

Blinded Veterans Association

National Bylaws and Congressional Charter



Founded March 28, 1945
Avon Old Farms, Connecticut

Chartered by U.S. Congress
August 27, 1958

National Convention
Washington, DC
August 22 – 26, 2022

NATIONAL HEADQUARTERS
1600 DUKE ST, UNIT:510
Alexandria, VA 22314

WEBSITE
BVA.org

NATIONAL OFFICERS (2023 – 2025)
President – Paul L. Mimms
Vice President – Wade Davis
Secretary – Tracy Ferro
Treasurer – Joseph Bogart
Judge Advocate – Stephen Butler
Sergeant-at-Arms – Brian O’Connell
Chaplain – Kenneth Harvey
Ombudsman – Tonora Lyn Shannon
Immediate Past President – Joseph McNeal Sr.

DISTRICT DIRECTORS
District 1 – Claudia Baldwin
District 2 – William Cook
District 3 – Douglas Ingram
District 4 – Randy Cantrell

BYLAWS.....	8
ARTICLE 1	8
NAME	8
Section 1.....	8
Section 2.....	8
Section 3.....	8
ARTICLE 2	8
PURPOSE	8
ARTICLE 3	8
MEMBERSHIP	8
Section 1.....	8
Section 2.....	9
ARTICLE 4	9
OFFICERS	9

Section 1. Elected Officers	9
Section 2. Duration of Positions.....	9
Section 3. Election Procedures.....	9
Section 4. Appointed Officers	10
Section 5. Oath of Office	10
Section 6. Officer Vacancies.....	10
ARTICLE 5	10
DUTIES OF OFFICERS	10
Section 1. President	10
Section 2. Vice President.....	10
Section 3. Secretary	11
Section 4. Treasurer	11
Section 5. Judge Advocate	11
Section 6. Sergeant-at-Arms	12
Section 7. Chaplain.....	12
Section 8. Ombudsman	12
ARTICLE 6	12
DISTRICT DIRECTORS.....	12
Section 1. Boundaries	12
Section 2. Elections	12
ARTICLE 7	13
BOARD OF DIRECTORS	13
Section 1.....	13
Section 2.....	13
Section 3. Powers.....	13
Section 4.....	14
ARTICLE 8	14
EXECUTIVE DIRECTOR	14
Section 1.....	14
Section 2.....	14
Section 3.....	14
ARTICLE 9	14
CONVENTION	14

Section 2.....	14
Section 3.....	15
Section 4.....	15
Section 5.....	15
Section 6.....	15
Section 7.....	15
Section 8.....	16
ARTICLE 10	16
DUES.....	16
ARTICLE 11	16
FINANCE AND INVESTMENT.....	16
Section 1. General Investment Fund.....	16
Section 2. Life Membership Fund	16
Section 3. Endowment Fund	17
Section 4. Fund Administration.....	17
ARTICLE 12	18
REPRESENTATION	18
ARTICLE 13	18
POLICY	18
ARTICLE 14	18
REGIONAL GROUPS	18
Section 1. Group Recognition	18
Section 2. Group Charter	18
Section 3. Group Division.....	18
Section 4. Group Consolidation	19
Section 5. Group Incorporation	19
Section 6. Group Investigation.....	19
Section 7. Group Charter Revocation Procedures	19
Section 8. Group Charter Revocation	20
Section 9. Group Dissolution.....	20
Section 10. Group Rules and Regulations	20
Section 11. Group Delegate(s)	20
ARTICLE 15	20

DISCIPLINE OF MEMBERS.....	20
Section 1.....	20
Section 2.....	20
ARTICLE 16	21
TRIAL PROCEDURE	21
Section 1.....	21
Section 2.....	21
Section 3.....	21
Section 4.....	21
Section 5.....	22
Section 6.....	22
Section 7.....	22
Section 8.....	22
Section 9.....	22
Section 10.....	22
ARTICLE 17	22
AUXILIARY	22
Section 1.....	22
Section 2.....	22
Section 3.....	22
Section 4.....	23
ARTICLE 18	23
AMENDMENTS/REVISIONS TO BYLAWS/PETITION TO AMEND CHARTER.....	23
Section 1. Amendments/Revisions	23
Section 2.....	23
Section 3. Petition to Amend Charter	23
ARTICLE 19	23
ASSETS UPON DISSOLUTION OR LIQUIDATION.....	23
ARTICLE 20	24
PARLIAMENTARY PROCEDURE.....	24
ARTICLE 21	24
TRUSTED ADVISORY COUNCIL.....	24
Section 1.....	24

Section 2.....	24
APPENDIX A: CHARTER.....	25
AN ACT TO INCORPORATE THE BLINDED VETERANS ASSOCIATION	25
COMPLETION OF ORGANIZATION.....	27
Section 2.....	27
OBJECTS AND PURPOSES OF THE CORPORATION	27
Section 3.....	27
POWERS OF THE CORPORATION	28
Section 4.....	28
Section 5.....	28
MEMBERSHIP RIGHTS	29
Section 6.....	29
GOVERNING BODY; COMPOSITION; TENURE	29
Section 7.....	29
OFFICERS	29
Section 8.....	29
DISTRIBUTION OF INCOME OF ASSETS TO MEMBERS; LOANS	29
Section 9.....	30
NONPOLITICAL NATURE OF CORPORATION	30
Section 10.....	30
LIABILITY FOR ACTS OF OFFICERS AND AGENTS	30
Section 11.....	30
PROHIBITION AGAINST ISSUANCE OF STOCK OR ISSUANCE OF DIVIDENDS	30
Section 12.....	30
BOOKS AND RECORDS; INSPECTION	30
Section 13.....	30
AUDIT OF FINANCIAL TRANSACTIONS; REPORT TO CONGRESS	30
Section 14.....	30
USE OF ASSETS UPON DISSOLUTION OR LIQUIDATION	31
Section 15.....	31
TRANSFER OF ASSETS FROM PRIOR CORPORATION.....	31
Section 16.....	31
EXCLUSIVE RIGHT TO NAME: CORPORATE SEALS, EMBLEMS, AND BADGES	31

Section 17.....	31
RESERVATION OF RIGHT TO AMEND OR REPEAL CHARTER	31
Section 18.....	31
APPENDIX B: REVISED CHARTER	32
Part A—General	32
§10101. Audits	32
Termination of Reporting Requirements.....	32
§10102. Reservation of right to amend or repeal	32
Part B—Organizations.....	32
§30301. Organization.....	33
§30302. Purposes.....	33
§30303. Membership.....	33
§30304. Governing body.....	33
§30305. Powers.....	34
§30306. Exclusive right to name, seals, emblems, and badges	34
§30307. Restrictions	34
§30308. Principal office	35
§30309. Records and inspection.....	35
§30310. Service of process	35
§30311. Liability for acts of officers and agents	35
§30312. Distribution of assets on dissolution or final liquidation	35

BYLAWS

ARTICLE 1

NAME

Section 1.

