

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1442.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
170111	36:1159.	Aug. 11, 1971, Pub. L. 92-93, §9, 85 Stat. 318; June 13, 1991, Pub. L. 102-54, §13(n)(5), 105 Stat. 278.

The words “dissolution or final liquidation” are substituted for “final dissolution or liquidation” for consistency in the revised title. The words “Secretary of Veterans Affairs” are substituted for “Department of Veterans Affairs” because under 38:303 the Secretary is the head of the Department.

CHAPTER 1703—PEARL HARBOR SURVIVORS ASSOCIATION

- Sec.
- 170301. Definition.
- 170302. Organization.
- 170303. Purposes.
- 170304. Membership.
- 170305. Governing body.
- 170306. Powers.
- 170307. Exclusive right to name, seals, emblems, and badges.
- 170308. Restrictions.
- 170309. Duty to maintain tax-exempt status.
- 170310. Records and inspection.
- 170311. Service of process.
- 170312. Liability for acts of officers and agents.
- 170313. Annual report.

§ 170301. 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. 1442.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
170301	36:3613.	Oct. 7, 1985, Pub. L. 99-119, §14, 99 Stat. 500.

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

§ 170302. Organization

(a) FEDERAL CHARTER.—Pearl Harbor Survivors Association (in this chapter, the “corporation”), a nonprofit corporation incorporated in Missouri, 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. 1442.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
170302(a)	36:3601.	Oct. 7, 1985, Pub. L. 99-119, §§1, 17, 99 Stat. 498, 501.
170302(b)	36:3616.	

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

§ 170303. Purposes

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

- (1) upholding and defending the Constitution of the United States;
- (2) collating, preserving, and encouraging the study of historical episodes, chronicles, mementos, and events pertaining to “The Day of Infamy, 7 December 1941”, and in particular those memories and records of patriotic service performed by the heroic Pearl Harbor survivors and nonsurvivors;
- (3) shielding from neglect the graves, past and future, of those who served at Pearl Harbor on that day;
- (4) stimulating communities and political subdivisions into taking more interest in the affairs and future of the United States to keep our Nation alert;
- (5) fighting unceasingly for our national security to protect the United States from enemies within and without our borders;
- (6) preserving the American way of life and fostering the spirit and practice of Americanism; and
- (7) instilling love of country and flag and promoting soundness of mind and body in the youth of our Nation.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1442.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
170303	36:3603.	Oct. 7, 1985, Pub. L. 99-119, §3, 99 Stat. 498.

Before clause (1), the word “objects” is omitted as unnecessary.

§ 170304. Membership

(a) ELIGIBILITY.—Eligibility for membership in the corporation and the rights and privileges of members are as provided in the constitution and bylaws 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. 1443.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
170304(a)	36:3605 (words before 1st comma).	Oct. 7, 1985, Pub. L. 99-119, §5 (words before 1st comma, words after 1st comma related to discrimination in membership), 99 Stat. 499.
170304(b)	36:3605 (words after 1st comma related to discrimination in membership).	

§ 170305. 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. 1443.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
170305(a)	36:3606.	Oct. 7, 1985, Pub. L. 99–119, §§5 (words after 1st comma related to discrimination in holding office), 6, 7, 99 Stat. 499.
170305(b)	36:3607.	
170305(c)	36:3605 (words after 1st comma related to discrimination in holding office).	

In subsections (a) and (b), the words “and in conformity with the laws of the State in which it is incorporated” are omitted as unnecessary.

In subsection (a), the words “composition of” are omitted as unnecessary.

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

§ 170306. Powers

The corporation has the powers provided in its bylaws and articles of incorporation filed in the State in which it is incorporated, including the power to—

- (1) adopt and amend a constitution and bylaws for the management of its property and the regulation of its affairs;
- (2) adopt and alter a corporate seal;
- (3) adopt emblems and badges;
- (4) establish, maintain, and regulate offices to conduct the affairs of the corporation;
- (5) publish a magazine and other publications;
- (6) charge and collect membership dues and subscription fees and receive contributions or grants of money or property to be used to carry out the purposes of the corporation;
- (7) accept gifts, legacies, and devises that will further the purposes of the corporation;
- (8) promote the formation of auxiliaries, the membership requirements of which shall be as provided in the constitution and the bylaws of the corporation;
- (9) sue and be sued; and
- (10) do any other act necessary or desirable to carry out the purposes of the corporation.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1443.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
170306	36:3602.	Oct. 7, 1985, Pub. L. 99–119, § 2, 99 Stat. 498.

