

106TH CONGRESS  
1ST SESSION

# H. R. 1671

To grant a Federal charter to Korean War Veterans Association,  
Incorporated.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 4, 1999

Mr. HOYER introduced the following bill; which was referred to the Committee  
on the Judiciary

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## A BILL

To grant a Federal charter to Korean War Veterans  
Association, Incorporated.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. GRANT OF FEDERAL CHARTER TO KOREAN**  
4                       **WAR VETERANS ASSOCIATION, INCOR-**  
5                       **PORATED.**

6       (a) GRANT OF CHARTER.—Part B of subtitle II of  
7       title 36, United States Code, is amended—

8               (1) by striking the following:

9               **“CHAPTER 1201—[RESERVED]”;**

10       and

1 (2) by inserting after chapter 1103 the fol-  
 2 lowing new chapter:

3 **“CHAPTER 1201—KOREAN WAR VETERANS**  
 4 **ASSOCIATION, INCORPORATED**

“Sec.

“120101. Organization.

“120102. Purposes.

“120103. Membership.

“120104. Governing body.

“120105. Powers.

“120106. Restrictions.

“120107. Tax-exempt status required as condition of charter.

“120108. Records and inspection.

“120109. Service of process.

“120110. Liability for acts of officers and agents.

“120111. Annual report.

“120112. Definition.

5 **“§ 120101. Organization**

6 “(a) FEDERAL CHARTER.—Korean War Veterans  
 7 Association, Incorporated (in this chapter, the ‘corpora-  
 8 tion’), a nonprofit corporation organized under the laws  
 9 of the State of New York, is a federally chartered corpora-  
 10 tion.

11 “(b) EXPIRATION OF CHARTER.—If the corporation  
 12 does not comply with the provisions of this chapter, the  
 13 charter granted by subsection (a) expires.

14 **“§ 120102. Purposes**

15 “The purposes of the corporation are those provided  
 16 in its articles of incorporation and shall include the fol-  
 17 lowing:

18 “(1) Organizing, promoting, and maintaining  
 19 for benevolent and charitable purposes an associa-

1       tion of persons who have seen honorable service in  
2       the Armed Forces during the Korean War, and of  
3       certain other persons.

4           “(2) Providing a means of contact and commu-  
5       nication among members of the corporation.

6           “(3) Promoting the establishment of, and estab-  
7       lishing, war and other memorials commemorative of  
8       persons who served in the Armed Forces during the  
9       Korean War.

10          “(4) Aiding needy members of the corporation,  
11       their wives and children, and the widows and chil-  
12       dren of persons who were members of the corpora-  
13       tion at the time of their death.

14   **“§ 120103. Membership**

15       “Eligibility for membership in the corporation, and  
16       the rights and privileges of members of the corporation,  
17       are as provided in the bylaws of the corporation.

18   **“§ 120104. Governing body**

19       “(a) BOARD OF DIRECTORS.—The composition of the  
20       board of directors of the corporation, and the responsibil-  
21       ities of the board, are as provided in the articles of incor-  
22       poration of the corporation.

23       “(b) OFFICERS.—The positions of officers of the cor-  
24       poration, and the election of the officers, are as provided  
25       in the articles of incorporation.

1   **“§ 120105. Powers**

2           “The corporation has only those powers provided in  
3 its bylaws and articles of incorporation filed in each State  
4 in which it is incorporated.

5   **“§ 120106. Restrictions**

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

8           “(b) POLITICAL ACTIVITIES.—The corporation, or a  
9 director or officer of the corporation as such, may not con-  
10 tribute to, support, or participate in any political activity  
11 or in any manner attempt to influence legislation.

12          “(c) LOAN.—The corporation may not make a loan  
13 to a director, officer, or employee of the corporation.

14          “(d) CLAIM OF GOVERNMENTAL APPROVAL OR AU-  
15 THORITY.—The corporation may not claim congressional  
16 approval, or the authority of the United States, for any  
17 of its activities.

18          “(e) CORPORATE STATUS.—The corporation shall  
19 maintain its status as a corporation incorporated under  
20 the laws of the State of New York.

21   **“§ 120107. Tax-exempt status required as condition of**  
22                           **charter**

23           “If the corporation fails to maintain its status as an  
24 organization exempt from taxation under the Internal  
25 Revenue Code of 1986, the charter granted under this  
26 chapter shall terminate.

1 **“§ 120108. Records and inspection**

2 “(a) RECORDS.—The corporation shall keep—

3 “(1) correct and complete records of account;

4 “(2) minutes of the proceedings of its members,  
5 board of directors, and committees having any of the  
6 authority of its board of directors; and

7 “(3) at its principal office, a record of the  
8 names and addresses of its members entitled to vote  
9 on matters relating to the corporation.

10 “(b) INSPECTION.—A member entitled to vote on  
11 matters relating to the corporation, or an agent or attor-  
12 ney of the member, may inspect the records of the cor-  
13 poration for any proper purpose, at any reasonable time.

14 **“§ 120109. Service of process**

15 “The corporation shall have a designated agent in the  
16 District of Columbia to receive service of process for the  
17 corporation. Notice to or service on the agent is notice  
18 to or service on the Corporation.

19 **“§ 120110. Liability for acts of officers and agents**

20 “The corporation is liable for the acts of its officers  
21 and agents acting within the scope of their authority.

22 **“§ 120111. Annual report**

23 “The corporation shall submit to Congress an annual  
24 report on the activities of the corporation during the pre-  
25 ceding fiscal year. The report shall be submitted at the  
26 same time as the report of the audit required by section

1 10101 of this title. The report may not be printed as a  
 2 public document.

3 **“§ 120112. Definition**

4 “For purposes of this chapter, the term ‘State’ in-  
 5 cludes the District of Columbia and the territories and  
 6 possessions of the United States.”.

7 (b) CLERICAL AMENDMENT.—The item relating to  
 8 chapter 1201 in the table of chapters at the beginning of  
 9 subtitle II of title 36, United States Code, is amended to  
 10 read as follows:

“1201. Korean War Veterans Association, Incorporated .....120101”.