The name of this Association pursuant to Public Law 85-769, 85th Congress, U.S. Code, Title 36, 851-868 (72 Stat. 922-927), August 27, 1958, shall be Blinded Veterans Association.

Section 2.

The principal office of the Association shall be located in Washington, District of Columbia, or in such other place as may be determined by the board of directors (board), and the activities of the Association can and may be conducted in all states, District of Columbia, Puerto Rico and possessions of the United States, or in such other places as the board may deem desirable from time to time.

Section 3.

The Association shall have in the District of Columbia at all times a designated agent authorized to accept service and process for the Association.

ARTICLE 2

PURPOSE

The purpose of the Association shall be:

a. 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.

b. To preserve and strengthen a spirit of fellowship among blinded veterans so that they may give mutual aid and assistance to one another.

c. 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.

d. To be organized and operated as a corporation not-for-profit, no part of the income or assets of which shall inure to the benefit of any of its members, directors, or officers, nor be distributable thereto otherwise than upon dissolution or final liquidation; and such corporation is organized and shall be operated exclusively for charitable, educational, patriotic, and civic improvement purposes.

ARTICLE 3

MEMBERSHIP

Section 1.

Any person having honorably served, or currently serving in the Armed Forces of the United States, qualifying for Department of Veterans Affairs (VA) Blind Rehabilitation Service (BRS), is eligible for membership.

Section 2.

Honorary membership may be extended to worthy individuals by the affirmative vote of two-thirds (2/3) of the board.

ARTICLE 4

OFFICERS

Section 1. Elected Officers

The elected officers of the Association shall be a president, a vice president, a secretary, and a treasurer.

Section 2. Duration of Positions

- a. Election for a single two (2)-year term of office shall be conducted at the respective convention.
- b. Election shall be by a majority vote of the members present or represented by delegate or proxy. The elected officers shall not serve for more than a single two (2)-year term of office. Failure to fulfill any term of office will result in a four (4)-year bar from office.
- c. Members who are paid employees of the Association shall be required to resign their paid position before accepting elected office in the Association. Members holding elected office in the Association shall be required to resign their office before accepting a paid position with the Association.

Section 3. Election Procedures

Nominations for the elected officers of the Association shall be conducted on the respective convention floor as follows:

a. First Business Session:

- (1) At the appropriate time during the first business session the presiding officer will open the convention floor for nominations.
 - (a) Candidates must be members of the Association.
 - (b) Candidates may nominate themselves.
 - (c) Candidates may present a short biographical sketch provided the sketch is no longer than one letter-size page in 14-point font.
 - (d) Nominations may be made by any member and seconded by no more than two (2) other members.
 - (e) Nominees need not be present on the convention floor to be nominated for office. However, a letter of acceptance signed by the nominee must be read at the time of their nomination.
 - (f) After the presiding officer has determined that there are no further nominations, they shall close the nominations until the election during the second business session on the last day of the convention.

b. Second Business Session:

(1) Nominations may be reopened at the commencement of the election portion of the agenda for the second business session, or by a simple majority vote at any time up to the time of elections.

(2) When all additional nominations, if any, have been made, the presiding officer shall close the nominations, at which time the election shall be carried out.

Section 4. Appointed Officers

The board shall appoint a judge advocate, a sergeant-at-arms, a chaplain, and an ombudsman from among duly qualified members and may reappoint said positions accordingly.

Section 5. Oath of Office

All representatives of the Association, before assuming the offices to which they have been elected or appointed, shall subscribe to the following oath of office:

"I, [STATE YOUR NAME] do solemnly affirm that I will faithfully execute the duties of [STATE YOUR POSITION] of the Blinded Veterans Association and that I will support, maintain, and abide by the Constitution and laws of the United States of America and the charter and bylaws of the Blinded Veterans Association, to the best of my ability."

Section 6. Officer Vacancies

a. A vacancy in the office of president shall be filled by the vice president.

b. Vacancies occurring among the other offices shall be filled by the members of the Association by a majority vote of a quorum of the board present at a meeting called for that purpose.

ARTICLE 5

DUTIES OF OFFICERS

Section 1. President

a. The president shall be the executive head of the Association with full power to enforce the provisions of the charter, bylaws, resolutions, and policies adopted by the Association.

b. The president shall be the presiding officer of the board and serve as an ex officio on all committees.

c. The president shall have and exercise all the functions entrusted by the Association and perform all executive officer duties.

d. The president shall appoint such committees as may be necessary for the successful operation of the Association and may, in a proper case, and for failure to perform their duties, remove such appointed person from such committee and appoint a successor.

Section 2. Vice President

The vice president shall, during the absence or disability of the president, have all the authority and perform all duties of the president until the absence or disability of the president ceases to exist, and perform such other duties as may be prescribed by the Association.

Section 3. Secretary

- a. The secretary shall perform all duties assigned by the Association.
- b. The board shall appoint an assistant secretary, who shall be an employee in the national office, providing that such person shall not be the assistant treasurer, who shall make recordings of all proceedings and keep minutes of all meetings of the board and convention.
- c. The assistant secretary shall sign, together with the assistant treasurer, all checks and vouchers for the Association and keep records thereof. The assistant secretary shall surrender all books, records, and minutes to their successor.
- d. The board may appoint additional assistant secretaries as may be required to ensure available signatories.
- e. The assistant secretaries shall be bonded in a manner, form, and amount the board prescribes.

Section 4. Treasurer

- a. The treasurer shall perform all duties assigned by the Association.
- b. The board shall appoint an assistant treasurer, who shall be an employee in the national office, provided that such a person shall not be the assistant secretary, who shall be the custodian of all funds of the Association.
 - (1) The assistant treasurer shall ensure that correct and complete business books and records are kept within the national office showing the financial transactions of the Association.
 - (2) The assistant treasurer shall cause all funds received by the Association to be deposited in a bank or depository in which the accounts are insured by an instrumentality of the U.S. government designated by the board, except that:
 - (a) Life membership dues and the life membership fund shall be administered in accordance with Article 11 of these bylaws.
 - (b) The board may establish endowment funds and may designate a specified amount of the Association's funds to be invested and to be administered and managed in accordance with Article 11 of these bylaws.
 - (3) The assistant treasurer shall sign, together with the assistant secretary, all checks and vouchers disbursing money for the Association.
 - (4) The assistant treasurer shall provide quarterly financial reports to the board, cause the Association's books to be audited by an independent certified public accountant at the close of the fiscal year, and send a copy of the audit to the U.S. Congress in compliance with Title 36, U.S. Code, 1102-1103.
- c. The board may appoint additional assistant treasurers as may be required to ensure available signatories.
- d. The assistant treasurers shall be bonded in a manner, form, and amount the board prescribes.

