Public Law 98-565
98th Congress

An Act

Oct. 30, 1984
[H.R. 1095]

To grant a Federal charter to the 369th Veterans' Association.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Corporation.

CHARTER

36 USC 3001.

SECTION 1. The 369th Veterans' Association, a nonprofit corporation organized under the laws of the State of New York, is hereby recognized as such and is granted a charter.

POWERS

36 USC 3002.

SEC. 2. 369th Veterans' Association (hereinafter referred to as the "corporation") shall have only those powers granted to it through its bylaws and articles of incorporation filed in the State or States in which it is incorporated and subject to the laws of such State or States.

OBJECTS AND PURPOSES OF CORPORATION

36 USC 3003.

SEC. 3. The objects and purposes of the corporation are those provided in its articles of incorporation and shall include—

(1) to promote the principles of friendship and good will among its members;

(2) to engage in all forms of social and civic endeavors that will tend to enhance the welfare of its members, and to inculcate in them the true principles of good citizenship; and

(3) to memorialize, individually and collectively, the patriotic services of its members in the several units of the 369th antiaircraft artillery group and other units in the Armed Forces of the United States.

SERVICE OF PROCESS

36 USC 3004.

SEC. 4. With respect to service of process, the corporation shall comply with the laws of the States in which it is incorporated and those States in which it carries on its activities in furtherance of its corporate purposes.

MEMBERSHIP

36 USC 3005.

SEC. 5. Eligibility for membership in the corporation and the rights and privileges of members shall, except as provided in this Act, be as provided in the constitution and bylaws of the corporation, and terms of membership and requirements for holding office within the corporation shall not be discriminatory on the basis of race, color, religion, or national origin.

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BOARD OF DIRECTORS; COMPOSITION; RESPONSIBILITIES

SEC. 6. The board of directors of the corporation and the responsibilities thereof shall be as provided in the articles of incorporation of the corporation and in conformity with the laws of the State or States in which it is incorporated. 36 USC 3006.

OFFICERS OF CORPORATION

SEC. 7. The officers of the corporation, and the election of such officers shall be as provided in the articles of incorporation of the corporation and in conformity with the laws of the State or States wherein it is incorporated. 36 USC 3007.

RESTRICTIONS

SEC. 8. (a) No part of the income or assets of the corporation shall inure to any member, officer, or director of the corporation or be distributed to any such person during the life of this charter. Nothing in this subsection shall be construed to prevent the payment of reasonable compensation to the officers of the corporation or reimbursement for actual necessary expenses in amounts approved by the board of directors. 36 USC 3008.

(b) The corporation shall not make any loan to any officer, director, or employee of the corporation.

(c) The corporation and any officer and director of the corporation, acting as such officer or director, shall not contribute to, support or otherwise participate in any political activity or in any manner attempt to influence legislation.

(d) The corporation shall have no power to issue any shares of stock nor to declare or pay any dividends.

(e) The corporation shall not claim congressional approval or Federal Government authority for any of its activities.

LIABILITY

SEC. 9. The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority. 36 USC 3009.

BOOKS AND RECORDS; INSPECTION

SEC. 10. The corporation shall keep correct and complete books and records of accounts and shall keep minutes of any proceeding of the corporation involving any of its members, the board of directors, or any committee having authority under the board of directors. The corporation shall keep at its principal office a record of the names and addresses of all members having the right to vote. All books and records of such corporation may be inspected by any member having the right to vote, or by any agency or attorney of such member, for any proper purpose, at any reasonable time. Nothing in this section shall be construed to contravene any applicable State law. 36 USC 3010.

AUDIT OF FINANCIAL TRANSACTIONS

SEC. 11. The first section of the Act entitled "An Act to provide for audit of accounts of private corporations established under Federal law", approved August 30, 1964 (36 U.S.C. 1101), is amended by adding at the end thereof the following:

"(65) 369th Veterans' Association".

ANNUAL REPORT

36 USC 3011.

SEC. 12. The corporation shall report annually to the Congress concerning the activities of the corporation during the preceding fiscal year. Such annual report shall be submitted at the same time as is the report of the audit required by section 11 of this Act. The report shall not be printed as a public document.

RESERVATION OF RIGHT TO AMEND OR REPEAL CHARTER

36 USC 3012.

SEC. 13. The right to alter, amend, or repeal this Act is expressly reserved to the Congress.

DEFINITION OF "STATE"

36 USC 3013.

SEC. 14. For purposes of this Act, the term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States.

TAX-EXEMPT STATUS

36 USC 3014.

SEC. 15. The corporation shall maintain its status as an organization exempt from taxation as provided in the Internal Revenue Code. If the corporation fails to maintain such status, the charter granted hereby shall expire.

EXCLUSIVE RIGHT TO NAME, EMBLEMS, SEALS, AND BADGES

36 USC 3015.

SEC. 16. The corporation shall have the sole and exclusive right to use the name "369th Veterans' Association", and such seals, emblems, and badges as the corporation may lawfully adopt. Nothing in this section shall be construed to interfere or conflict with established or vested rights.

TERMINATION

36 USC 3016.

SEC. 17. If the corporation shall fail to comply with any of the restrictions or provisions of this Act the charter granted hereby shall expire.

Approved October 30, 1984.

LEGISLATIVE HISTORY—H.R. 1095:

HOUSE REPORT No. 98-490 (Comm. on the Judiciary).
CONGRESSIONAL RECORD:
Vol. 129 (1983): Nov. 14, considered and passed House.
Vol. 130 (1984): Oct. 10, considered and passed Senate, amended; House concurred in Senate amendments.