Before clause (1), the words “(hereinafter in this chapter referred to as the ‘corporation’)” and “and subject to the laws of such State” are omitted as unnecessary.

In clause (1), the words “alter” and “not inconsistent with the laws of the United States or any State in which the corporation is to operate” are omitted as unnecessary.

In clause (2), the word “use” is omitted as unnecessary.

In clause (9), the words “complain, and defend in any court of competent jurisdiction” are omitted as unnecessary.

In clause (10), the words “lawful”, “and things”, and “objects and” are omitted as unnecessary.

§ 170307. Exclusive right to name, seals, emblems, and badges

The corporation and its regional districts and local branches have the exclusive right to use the name “Pearl Harbor Survivors Association” and seals, emblems, and badges the corporation adopts.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1443.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
170307	36:3615.	Oct. 7, 1985, Pub. L. 99–119, § 16, 99 Stat. 501.

The word “sole” is omitted as included in “exclusive”. The words “in carrying out its purposes” are omitted as unnecessary.

§ 170308. Restrictions

(a) STOCK 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 or on dissolution or final liquidation of the corporation. This subsection does not prevent the payment of 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 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. 1443.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
170308(a)	36:3608(c).	Oct. 7, 1985, Pub. L. 99–119, § 8, 99 Stat. 499.
170308(b)	36:3608(d).	
170308(c)	36:3608(a).	
170308(d)	36:3608(b).	
170308(e)	36:3608(e).	

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

In subsection (b), the words “as such” are substituted for “acting as such” for consistency in the revised title.

In subsection (c), the words “inure to the benefit of” are substituted for “inure to”, and the words “rendered to the corporation” are omitted, for consistency in the revised title.

§ 170309. 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. 1444.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
170309	36:3614.	Oct. 7, 1985, Pub. L. 99-119, § 15, 99 Stat. 500.

§ 170310. 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. 1444.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
170310	36:3610.	Oct. 7, 1985, Pub. L. 99-119, § 10, 99 Stat. 500.

The word “records” is substituted for “books and records” for consistency in the revised title and with other titles of the United States Code.

§ 170311. 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. 1444.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
170311	36:3604.	Oct. 7, 1985, Pub. L. 99-119, § 4, 99 Stat. 499.

The words “in furtherance of its corporate purposes” are omitted as unnecessary.

§ 170312. 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. 1444.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
170312	36:3609.	Oct. 7, 1985, Pub. L. 99-119, § 9, 99 Stat. 500.

§ 170313. 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. 1444.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
170313	36:3611.	Oct. 7, 1985, Pub. L. 99-119, § 12, 99 Stat. 500.

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 205 of House Document No. 103-7.

CHAPTER 1705—POLISH LEGION OF AMERICAN VETERANS, U.S.A.

Sec.	Definition.
170501.	Organization.
170502.	Purposes.
170503.	Membership.
170504.	Governing body.
170505.	Powers.
170506.	Restrictions.
170507.	Duty to maintain tax-exempt status.
170508.	Records and inspection.
170509.	Service of process.
170510.	Liability for acts of officers and agents.
170511.	Annual report.
170512.	

§ 170501. 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. 1445.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
170501	36:2513.	July 23, 1984, Pub. L. 98-372, § 14, 98 Stat. 1241.

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

§ 170502. Organization

(a) FEDERAL CHARTER.—Polish Legion of American Veterans, U.S.A. (in this chapter, the “corporation”), a nonprofit corporation incorporated in Illinois, 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. 1445.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
170502(a)	36:2501.	July 23, 1984, Pub. L. 98-372, §§ 1, 15 (last sentence), 16, 98 Stat. 1239, 1241.
170502(b)	36:2514 (last sentence), 36:2515.	