Section 5. Judge Advocate

The judge advocate shall be responsible, under the direction of the president, for providing legal and/or parliamentary guidance to the Association, and shall perform other assigned duties.

Section 6. Sergeant-at-Arms

a. The sergeant-at-arms shall be responsible, under the direction of the president, for maintaining peace, harmony, and order at all meetings of the Association, and shall perform other assigned duties.

b. With the consent of the president, the sergeant-at-arms may appoint an assistant.

Section 7. Chaplain

The chaplain shall be responsible, under the direction of the president, for conducting devotional exercises of the Association, and shall perform other assigned duties.

Section 8. Ombudsman

The ombudsman shall be responsible, under the direction of the president, for investigating, reporting on, and settling complaints arising within the Association, and shall perform other assigned duties.

ARTICLE 6

DISTRICT DIRECTORS

Section 1. Boundaries

a. The United States and its possessions shall be divided into four (4) districts to be known as Districts 1, 2, 3, and 4. Each district will have one (1) director responsible for that district. Territorial boundaries will be established at the 2022 mid-winter board meeting and each three (3) years thereafter so that districts maintain equivalent members.

b. In the event that a change in the territorial boundaries places a director outside their elected district, they may continue serving their elected term. Voluntary relocation outside the territorial boundaries will result in a vacancy of office.

Section 2. Elections

a. Candidate nominations will open the first day of February and close the first day of March of election years.

b. Candidates must be members of the Association residing in the territorial boundaries of the district served, nominated, and elected by the members of that district, and agree to serve a three (3)-year term of office. Failure to fulfill any term of office will result in a four (4)-year bar from office.

c. Candidates are required to submit (via email) a short biographical sketch provided the sketch is no longer than one letter-size page in 14-point font (to be posted online and/or distributed via electronic and/or paper means) upon being nominated. They may self-nominate or be nominated by a member of their respective district.

d. Candidates are required to participate in two (2) virtual candidate town halls, with members of their respective districts, hosted by the board in April of election years.

e. Hybrid elections combining secure web-based, telephone, and paper ballots will be conducted via a third-party independent entity in May of election years.

f. As soon as the results of an election are known, the executive director shall draw up a report on the election, listing the number of votes cast for each candidate, and deliver it to the president for action.

g. The candidate receiving the highest number of votes cast shall be declared elected and sworn into office.

h. Election records shall be kept on file for at least six (6) months following an election and shall be available for inspection by any candidate or member of the board of directors.

i. In the event of a tie vote, runoff elections shall be held.

j. In the event of only one (1) candidate for office, that candidate shall be declared elected.

k. In the event of a vacancy, the board may appoint an interim director until the next election.

l. Directors shall serve no more than two (2) consecutive terms of office. In the event there are no new candidates, the current director may continue serving.

m. Members who are paid employees of the Association shall be required to resign their paid position before accepting elective office in the Association. Members holding elective office in the Association shall be required to resign their office before accepting a paid position with the Association.

ARTICLE 7

BOARD OF DIRECTORS

Section 1.

The board shall consist of the president, vice president, secretary, treasurer, four (4) district directors, and immediate past president.

Section 2.

Board terms shall correspond with terms of office.

Section 3. Powers

a. The members in the convention assembled shall be the supreme authority of the Association.

b. Between conventions, the board shall have the power to act as necessary, except that it shall not have the power to override, veto, or annul any laws, bylaws, regulations, or policies adopted by members in convention assembled, but shall endeavor to the best of its ability to carry out the provisions of all laws, bylaws, regulations, and policies.

c. All acts and policies of the board shall be reported to the next convention for ratification, rejection, or modification by the members, provided that no rejection or modification be retroactive.

d. The board shall have the power to adopt rules, regulations, and provisions governing the conduct—and providing for the supervision of—all officers of the Association.

- (1) The board shall generally supervise and control the work of all officers of the Association.
- (2) All officers of the Association shall be governed by, and abide by, the lawful directives of the board.
- e. The board shall designate the bonds required, and amounts thereof, for the officers, and approve as necessary.
- f. The board shall designate the depository where the funds of the Association shall be held.
- g. The board shall allocate funds and enter into contracts with persons, corporations, and firms for the purpose of raising funds and other purposes.
- h. The board may delegate its powers to an executive committee of its own members which, at its discretion, would operate for the welfare of the Association.

Section 4.

A majority shall be present at any meeting of the board to constitute a quorum, and the votes of a majority so present shall be necessary for the transaction of any business.

ARTICLE 8

EXECUTIVE DIRECTOR

Section 1.

The executive director shall be appointed by and serve at the pleasure of the board.

Section 2.

In consultation with the board, the executive director shall supervise and control the operations, employees, and contractors of the Association.

Section 3.

The board may delegate to the executive director the authority to carry out any and all of the laws, bylaws, regulations, policies, directives, or instructions lawfully adopted.

ARTICLE 9

CONVENTION

Section 1.

There shall be held annually a meeting for the members to be known as the convention.

Section 2.

Every member shall be eligible to attend and participate in all meetings of the convention and shall be entitled to one (1) vote when present at meetings, or by proxy when absent.

- a. If not present or voting by proxy, the vote of the member shall be cast by their elected delegate, if any; the proxy must be a member.

- b. The official headquarters proxy form shall be the only proxy form recognized.
- c. Proxy forms must be accepted and validated by headquarters to be counted.

Section 3.

The convention letter shall be considered the official notice of the convention and shall be posted online and/or distributed via electronic and/or paper means, no earlier than one hundred (100) days nor later than seventy-five (75) days before the date of the convention. Such notice shall contain the name of the city, the address, the dates, and an explanation of member voting options.

Section 4.

At convention, fifty percent (50%) of registered and present members, representing at least two (2) districts, shall constitute a quorum.

Section 5.

In the absence of a quorum, the convention shall have no authority and may transact no business except to adjourn from hour to hour, or from day to day, or to a day certain.

Section 6.

Every regional group (group) shall elect a member from its group as its official delegate to the convention; and such official delegate shall be entitled to cast one (1) vote for each member of their group, not including members present and voting, or voting by proxy.

Section 7.

The regular order of convention business shall be as follows:

- a. Invocation
- b. Pledge of Allegiance
- c. Addresses of Welcome and Response
- d. Report of the Rules Committee
- e. Report of the Credentials Committee
- f. Roll Call
- g. Minutes of the Preceding Convention
- h. Report of the Officers and Board of Directors
- i. Submission of Resolutions
- j. Nomination of Officers*
- k. Report of the Resolutions Committee
- l. Unfinished Business

- m. New Business
- n. Election of Officers*
- o. Installation of Officers*
- p. Adjournment

*Nomination, election, and installation of officers occur biannually. Additionally, the order of business may be changed by a majority vote of the members present on a motion to suspend rules.

