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§ 140701. 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. 1384.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|---------------------------|---------------------------------------------------------------------|
| 140701 | 36:5016. | Oct. 23, 1992, Pub. L. 102–484, title XVIII, §1817, 106 Stat. 2584. |

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”.

§ 140702. Organization

(a) FEDERAL CHARTER.—Military Order of the World Wars (in this chapter, the “corporation”), a nonprofit corporation incorporated in the District of Columbia, is a federally chartered corporation.

(b) EXPIRATION OF CHARTER.—The charter granted by this chapter expires if the corporation fails to comply with any provision of—

- (1) its bylaws or articles of incorporation;
- (2) this chapter; or
- (3) the laws of the District of Columbia that apply to corporations such as the corporation recognized under this chapter.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1384.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|--------------------------------------|--------------------------------------------------------------------------------------------------------|
| 140702(a) | 36:5001. | Oct. 23, 1992, Pub. L. 102–484, title XVIII, §§1801, 1815 (last sentence), 1816, 106 Stat. 2581, 2583. |
| 140702(b) | 36:5014 (last sentence). 36:5015. | |

Subsection (a) is substituted for the source provision for consistency in the revised title.

In subsection (b), the words “restriction or other” in 36:5015 are omitted as unnecessary. The text of 36:5014 (last sentence) is omitted as unnecessary because of clause (2) of the revised subsection.

§ 140703. Purposes

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

- (1) promoting military service associations;
- (2) promoting patriotic education and military, naval, and air science;
- (3) defending the honor and integrity of the United States Government and the Constitution;
- (4) fostering fraternal relations among all branches of the Armed Forces;

(5) encouraging the adoption of a suitable policy of national security; and

(6) encouraging the commemoration of military service and the establishment of war memorials.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1384.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|---------------------------|---------------------------------------------------------------------|
| 140703 | 36:5003. | Oct. 23, 1992, Pub. L. 102–484, title XVIII, §1803, 106 Stat. 2582. |

The word “objects” is omitted as unnecessary.

§ 140704. Membership

(a) ELIGIBILITY.—Except as provided in this chapter, eligibility for membership in the corporation and the rights and privileges of members are as provided in the articles of incorporation and bylaws.

(b) NONDISCRIMINATION.—The terms of membership may not discriminate on the basis of race, color, religion, sex, disability, age, or national origin.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1385.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|----------------------------------|----------------------------------------------------------------------------------------------------|
| 140704(a) | 36:5005. | Oct. 23, 1992, Pub. L. 102–484, title XVIII, §§1805, 1808 (related to membership), 106 Stat. 2582. |
| 140704(b) | 36:5008 (related to membership). | |

In subsection (a), the words “Except as provided in this chapter” are substituted for “Except as provided in section 5008 of this title” for consistency in the revised title.

In subsection (b), the words “The terms of membership” are substituted for “In establishing the conditions of membership in the corporation” for consistency in the revised title and to eliminate unnecessary words.

§ 140705. 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 serving as a director or officer may not discriminate on the basis of race, color, religion, sex, disability, age, or national origin.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1385.)

HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|----------------------------------------------|----------------------------------------------------------------------------------------------------------------------|
| 140705(a) | 36:5006. | Oct. 23, 1992, Pub. L. 102–484, title XVIII, §§1806, 1807, 1808 (related to directors and officers), 106 Stat. 2582. |
| 140705(b) | 36:5007. | |
| 140705(c) | 36:5008 (related to directors and officers). | |

In subsections (a) and (b), the words “Except as provided in section 5008 of this title” and “in conformity with the laws of the State in which it is incorporated” are omitted as unnecessary.

§ 140706. Powers

The corporation has only the powers provided in its bylaws and articles of incorporation filed in the State in which it is incorporated.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1385.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------|---------------------------------------------------------------------|
| 140706 | 36:5002. | Oct. 23, 1992, Pub. L. 102-484, title XVIII, §1802, 106 Stat. 2581. |

The words “and subject to the laws of such State” are omitted as unnecessary.

§ 140707. 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 reimbursement for actual necessary expenses in amounts 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. 1385.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------|---------------------------------------------------------------------|
| 140707(a) | 36:5009(c). | Oct. 23, 1992, Pub. L. 102-484, title XVIII, §1809, 106 Stat. 2582. |
| 140707(b) | 36:5009(a). | |
| 140707(c) | 36:5009(b). | |
| 140707(d) | 36:5009(d). | |

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

§ 140708. 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. 1385.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|-------------------------|------------------------------------------------------------------------------------|
| 140708 | 36:5014 (1st sentence). | Oct. 23, 1992, Pub. L. 102-484, title XVIII, §1815 (1st sentence), 106 Stat. 2583. |

§ 140709. 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. 1385.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------|---------------------------------------------------------------------|
| 140709 | 36:5011. | Oct. 23, 1992, Pub. L. 102-484, title XVIII, §1811, 106 Stat. 2583. |

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.

§ 140710. 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. 1386.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------|---------------------------------------------------------------------|
| 140710 | 36:5004. | Oct. 23, 1992, Pub. L. 102-484, title XVIII, §1804, 106 Stat. 2582. |

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

§ 140711. 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. 1386.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------|---------------------------------------------------------------------|
| 140711 | 36:5010. | Oct. 23, 1992, Pub. L. 102-484, title XVIII, §1810, 106 Stat. 2583. |

§ 140712. 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. 1386.)