

**PUBLIC LAW 105-225**

**TITLE 36—PATRIOTIC AND NATIONAL OBSERVANCES, CEREMONIES, AND ORGANIZATIONS**

*This title was enacted by Pub. L. 105-225, §1, Aug. 12, 1998, 112 Stat. 1253*

Source: <http://uscode.house.gov>

**36 USC Subtitle II: Patriotic and National Organizations**

**From Title 36—PATRIOTIC AND NATIONAL OBSERVANCES, CEREMONIES, AND ORGANIZATIONS**

Subtitle II—Patriotic and National Organizations

Amendments

2014—Pub. L. 113-237, §3(a)(2)(B), Dec. 18, 2014, 128 Stat. 2836, struck out item for part A "General", which consisted of item for chapter 101, and item for part B "Organizations", which consisted of items for chapters 201 to 2701.

2009—Pub. L. 111-95, §1(b), Nov. 6, 2009, 123 Stat. 3003, added item for chapter 1404.

2008—Pub. L. 110-254, §1(b), June 30, 2008, 122 Stat. 2421, amended item for chapter 1201 generally, substituting "Korean War Veterans Association, Incorporated" for "[Reserved]".

2002—Pub. L. 107-252, title VI, §601(b), Oct. 29, 2002, 116 Stat. 1721, added item for chapter 1526.

Pub. L. 107-241, §1(a)(2)(B), Oct. 16, 2002, 116 Stat. 1496, substituted "AMVETS (American Veterans)" for "AMVETS (American Veterans of World War II, Korea, and Vietnam)" in item for chapter 227.

2000—Pub. L. 106-474, title II, §201(b), Nov. 9, 2000, 114 Stat. 2095, added item for chapter 1524.

1998—Pub. L. 105-354, §1(4)(B), (5)(B), Nov. 3, 1998, 112 Stat. 3241, 3244, added items for chapters 202 and 210.

**Contents**

Part A—General ..... 2

    CHAPTER 101—GENERAL..... 2

        §10101. Audits ..... 2

        Termination of Reporting Requirements..... 3

        §10102. Reservation of right to amend or repeal ..... 3

Part B—Organizations..... 3

    CHAPTER 303—BLINDED VETERANS ASSOCIATION..... 3

        §30301. Organization..... 3

        §30302. Purposes..... 3

        §30303. Membership..... 4

        §30304. Governing body..... 4

        §30305. Powers..... 4

        §30306. Exclusive right to name, seals, emblems, and badges ..... 5

        §30307. Restrictions ..... 5

        §30308. Principal office ..... 6

        §30309. Records and inspection..... 6

        §30310. Service of process ..... 6

        §30311. Liability for acts of officers and agents ..... 6

        §30312. Distribution of assets on dissolution or final liquidation ..... 6

**Part A—General**

**CHAPTER 101—GENERAL**

**§10101. Audits**

(a) General — Except as otherwise provided, the financial statements of each corporation in part B of this subtitle shall be audited annually in accordance with generally accepted auditing standards by an independent certified public accountant or independent licensed public accountant, certified or licensed by a regulatory authority of a State or other political subdivision of the United States. The audit shall be conducted where the financial statements of the corporation normally are kept. The person conducting the audit shall be given access to—

- (1) all records and property owned or used by the corporation necessary to facilitate the audit; and

(2) full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians.

(b) Report — (1) The corporation shall submit a report of the audit to Congress not later than 6 months after the close of the fiscal year for which the audit is made. The report shall describe the scope of the audit and include—

(A) statements necessary to present fairly the corporation's assets, liabilities, and surplus or deficit, and an analysis of the changes in those amounts during the year;

(B) a statement in reasonable detail of the corporation's income and expenses during the year including the results of any trading, manufacturing, publishing, or other commercial-type endeavor; and

(C) the independent auditor's opinion of those statements.

(2) The report may not be printed as a public document, except as part of proceedings authorized to be printed under section 1332 of title 44.

### **Termination of Reporting Requirements**

With respect to corporations listed below, for termination, effective May 15, 2000, of reporting provisions in subsec. (b)(1) of 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 pages 196 through 208 of House Document No. 103–7.

### **§10102. Reservation of right to amend or repeal**

(a) General — Congress reserves the right to amend or repeal the provisions of part B of this subtitle.

(b) Nonapplication — Subsection (a) of this section does not apply to chapters 213, 407, 801, 1403, 1503 (except section 150302(b)), 1513, 1517, 1531, and 1539 of this title.