Section 8.

The board shall select the time and place of the next succeeding convention, and it shall not change the time and place of the convention except for good cause. Good cause is hereby defined as a catastrophe making it impractical to hold the convention in the recommended city; the inability of the city to provide adequate housing at reasonable rates or such other emergencies as may be deemed adequate.

ARTICLE 10

DUES

Life membership dues of fifty dollars (\$50.00) shall be paid to the Association with fifty percent (50%) allocated to the life membership fund and fifty percent (50%) allocated to the general fund.

ARTICLE 11

FINANCE AND INVESTMENT

Section 1. General Investment Fund

- a. A fund may be established by the board for the purpose of investing specifically designated resources of the Association.
- b. The board shall set the amount of resources to be invested, and it shall also ensure that sufficient reserves are kept; the reserve amount shall not be less than the current year's budget.

Section 2. Life Membership Fund

- a. A fund may be established by the board for the purpose of investing specifically designated resources of the Association.
- b. The board shall set the amount of resources to be invested, and it shall also ensure that sufficient reserves are kept; the reserve amount shall not be less than the current year's group apportionments.
- c. Income distributions made to the groups shall be made only from net income earned in dividends and interest.
- d. In computing net income, net losses shall be carried forward to succeeding years until absorbed.
- e. Income distribution for each fiscal year shall be made by October 31 following the close of the fiscal year.
- f. A group's pro rata share of net income earned in dividends and interest shall be computed as follows:

- (1) The total will be computed from the numbers of members within each group on June 30.
- (2) The percentage will be computed for each group's total in relation to the total numbers of members within the overall Association.
- (3) The group pro rata share will be one hundred percent (100%) of the net income earned in dividends and interest multiplied by the group's percentage.
 - (a) Income is defined as meaning all income accruing to the life membership fund.
 - (b) Expenses are defined as all sums actually paid for management and/or brokerage fees, taxes, or other operating expenses.
 - (c) Net income is defined as the balance of income over expenses.
 - (d) Income disbursements are defined as sums paid to the groups.
 - (e) Market value is defined as the total account value, including accumulated income and appreciation of assets and capital gains, at the end of the fiscal year.

Section 3. Endowment Fund

- a. A fund may be established by the board benefiting the charitable programs and activities consistent with the purpose of the Association.
- b. The board shall set the amount of resources to be invested, and it shall also ensure that sufficient reserves are kept; the reserve amount shall not be less than the current year's programs and activities budget.

Section 4. Fund Administration

- a. The various funds shall be administered and managed by a board of trustees consisting of six (6) individuals appointed by the president with the advice and consent of the board of directors.
- b. The executive director shall be a permanent member of the board of trustees. No fewer than three (3) of the trustees shall be members of the Association with at least one (1) being on the board of directors.
- c. The terms of office for the trustees shall be three (3) years, with two (2) trustees being appointed to three (3)-year terms each year.
- d. The president shall designate one (1) member as chair of the board of trustees, and its members shall elect such other officers as they may deem necessary and shall adopt rules of procedure governing the funds, such rules of procedure being subject to approval by the board of directors.
- e. The chair shall preside at meetings and shall perform such other duties as may be assigned to them. Meetings shall be held whenever called by the chair or by a majority of the trustees, provided that a meeting shall be held each year between July 1 and the date of the first meeting of the fiscal year of the board of directors. A quorum at meetings shall be four (4) trustees.
- f. An annual report shall be prepared by the trustees and delivered to the board of directors listing: cash, investments, other assets, liabilities, and principal as of the beginning of the last fiscal year; life

membership payments, income, expenses, and income distribution during the last fiscal year; cash, investments, other assets, liabilities, and principal as of the end of the last fiscal year; a notation as to the number of members at the beginning and end of the last fiscal year; and such other details as the trustees may wish to include. A copy of such report will be made available to the groups.

g. The board of trustees shall have the power to buy and sell securities. In so doing, they shall have the power to engage a corporate investment manager and to give such manager discretionary authority, within the guidelines established by them and approved by the board of directors, to buy and sell securities for the enhancement of the Association's funds.

h. The trustees shall cause that minutes be kept of all meetings.

ARTICLE 12

REPRESENTATION

The Association, either through convention or the board, may appoint delegates to national or international events to achieve objectives consistent with those of the Association.

ARTICLE 13

POLICY

The policy of the Association shall be determined by the members during convention and shall be nonsectarian and nonpartisan.

ARTICLE 14

REGIONAL GROUPS

Section 1. Group Recognition

a. The Association shall have the power to organize affiliate groups to be known as regional groups (group(s)) to issue, revoke, and amend their charters; to discipline their officers and members; to regulate their elections; to fix their dues; and, generally, to regulate their activities and the conduct of their affairs.

b. It shall be the policy of the Association that groups will be afforded the greatest amount of freedom of action and liberty consistent with these bylaws.

Section 2. Group Charter

Charters of new groups may be issued on the accepted application of at least five (5) members in any area that a group does not exist. The charter issued to any group must contain the name of the state (or geographic area) in which the group is organized.

Section 3. Group Division

a. When, in the opinion of the board, it would be in the best interest of members located within the jurisdiction of an existing group to divide such group into two (2) or more new groups, the board may take such action with the consent of the group concerned and designate the area of jurisdiction of the new groups.

b. Since this action will require an amendment to group bylaws, approval of the division is contingent upon two-thirds (2/3) of group members voting in favor.

Section 4. Group Consolidation

a. When, in the opinion of the board, it would be in the best interest of members located within the jurisdiction of two (2) existing groups to consolidate said groups into one (1) new group, the board may take such action with the consent of the groups concerned and designate the area of jurisdiction of the new group.

b. Since this action will require an amendment to group bylaws, approval of the consolidation is contingent upon two-thirds (2/3) of group members voting in favor.

c. If one (1) or more groups become inactive, this action may be taken with the consent of two-thirds (2/3) of the active group members voting in favor.

d. In the event of such consolidation, all funds and records of the consolidated groups shall be delivered to the group formed by the consolidation.

Section 5. Group Incorporation

a. Any group of ten (10) or more members may incorporate.

b. No group of fewer than ten (10) members may incorporate without board approval. No group shall incorporate unless and until it has been in existence for a minimum of one (1) year.

