

**Statutory Notes and Related Subsidiaries**

TRANSFER OF FUNCTIONS

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

**§ 154504. Membership**

Eligibility for membership in the corporation and the rights and privileges of members are as provided in the bylaws.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1436.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
154504 .....	36:2805.	Oct. 19, 1984, Pub. L. 98–520, § 5, 98 Stat. 2428.

**§ 154505. 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.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1436.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
154505(a) .....	36:2806.	Oct. 19, 1984, Pub. L. 98–520, §§ 6, 7, 98 Stat. 2428.
154505(b) .....	36:2807.	

The words “and in conformity with the laws of the State or States in which it is incorporated” in 36:2806 and “and in conformity with the laws of the State or States wherein it is incorporated” in 36:2807 are omitted as unnecessary.

**§ 154506. Powers**

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

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1436.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
154506 .....	36:2802.	Oct. 19, 1984, Pub. L. 98–520, § 2, 98 Stat. 2428.

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

**§ 154507. 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 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. 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.

(d) LOANS.—The corporation may not make a loan to a director, officer, or employee.

(e) CLAIM OF GOVERNMENTAL APPROVAL OR AUTHORITY.—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. 1436.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
154507(a) .....	36:2808(d).	Oct. 19, 1984, Pub. L. 98–520, § 8(a)–(e), 98 Stat. 2429.
154507(b) .....	36:2808(c).	
154507(c) .....	36:2808(a).	
154507(d) .....	36:2808(b).	
154507(e) .....	36:2808(e).	

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

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

**§ 154508. Duty to maintain corporate and tax-exempt status**

(a) CORPORATE STATUS.—The corporation shall maintain its status as a corporation incorporated under the laws of each State in which it is incorporated.

(b) 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. 1436.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
154508(a) .....	36:2808(f).	Oct. 19, 1984, Pub. L. 98–520, §§ 8(f), 15 (1st sentence), 98 Stat. 2429, 2430.
154508(b) .....	36:2814 (1st sentence).	

**§ 154509. 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. 1436.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
154509 .....	36:2810.	Oct. 19, 1984, Pub. L. 98-520, §10, 98 Stat. 2429.

In this section, 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.

In subsection (a)(2), the words “proceedings of” are substituted for “proceeding of the corporation involving” for consistency in the revised title and to eliminate unnecessary words.

**§ 154510. 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. 1437.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
154510 .....	36:2804.	Oct. 19, 1984, Pub. L. 98-520, §4, 98 Stat. 2428.

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

**§ 154511. 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. 1437.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
154511 .....	36:2809.	Oct. 19, 1984, Pub. L. 98-520, §9, 98 Stat. 2429.

**§ 154512. 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. 1437.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
154512 .....	36:2811.	Oct. 19, 1984, Pub. L. 98-520, §12, 98 Stat. 2430.

**CHAPTER 1547—NON COMMISSIONED OFFICERS ASSOCIATION OF THE UNITED STATES OF AMERICA, INCORPORATED**

Sec.	
154701.	Definition.
154702.	Organization.
154703.	Purposes.
154704.	Membership.
154705.	Governing body.

Sec.	
154706.	Powers.
154707.	Exclusive right to name, seals, emblems, and badges.
154708.	Restrictions.
154709.	Duty to maintain tax-exempt status.
154710.	Records and inspection.
154711.	Service of process.
154712.	Liability for acts of officers and agents.
154713.	Annual report.

**§ 154701. 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. 1437.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
154701 .....	36:4014.	Apr. 6, 1988, Pub. L. 100-281, §15, 102 Stat. 75.

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”.

**§ 154702. Organization**

(a) FEDERAL CHARTER.—Non Commissioned Officers Association of the United States of America, Incorporated (in this chapter, the “corporation”), a nonprofit corporation incorporated in Texas, 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. 1437.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
154702(a) .....	36:4001.	Apr. 6, 1988, Pub. L. 100-281, §§1, 16 (last sentence), 18, 102 Stat. 73, 75, 76.
154702(b) .....	36:4015 (last sentence). 36:4017.	

This section is substituted for the source provisions for consistency in the revised title and to eliminate unnecessary and executed words.

**§ 154703. Purposes**

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

- (1) upholding and defending the Constitution of the United States;
- (2) promoting health, prosperity, and scholarship among its members and their dependents and survivors through benevolent programs;
- (3) assisting veterans and their dependents and survivors through a service program established for that purpose;
- (4) improving conditions for service members, veterans, and their dependents and survivors; and
- (5) fostering fraternal and social activities among its members in recognition that coop-