 1103 of this title.

§ 776. Annual report

On or before March 1 of each year the corporation shall report to the Congress on its activities during the preceding fiscal year. Such report may consist of a report on the proceedings of the national convention covering such fiscal year.

(Pub. L. 85-530, §16, July 18, 1958, 72 Stat. 374; Pub. L. 88-105, §2, Aug. 27, 1963, 77 Stat. 130.)

AMENDMENTS

1963—Pub. L. 88-105 struck out provisions which prohibited the report from being printed as a public document.

CROSS REFERENCES

Printing of proceedings of national encampments as House documents, see section 1332 of Title 44, Public Printing and Documents.

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

The corporation and its subordinate divisions shall have the sole and exclusive right to use the name "Veterans of World War I of the United States of America, Incorporated". The corporation shall have the exclusive and sole right to use, or to allow or refuse the use of, such emblems, seals, and badges as it may legally adopt, and such emblems, seals, and badges as have heretofore been used by the Ohio corporation described in section 778 of this title and the right to which may be lawfully transferred to the corporation.

(Pub. L. 85-530, §17, July 18, 1958, 72 Stat. 374.)

CROSS REFERENCES

Penalty for unauthorized manufacture, reproduction, or sale of badges or emblems of veterans' organizations, see section 705 of Title 18, Crimes and Criminal Procedure.

§ 778. Acquisition of assets and liabilities of existing corporation

The corporation may acquire the assets of the Veterans of World War I of the United States of America, Incorporated, a corporation organized under the laws of the State of Ohio, upon discharging or satisfactorily providing for the payment and discharge of all of the liability of such corporation and upon complying with all laws of the State of Ohio applicable thereto.

(Pub. L. 85-530, §18, July 18, 1958, 72 Stat. 375.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 767, 777 of this title.

§ 779. Dissolution or liquidation; disposition of property

The national convention may, by resolution, declare the event upon which the corporate existence of the organization is to terminate and provide for the disposition of any property remaining to the corporation after the discharge or satisfaction of all outstanding obligations and liabilities. A duly authenticated copy of such resolution shall be filed in the office of the United States District Court for the District of Columbia. Upon the happening of the event thus declared, and upon the filing of a petition in said United States District Court reciting said facts, said court shall take jurisdiction thereof, and upon due proof being made the court shall enter a decree which shall be effectual to vest title and ownership in accordance with the provisions of such resolution.

(Pub. L. 85-530, §19, July 18, 1958, 72 Stat. 375.)

§ 780. Reservation of right to amend or repeal chapter

The right to alter, amend, or repeal this chapter is expressly reserved.

(Pub. L. 85-530, §20, July 18, 1958, 72 Stat. 375.)

CHAPTER 33—THE CONGRESSIONAL MEDAL OF HONOR SOCIETY OF THE UNITED STATES OF AMERICA

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805. Use of assets on dissolution or liquidation.
806. Acquisition of assets and liabilities of existing corporation.
807. Reservation of right to amend or repeal chapter.

§ 791. Corporation created

The following named persons: Major General David M. Shoup, United States Marine Corps, Virginia; Joel T. Boone, Washington, District of Columbia; Samuel I. Parker, New Jersey; Nicholas Oresko, New Jersey; Luther Skaggs, Maryland; Rufus G. Herring, North Carolina; Nathan Gordon, Arkansas; Joseph J. McCarthy, Illinois; Pierpont M. Hamilton, California; Daniel W. Lee, Alabama; Walter D. Ehlers, California; David E. Hayden, California; William R. Huber, California; Robert S. Kennemore, California; Jackson C. Pharris, California; William J. Crawford, Colorado; Hugh C. Frazer, Washington, District of Columbia; Robert E. Galer, Washington, District of Columbia; Edouard V. M. Izac, Washington, District of Columbia; Leon W. Johnson, Washington, District of Columbia; Keith L. Ware, Washington, District of Columbia; John C. Latham, Connecticut; Homer L. Wise, Connecticut; Charles P. Murray, Georgia; Robert E. Gerstung, Illinois; Jake Alex Mandusich, Illinois; John L. Barkley, Kansas; Charles E. Kelly, Kentucky; John D. Bulkeley, Maryland; Justice M. Chambers, Maryland; Lawson P. Ramage, Washington, District of Columbia; Charles A. MacGillivray, Massachusetts;

Everett P. Pope, Massachusetts; Russell E. Dunham, Missouri; Arthur J. Forrest, Missouri; M. Waldo Hatler, Missouri; Carl L. Sitter, North Carolina; Max Thompson, North Carolina; Francis X. Burke, New Jersey; Thomas J. Hudner, New Jersey; Samuel M. Sampler, New Jersey; Charles Henry Willey, New Hampshire; Frank L. Anders, North Dakota; Ernest Childers, Oklahoma; John R. Crews, Oklahoma; Jack C. Montgomery, Oklahoma; Robert D. Maxwell, Oregon; Gino J. Merli, Pennsylvania; Oscar Schmidt, Pennsylvania; Thomas Eadie, Rhode Island; Charles H. Coolidge, Tennessee; Carlton W. Barrett, Virginia; Raymond G. Davis, Virginia; Paul F. Foster, Virginia; James R. Hendrix, Virginia; John Mihalowski, Virginia; Louis H. Wilson, Virginia; Orville E. Bloch, Washington; Robert E. Bonney, Washington; Einar H. Ingman, Wisconsin; Herschel W. Williams, West Virginia; and their successors are created and declared to be a body corporate of the District of Columbia, where its legal domicile shall be by the name of the Congressional Medal of Honor Society of the United States of America (hereafter referred to as the "corporation") and by such name shall be known and have perpetual succession and the powers, limitations, and restrictions herein contained.

(Pub. L. 85-642, §1, Aug. 14, 1958, 72 Stat. 597.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 792 of this title.

§ 792. Completion of organization

A majority of the persons named in section 791 of this title are authorized to complete the organization of the corporation by the selection of officers and employees, the adoption, amendment, and revision of a constitution and bylaws not inconsistent with the provisions of this chapter and the doing of such other acts as may be necessary for such purpose.

(Pub. L. 85-642, §2, Aug. 14, 1958, 72 Stat. 597.)

§ 793. Objects and purposes of corporation

The objects and purposes of the corporation are as follows:

(1) To form a bond of friendship and comradeship among all holders of the Congressional Medal of Honor.

(2) To protect, uphold, and preserve the dignity and honor of the medal at all times and on all occasions.

(3) To protect the name of the medal, and individual holders of the medal from exploitation.

(4) To provide appropriate aid to all persons to whom the medal has been awarded, their widows or their children.

(5) To serve our country in peace as we did in war.

(6) To inspire and stimulate our youth to become worthy citizens of our country.

(7) To foster and perpetuate Americanism.

(Pub. L. 85-642, §3, Aug. 14, 1958, 72 Stat. 598.)

§ 794. Powers of corporation

The corporation shall have power—

(1) to sue and be sued, complain and defend in any court of competent jurisdiction;