Section 6. Group Investigation

a. The board may cause any group to be investigated; and if such investigation establishes the fact or facts tending to prove the group willfully violated any of the provisions of these bylaws or is otherwise disqualified to continue as an affiliate body of the Association, the board may revoke a charter.

b. Such an investigation can be conducted only after reasonable notice, and after proceedings have been made open to the members of the Association.

c. Any decision of the Association adverse to a group may be appealed to the next convention.

Section 7. Group Charter Revocation Procedures

a. In the event of the revocation of the group charter, all property, books, records, equipment, and funds shall be delivered to the Association and held in trust for a period of two (2) years.

b. If, within such two (2)-year period, a new group shall be organized in the region formerly occupied by the group whose charter has been revoked, then all such property, books, records, equipment, and funds shall be delivered to, and become the property of, the new group so organized.

c. If, after such two (2)-year period has elapsed following the original charter revocation the group has not been reorganized, nor has a new group been formed, the following administrative actions shall be implemented by the Association with respect to the property, books, records, equipment, and funds of the group:

(1) All books and records shall be relegated to the archives of the Association.

(2) All property and equipment shall be disposed of as determined by the Association.

(3) All funds and other monies of the group shall permanently revert to the general fund of the Association.

Section 8. Group Charter Revocation

Inherent in the revocation of any group charter is the loss of permission to use the name "Blinded Veterans Association (BVA)."

Section 9. Group Dissolution

a. In the event of the dissolution of a group, all property, books, records, equipment, and funds shall be delivered to the Association and held in trust for a period of two (2) years.

b. If, within such two (2)-year period, a new group shall be organized in the region formerly occupied by the dissolved group, then all such property, books, records, equipment, and funds shall be delivered to, and become the property of, the new group so organized.

c. If, after such two (2)-year period has elapsed following the dissolution of a group it fails to reorganize, or a new group fails to form, the following administrative actions shall be implemented by the Association with respect to the property, books, records, equipment, and funds of the group:

(1) All books and records shall be relegated to the archives of the Association.

(2) All property and equipment shall be disposed of as determined by the Association.

(3) All funds and other monies of the group shall permanently revert to the general fund of the Association.

Section 10. Group Rules and Regulations

The board will establish a manual detailing all laws, rules, regulations, and policies governing groups, and otherwise have supervision and authority over all groups.

Section 11. Group Delegate(s)

Each group shall be entitled to elect, certify, and instruct delegate(s) as to voting on any given subject(s) or candidate(s) at convention.

ARTICLE 15

DISCIPLINE OF MEMBERS

Section 1.

Any member may be tried for violations of this Article, and if found guilty, may be publicly reprimanded, fined no more than fifty dollars (\$50.00), removed from office, suspended from membership, or expelled from the Association.

Section 2.

Disciplinary violations shall consist of:

- a. Misappropriation of funds belonging to the Association.
- b. Willful violation of the bylaws of the Association, or the rules, regulations, policies, and mandates of the board, or of the governing body of a group, or of the members as expressed by majority vote.
- c. Willful refusal to obey the lawful instructions of a superior officer, resulting in, or threatening to result in, detriment to the Association.
- d. Willful and wrongful gross dissension or disorder in any meeting.
- e. Willful affiliation with entities advocating the overthrow of the United States government by force or violence.
- f. Conviction of a felony or misconduct involving moral turpitude.
- g. Becoming a professional beggar.
- h. Other misconduct tending to bring the Association into disrepute.

ARTICLE 16

TRIAL PROCEDURE

Section 1.

Should any member of the Association be accused of misconduct, such accusation shall be reduced to writing and signed by the accuser. Such written charges, before they may be filed or considered, shall bear the following endorsement, signed by a third-party member of the Association, to wit:

"I [INSERT NAME], do hereby certify that I have carefully read, or heard read to me by some person other than the accuser, the foregoing charges, and that after careful consideration of such charges, based upon facts made known to me, am convinced that proper cause exists for the consideration of such charges by proper authorities of the Association."

Section 2.

Immediately upon receipt of any such charges so endorsed, the secretary shall deliver a copy thereof to the accused by having such copy served upon the accused by registered mail or verified email. Proof of service must be shown and attached to the original charges.

Section 3.

Within twenty (20) days following the service upon them, the accused may make a written answer of denial in whole or part of such charges, or may admit such charges in writing.

Section 4.

Within twenty (20) days following the answer of the accused, which answer must be delivered personally by the accused or by registered mail or email to the secretary, the president shall appoint a committee of three (3) members to hear evidence in support of such charges and any evidence which the accused may care to submit in their defense, and to determine from such evidence the truth or falsity of such charges.

- a. If such charges are proven, or partly proven, such trial committee shall, by a majority vote, determine whether such charges constitute a violation of the bylaws of the Association.
- b. If they find that such proof does show that the accused is guilty of a violation of the bylaws of the Association, they shall find them guilty and fix their punishment.
- c. The member shall be tried in the vicinity of the nearest group.

Section 5.

Whenever possible, the trial committee shall include an attorney, but not necessarily an attorney in the jurisdiction where the trial is to be held.

Section 6.

Members against whom charges are pending shall not be permitted to resign their membership.

Section 7.

All trial proceedings shall comply with the rules of evidence in non-jury cases adopted by the courts in the jurisdiction where the trial is held.

Section 8.

The accused shall have the right to be represented by an attorney of their choice.

Section 9.

If the accused is found guilty, they have the right of appeal to the next convention.

Section 10.

If such charges are proven false, the committee shall so find and in that event shall determine whether the charges were maliciously made and without foundation in fact; and if they find that such charges were maliciously made, and were not found in fact, then the trial committee may reprimand, fine not more than fifty dollars (\$50.00), or suspend from membership for a period not to exceed ninety (90) days, the person making such charges.

ARTICLE 17

AUXILIARY

Section 1.

An auxiliary to the Association may be established, such to be known as the Blinded Veterans Association Auxiliary.

Section 2.

Membership in the auxiliary shall consist of family members, friends, and caregivers of Association members.

Section 3.

The auxiliary shall adopt bylaws for its governance and control which shall not be effective unless or until approved by the Association board.

Section 4.

The actions of the auxiliary, to include publicity, shall not conflict with the bylaws, policies, or resolutions of the Association.

ARTICLE 18

AMENDMENTS/REVISIONS TO BYLAWS/PETITION TO AMEND CHARTER

Section 1. Amendments/Revisions

a. These bylaws may be amended or revised by the affirmative vote of two-thirds (2/3) of the votes cast at convention.

b. Proposed amendments or revisions must be received by headquarters no later than sixty (60) days before a convention.

(1) A copy of all such proposed amendments or revisions shall be made available to the members no earlier than forty-five (45) days nor later than thirty (30) days before a convention.