## **Part B—Organizations**

### **CHAPTER 303—BLINDED VETERANS ASSOCIATION**

#### **§30301. Organization**

(a) Federal Charter — Blinded Veterans Association (in this chapter, the "corporation") is a federally chartered corporation.

(b) Perpetual Existence — Except as otherwise provided, the corporation has perpetual existence.

#### **§30302. Purposes**

The purposes of the corporation are—

(1) to operate as a not-for-profit corporation exclusively for charitable, educational, patriotic, and civic improvement purposes;

(2) to promote the welfare of blinded veterans so that, notwithstanding their disabilities, they may take their rightful place in the community and work with their fellow citizens toward the creation of a peaceful world;

(3) to preserve and strengthen a spirit of fellowship among blinded veterans so that they may give mutual aid and assistance to one another; and

(4) to maintain and extend the institutions of American freedom and to encourage loyalty to the Constitution and laws of the United States and of the States in which they reside.

### **§30303. Membership**

(a) General Membership — An individual who served in the Armed Forces of the United States and who, in the line of duty in that service, sustained a substantial impairment of sight or vision as defined by the bylaws of the corporation is eligible for general membership in the corporation.

(b) Honorary and Associate Membership — In addition to general membership, the corporation shall have special classes of honorary and associate membership. Eligibility for, and the rights and obligations of, those special classes are as provided in the bylaws.

### **§30304. Governing body**

(a) Board of Directors — (1) The number of directors of the corporation shall be at least three but not more than 15. The directors shall be divided into a specified number of classes. Each class shall hold office for a definite period of years as provided in the bylaws.

(2) A majority of the directors must be present at a meeting of directors to constitute a quorum. A majority vote of the directors present at a meeting at which there is a quorum is necessary for the transaction of business.

(3) A director may be removed at any time for just and proper cause by a majority vote of a quorum of directors present at a meeting called for that purpose.

(4) A vacancy in the office of director may be filled by a majority vote of a quorum of the remaining directors present at a meeting called for that purpose. A director elected to fill a vacancy serves until the next annual meeting of the corporation.

(b) Officers — The officers of the corporation and their manner of election, term of office, duties, and powers are as provided in the bylaws.

### **§30305. Powers**

The corporation may—

- (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) choose officers, managers, and agents as the activities of the corporation require;
- (4) charge and collect membership dues;
- (5) make contracts;
- (6) acquire, own, lease, encumber, and transfer property as necessary or convenient to carry out the purposes of the corporation;
- (7) borrow money, issue instruments of indebtedness, and secure its obligations by granting security interests in its property;
- (8) sue and be sued; and
- (9) do any other act necessary and proper to carry out the purposes of the corporation.

**§30306. Exclusive right to name, seals, emblems, and badges**

The corporation and its authorized regional groups and other local subdivisions have the exclusive right to use the name "Blinded Veterans Association" and seals, emblems, and badges the corporation adopts.

**§30307. 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 assist a political party or candidate for elective public office.
- (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 as such during the life of the corporation or on its dissolution or final liquidation. This section does not prevent the payment of—
  - (1) bona fide expenses of officers of the corporation in amounts approved by the board of directors; or
  - (2) appropriate aid to blinded veterans or their widows or children in carrying out the purposes of the corporation.
- (d) Loans — The corporation may not make a loan to a director, officer, or employee. Directors and officers who vote for or assent to making a loan to a director, officer, or employee, and officers who participate in making the loan, are jointly and severally liable to the corporation for the amount of the loan until it is repaid.

(e) Immunity From Liability — Members and private individuals are not liable for the obligations of the corporation.

**§30308. Principal office**

The principal office of the corporation shall be in the District of Columbia or another place decided by the board of directors. However, the activities of the corporation are not confined to the place where the principal office is located but may be conducted throughout the States, territories, and possessions of the United States.

**§30309. 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, directors, and officers.

(b) Inspection — A member, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

**§30310. Service of process**

The corporation shall have a designated agent in the District of Columbia to receive service of process for the corporation. Notice to or service on the agent, or mailed to the business address of the agent, is notice to or service on the corporation.

**§30311. 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.

**§30312. Distribution of assets on dissolution or final liquidation**

On dissolution or final liquidation of the corporation, any assets remaining after the discharge of all liabilities shall be transferred to the Secretary of Veterans Affairs to be applied to the care and comfort of blinded veterans.