(2) Amendments or revisions of an emergency nature may be submitted on the opening day of a convention with unanimous consent of the bylaws and resolutions committee.

c. No such amendment or revisions may change the basic charitable purpose of the Association as set forth in the charter and bylaws.

Section 2.

These bylaws may also be amended or revised by the affirmative vote of two-thirds (2/3) of the votes cast in referendum provided that a majority of the members have voted.

Section 3. Petition to Amend Charter

a. The Association's charter was granted by an act of the U.S. Congress (72 Stat. 922 (August 27, 1958)), and then revised by Pub. L. 105-225, (112 Stat. 1317 (August 12, 1998)). Section 18 of the act specifically reserves to Congress the right to alter, amend, or repeal subject charter.

b. A petition to the U.S. Congress to alter or amend the charter may be submitted, and shall be processed, in accordance with the procedures set forth in subparagraphs b and c of Section 1 above.

c. Such a petition may not be considered by referendum.

ARTICLE 19

ASSETS UPON DISSOLUTION OR LIQUIDATION

Upon final dissolution or liquidation of the Association, and after discharge or satisfaction of all outstanding obligations and liabilities, the remaining assets shall be transferred to the Department of Veterans Affairs to be applied to the care and comfort of blinded veterans.

ARTICLE 20

PARLIAMENTARY PROCEDURE

"Robert's Rules of Order, Newly Revised" shall govern the Association in all cases to which they are applicable and not inconsistent.

ARTICLE 21

TRUSTED ADVISORY COUNCIL

Section 1.

To improve fundraising, advocacy, marketing, public education, and membership, the board may appoint professionals to serve as members of a trusted advisory council.

- a. Members will serve at the pleasure of the board as mentors and are appointed/reconfirmed annually.
- b. Members will have a voice at board meetings, providing advice and mentorship, but shall not have a vote, thereby ensuring that all board decisions are ultimately made by blinded veterans.
- c. Members will help create strategic partnerships with external stakeholders, generate value, and fundraise, while ensuring fiscal responsibility and improving advocacy to further the Association's mission.

Section 2.

Council members represent the Association and, as such, are expected to adhere to the same high standards of professionalism, legality, ethics, and morality of board members, and may not use their position for personal or corporate profit or any other perceived or actual conflict of interest.

- a. Perceived violations will be addressed by the board and could result in dismissal, disciplinary, or legal action.
- b. Council members may receive any appropriate federal or state tax deductions in accordance with expenditures in support of Association business.

APPENDIX A: CHARTER

UNITED STATES
STATUTES AT LARGE
CONTAINING THE
LAWS AND CONCURRENT RESOLUTIONS ENACTED PURING THE SECOND SESSION OF THE EIGHTY-
FIFTH CONGRESS OF THE UNITED STATES OF AMERICA

1958

AND

REORGANIZATION PLAN AND PROCLAMATIONS

VOLUME 72

IN TWO PARTS

PART 1

PUBLIC LAWS AND REORGANIZATION PLAN



UNITED STATES

GOVERNMENT PRINTING OFFICE WASHINGTON: 1959

Public Law 85-769 – Aug. 27, 1958

Public Law 85-769

[H.R. 13518]

AN ACT TO INCORPORATE THE BLINDED VETERANS ASSOCIATION

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that the following persons, to wit: John E. Mattingly, New Britain, Connecticut; Robert A. Bottenberg, San Antonio, Texas; Norbert L. Cormier, Newington, Connecticut; Michael I. Bernay, El

Monte, California; Durham D. Hail, Reedsport, Oregon; James H. Butler, Miami Springs, Florida; Melvin J. Maas, Chevy Chase, Maryland; Julius D. Morris, New Britain, Connecticut; David L. Schnair, Bronx, New York; W. Marshall Smith, Springfield, Virginia; Guy Stone, Champaign, Illinois; Walter F. Stromer, Mount Vernon, Iowa; Raymond T. Frey, Lebanon, Pennsylvania; Henry Masse, West Medford, Massachusetts; Joseph Smietanowski, Rochester, New York; Edward J. Hoyczyk, Snyder, New York; Russell C. Williams, Maywood, Illinois; H. Smith Shumway, Cheyenne Wyoming; H.P. Adanis, Sommerville, South Carolina; Thomas C. Hasbrook, Indianapolis, Indiana; Leonard E. Shelhamer, North Caldwell, New Jersey; Thomas J. Broderick, Chicago, Illinois; George M. Gillispie, Gardena, California; Peter J. McKenna, Minneapolis, Minnesota; William A. Miller, San Antonio, Texas; Phillip N. Harrison, Harrisburg, Pennsylvania; Vasco de Gama Hale, Bloomfield, Connecticut; William W. Thompson, Bethesda, Maryland; Gordon H. Damery, Brighton, Massachusetts; Irvin P. Schloss, Washington, District of Columbia; Darwin W. Niles, Hammond, Indiana; Curtis F. Weygrand, Gadsden, Alabama; Alfous Vaughan, Camden, Arkansas; Walter R. Andrews, Roseda, California; Clarence C. Carlson, Lynwood, California; Jesse S. Castillo, Los Angeles, California; Sanji Kimoto, Long Beach, California; Jose Reyes, Lynwood, California; Neftali Sanchez, Los Angeles, California; Derald W. Stang, Los Angeles, California; Paul U. Brower, Oakland, California; Clarence Costello, Oakland California; Herbert P. Oaks, Denver, Colorado; Robert W. Taylor, Pueblo, Colorado; Ernest M. Bowen, Granby, Connecticut; Dominic Buonocore, Waterbury, Connecticut; Edward Cousineau, Windsor Locks, Connecticut; Theodore Wysocki, West Hartford, Connecticut; Francisco de la Cruz, Washington, District of Columbia; Raymond N. Goldstein, Washington, District of Columbia; John H. Jones, Washington, District of Columbia; John S. Nadeau, Washington, District of Columbia; Adolph E. Anglan, Daytona Beach, Florida; LaRue S. Milne, Largo, Florida; Robert L. Robinson, Orlando Florida; Charles H. Monroe, Savannah, Georgia; Histomi Hiyasaka, Sugar City, Idaho; Fay Anderson, Pocatonia, Illinois; Vincent Ortiz, Senior, Blue Island, Illinois; Raymond D. McCarty, La Porte, Indiana; Gerald J. Miller, Rensselaer, Indiana; Charles T. Rachels, Mount Vernon, Indiana; John W. Stalcup, Indianapolis, Indiana; William E. Cassel, Cumberland, Maryland; Frank L. Bavin, Wilmington, Massachusetts; Jerome F. Bowen, Chelsea, Massachusetts; Daniel B. Carveth, Annisquam Massachusetts. Adolfo Cenzi, Somerville, Massachusetts; Nathan Cohen, Winthrop, Massachusetts; John F. Crowson, Petersham, Massachusetts; Michael Carl Dec, Chester Massachusetts; Joseph D. DeLaura, Worcester, Massachusetts; Albert de Simone, Revere, Massachusetts; John W. Feely, Worcester, Massachusetts; Francis V. Hammersley, Malden Massachusetts; Francis Hennessey, Hyde Park, Massachusetts; H.F. le Blanc, Haverhill, Massachusetts; Edward J. Leslie, Lynn, Massachusetts; John Lundgren, Malden, Massachusetts; Philip Malatesta, Malden, Massachusetts; William McFayden, Ludlow, Massachusetts; Kenneth A. Meister, Amesbury, Massachusetts; J.H. Schuster, Holdbrook, Massachusetts; Chester J. Sweeney, Dorchester, Massachusetts; John C. Taylor, Boston, Massachusetts; Alfred J. Therrien, Lawrence, Massachusetts; Otto Huwe, New Haven, Michigan; Ernest M. Wiedyk, Auburn, Michigan; Ralph H. Sather, North Branch, Minnesota; Wesley E. Burney, Kansas City, Missouri; James A. Schelich, Washington, Missouri; Raymond T. Auprey, Penacook, New Hampshire; John A. Clarke, New Brunswick, New Jersey; Edward Heimrich, Belleville, New Jersey; Frederick Koch, Paramus, New Jersey; Michael A. Spencer, Belleville, New Jersey; John Abrams, New York, New York; Walter Biedrzycki, Mineola, New York; Francis J. Chambers, New York, New York; Roger P. Conant, New York, New York; Jerome E. Dompierre, Buffalo, New York; Anthony Duino, Dunkirk, New York; Salvatore Iadanza, Central Islip, New York; Michael J. Kralovich, Jackson Heights, New York; Michael A. Lettiere, Brooklyn, New York; Joseph A. Martone, Syracuse, New York; Robert I. McGinnis, Poughkeepsie, New York; Harry J. Owens, Cassville, New York; Alrid Plaskett, South Ozone Park, New York; Jack Shapiro, Jackson Heights, New York; Andrew G. Tomanek, Jackson Heights,

New York; Paul Viviano, Sunnyside, New York; Michael Weber, Watertown, New York; Narcus Zetkin, New York, New York; John Henry Edge, Rocky Mount, North Carolina; Henry C. Riggins, Asheville, North Carolina; George H. Williams, Rocky Mount, North Carolina; John C. Smallbeck, Aneta, North Dakota; A. W. Brent, Cleveland, Ohio; Floyd H. Miller, Louisville, Ohio; Carl Mock, Logan, Ohio; James L. Park, Middlefield, Ohio; John Bernabo, Bolivar, Pennsylvania; Richard G. Brooks, Philadelphia, Pennsylvania; Charles P. Hogan, Pittsburgh, Pennsylvania; Richard A. Neiman, Lancaster, Pennsylvania; Steve T. Olesnank, Lake City, Pennsylvania; Curtis W. Sechrist, East York, Pennsylvania; Edward A. Zelonis, Harrisburg, Pennsylvania; Herman W. Nodine, Greenville, South Carolina; Emil M. Larson, Sioux Falls, South Dakota; Randolph H. Greene, Lubbock, Texas; Alfred Poe, El Paso, Texas; James A.H. Brown, Lynchburg, Virginia; Harold A. Bussey, Norfolk, Virginia; Bernie C. Lear, Chesterfield, Virginia; Charles F. Macfarlane, Seattle, Washington; John A. Veith, Lost Creek, West Virginia; Richard J. Hunt, Madison, Wisconsin; Alvin R. Johnson, Milwaukee, Wisconsin; Leo A. Urbaniak, Troy Center, Wisconsin; Julio C. Galarza Torres, Rio Piedras, Puerto Rico; John P. Collins, West Monroe, Louisiana; Gerald J. DuBois, Morgan City, Louisiana; James L. Womack, Winnfield, Louisiana; Blaise Angelico, New Orleans, Louisiana; Tom Byrnes, Shreveport, Louisiana; Reynolds T. Liner, Houma, Louisiana; David Martin, Lafayette, Louisiana; Joseph Emile DuPont, Plaquemine, Louisiana; Joseph C. Hattier, Metairie, Louisiana; Steve Champagne, Saint Martinville, Louisiana; Stephen Carra, New Orleans, Louisiana; Clarence Clark, West Monroe, Louisiana; Bernard J. Cramer, Crowley, Louisiana; Vernon Parenton, Bataon Rouge, Louisiana; Daniel Pinchera, Shreveport, Louisiana; Joseph Roth, Gonzales, Louisiana; James Turner, Varnado, Louisiana; Edwin Westrate, Port Allen, Louisiana; Preston Wyatts, Natchitoches, Louisiana; and each other person who on the date of enactment of this Act, is a member in good standing of Blinded Veterans Association, Incorporated, a corporation organized and existing under the membership corporation law of the State of New York, and their successors are hereby created and declared to be a body corporate by the name of Blinded Veterans Association (referred to in this Act as the "corporation") and by such name shall be known and have perpetual succession of the powers, limitations, and restrictions contained in this Act.

COMPLETION OF ORGANIZATION

Section 2.

A majority of the persons named in the first section of this Act are authorized to complete the organization of the corporation by the selection of officers and employees, the adoption, amendment, and revision of a constitution and bylaws not inconsistent with the provisions of this chapter and the doing of such other acts as may be necessary for such purpose.

OBJECTS AND PURPOSES OF THE CORPORATION

Section 3.

The objects and purposes of the corporation shall be as follows:

- (1) 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.
- (2) To preserve and strengthen a spirit of fellowship among blinded veterans so that they may give mutual aid and assistance to one another.

(3) 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.

(4) To be organized and operated as a corporation not for profit, no part of the income or assets of which shall inure to the benefit any of its members, directors, or officers, nor be distributable thereto otherwise than upon dissolution or final liquidation; and such corporation is organized and shall be operated exclusively for charitable, educational, patriotic, and civic improvement purposes.

POWERS OF THE CORPORATION

Section 4.

The corporation shall have power –

(1) to sue and be sued, complain, and defend in any court of competent jurisdiction.

(2) to adopt, alter, and use a corporate seal.

(3) to choose officers, managers, and agents as the business of the corporation may require.

(4) to charge and collect membership dues.

(5) to adopt, amend, apply, and alter a constitution and bylaws not inconsistent with the laws of the United States of America or any State in which the corporation is to operate, for the management of its property and the regulation of its affairs.

(6) to contract and be contracted with.

(7) to take and hold by lease, gift, purchase, grant, devise, bequest or otherwise any property real, personal, or mixed, necessary or convenient for attaining the objects of the corporation, subject, however, to applicable provisions of any State, (a) governing the amount or kind of real and personal property which may be held by, or (b) otherwise limiting or controlling the ownership of real and personal property by, a corporation in such State.

(8) to transfer, lease, or convey real or personal property.

(9) to borrow money for the purposes of the corporation and issue bonds or other evidence of indebtedness and secure the same by mortgage or pledge subject to applicable Federal or State laws.

(10) to perform all acts necessary and proper to carry out the purposes of the corporation.

PRINCIPAL OFFICE; TERRITORIAL SCOPE OF ACTIVITIES; RESIDENT AGENT

Section 5.

(a) The principal office of the corporation shall be located in Washington, District of Columbia, or in such other place as may later be determined by the board of directors but the activities of the corporation shall not be confined to that place and may be conducted throughout the various Territories and possessions of the United States.

(b) The corporation shall have, in the District of Columbia at all times, a designated agent authorized to accept service and process for the corporation; notice to or service upon such agent or mailed to the business address of such agent shall be deemed as service to or notice on the corporation.

MEMBERSHIP RIGHTS

Section 6.

Any person who was enlisted, drafted, inducted, or commissioned in the Armed Forces of the United States and who, in the line of duty in such service, has sustained substantial impairment of sight or vision, with such being defined from time to time by the bylaws of the corporation, shall be eligible for general membership in the corporation. In addition to the general membership, there shall be special classes of honorary and associate membership, the qualification or eligibility for which, and the rights and obligations of which, shall be as provided from time to time by the bylaws of the corporation. All persons who are members of any class of the Blinded Veterans Association, Incorporated, on the effective date of this Act, shall be members of such class of the corporation.

GOVERNING BODY; COMPOSITION; TENURE

Section 7.

(a) The number of directors shall be not fewer than three nor more than fifteen, and said directors shall be divided into a specified number of classes, each class holding office for a definite period of years, as shall be provided from time to time by the bylaws of the corporation, except that the directors of the Blinded Veterans Association, Incorporated, on the effective date of this Act shall be the first directors of the corporation.

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

(c) If a vacancy occurs in the office of director of the corporation, a majority of a quorum of the remaining directors of the corporation, a majority of a quorum of the remaining directors present at a meeting duly called for that purpose may elect a director to fill such vacancy until the next annual meeting of the corporation.

(d) A majority of the directors shall be present at any meeting of directors in order to constitute a quorum, and the votes of a majority of the directors so present shall be necessary for the transaction of any business.

OFFICERS

Section 8.

(a) The corporation shall have such officers as may be provided for in the bylaws

(b) The officers shall have powers consistent with this character, as may be determined by the bylaws

(c) The officers of the corporation shall be elected in such manner and have such terms and with such duties as may be prescribed in the bylaws of the corporation

DISTRIBUTION OF INCOME OF ASSETS TO MEMBERS; LOANS

Section 9.

(a) No part of the income or assets of the corporation shall inure to any member, officer, or director as such, or be distributed to any of them during the life of the corporation or upon its dissolution or final liquidation, nor shall any member or private individual be liable for the obligations of the corporation. Nothing in this section, however, shall be construed to prevent –

(1) the payment of bona fide expenses of officers of the corporation in amounts approved by the board of directors; or

(2) the payment of appropriate aid to blinded veterans, their widows, or their children pursuant to the objects of the corporation.

(b) The corporation shall not make loans to its officers, directors, or employees. Any officer or director who votes for or assents to the making of a loan to an officer, director, or employee of the corporation and any officer who participates in the making of such loan shall be jointly and severally liable to the corporation for the amount of such loan until payment thereof.

NONPOLITICAL NATURE OF CORPORATION

Section 10.

The corporation, and its officers and directors as such, shall not contribute to or otherwise support or assist any political party or candidate for elective public office.

LIABILITY FOR ACTS OF OFFICERS AND AGENTS

Section 11.

The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

PROHIBITION AGAINST ISSUANCE OF STOCK OR ISSUANCE OF DIVIDENDS

Section 12.

The corporation shall have no power to issue any shares of stock or declare or pay dividends.

BOOKS AND RECORDS; INSPECTION

Section 13.

The corporation shall keep correct and complete books and records of accounts. It shall also keep minutes of the proceedings of its membership and of the board of directors or committees having authority under the board of directors. It shall also keep at its primary office a record giving the names and addresses of its members, directors, and officers. All books and records of the corporation may be inspected by any member or their agent or attorney for any proper purpose at any reasonable time.

AUDIT OF FINANCIAL TRANSACTIONS; REPORT TO CONGRESS

Section 14.

(a) The financial transactions of the corporation shall be audited annually by an independent certified accountant in accordance with the principles and procedures applicable to commercial corporate transactions. The audit shall be conducted at the place or places where the accounts of the corporation are normally kept. All books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the corporation and necessary to facilitate the audit shall be made available to the person or persons conducting the audit and full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians shall be afforded to such person or persons.

(b) A report of said audit shall be made by the corporation to the Congress not later than March 1 of each year. The report shall set forth the scope of the audit and shall include a verification by the person or persons conducting the audit of statements of (1) assets and liabilities; (2) capital and surplus or deficit; (3) surplus or deficit analyses; (4) income and expense; and (5) sources and application of funds. The report shall not be printed as a public document.

USE OF ASSETS UPON DISSOLUTION OR LIQUIDATION

Section 15.

Upon final dissolution or liquidation of the corporation and after discharge or satisfaction of all outstanding obligations and liabilities the remaining assets of the corporation shall be transferred to the Veterans' Administration to be applied to the care and comfort of blinded veterans.

TRANSFER OF ASSETS FROM PRIOR CORPORATION

Section 16.

The corporation may acquire the assets of the Blinded Veterans Association, Incorporated, a body corporate organized under the laws of the State of New York, upon discharge or satisfactorily providing for the payment and discharge of all of the liabilities of such State corporation and upon complying with all the laws of the state of New York applicable thereto.

EXCLUSIVE RIGHT TO NAME: CORPORATE SEALS, EMBLEMS, AND BADGES

Section 17.

The corporation and its duly authorized regional groups and other local subdivisions shall have the sole and exclusive right to have and use in carrying out its purposes the name Blinded Veterans Association and such seals, emblems, and badges as the corporation may lawfully adopt.

RESERVATION OF RIGHT TO AMEND OR REPEAL CHARTER

Section 18.

The right to alter, amend, or repeal this Act is expressly reserved.

Approved August 27, 1958

APPENDIX B: REVISED CHARTER

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.
- (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 no later than six (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.
- (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.

(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.
- (9) perform 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.
 - (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 accounts.

(2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors.

(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 the notice 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.