

Public Laws regarding WACVA

[What you should know: Public Law 105-225, signed August 12, 1998, consolidated and republished several hundred laws pertaining to patriotic and national observances, ceremonies, and organizations in one law. The various events, topics, and organizations covered are as diverse as American Heart Month, Mother’s and Father’s Days, the National Anthem, Presidential Inaugural Ceremonies, The American Legion, Girl Scouts of the United States, the Women’s Army Corps Veterans’ Association, and the American Red Cross. Public Law 105-225 repealed Public Law 98-584, October 30, 1984, which dealt only with the Women’s Army Corps’ Association. Note that Chapter 101 (below) applies to all organizations covered under Subtitle II unless otherwise provided.]

[A complete copy of the law can be found on the Internet at http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=105_cong_public_laws&docid=f:publ225.105.pdf; your public library may also have a compendium of public laws or can assist you in locating the information you need. This extract is from the web site above.]

Public Law 105–225 (August 12, 1998)
105th Congress
An Act

To revise, codify, and enact without substantive change certain general and permanent laws, related to patriotic and national observances, ceremonies, and organizations, as title 36, United States Code, “Patriotic and National Observances, Ceremonies, and Organizations”. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

SECTION 1. TITLE 36, UNITED STATES CODE.

Certain general and permanent laws of the United States, related to patriotic and national observances, ceremonies, and organizations, are revised, codified, and enacted as title 36, United States Code, “Patriotic and National Observances, Ceremonies, and Organizations”, as follows:

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

SUBTITLE Sec.

- I. PATRIOTIC AND NATIONAL OBSERVANCES AND CEREMONIES 101
- II. PATRIOTIC AND NATIONAL ORGANIZATIONS 10101
- III. TREATY OBLIGATION ORGANIZATIONS300101

[pages 2 – 28 deleted]

SUBTITLE II—PATRIOTIC AND NATIONAL ORGANIZATIONS

PART A—GENERAL

CHAPTER Sec.

101. GENERAL 10101

PART B—ORGANIZATIONS

201. AGRICULTURAL HALL OF FAME 20101

203. AMERICAN ACADEMY OF ARTS AND LETTERS 20301

[listing deleted]

2305. VIETNAM VETERANS OF AMERICA, INC. 230501

2401. WOMEN’S ARMY CORPS VETERANS’ ASSOCIATION 240101

2501. [RESERVED] 250101

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PART A—GENERAL

CHAPTER 101—GENERAL

Sec.

10101. Audits.

10102. Reservation of right to amend or repeal.

§ 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

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(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.

§ 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

[CHAPTERS 201 — to 2400 deleted, pages 32-235 deleted]

CHAPTER 2401—WOMEN'S ARMY CORPS VETERANS' ASSOCIATION

Sec.

240101. Definition.

240102. Organization.

240103. Purposes.

240104. Membership.

240105. Governing body.

240106. Powers.

240107. Restrictions.

240108. Duty to maintain tax-exempt status.

240109. Records and inspection.

240110. Service of process.

240111. Liability for acts of officers and agents.

240112. Annual report.

§ 240101. Definition

For purposes of this chapter, "State" includes the District of Columbia and the territories and possessions of the United States.

§ 240102. Organization

(a) FEDERAL CHARTER.—Women's Army Corps Veterans' Association (in this chapter, the "corporation"), a nonprofit corporation incorporated in the District of Columbia, 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.

§ 240103. Purposes

The purposes of the corporation are as provided in its articles of incorporation and include a continuing commitment on a national basis—

(1) to promote the general welfare of all veterans, especially women veterans, who have served or are serving in the United States Army, the Army Reserve, and the Army National Guard;

(2) to recognize outstanding women in college ROTC units throughout the United States; and

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(3) to provide services and support to patients in medical facilities of the Department of Veterans Affairs throughout the United States.

§ 240104. Membership

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

§ 240105. Governing body

(a) BOARD OF DIRECTORS.—The board of directors and the responsibilities of the board are as provided in the articles of incorporation.

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(b) OFFICERS.—The officers and the election of officers are as provided in the articles of incorporation.

§ 240106. Powers

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

§ 240107. 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 otherwise participate in any political activity or in any manner 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 the approval or the authority of the United States Government for any of its activities.

§ 240108. 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.).

§ 240109. 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.

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§ 240110. 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.

§ 240111. Liability for acts of officers and agents

The corporation is liable for the acts of its officers or agents acting within the scope of their authority.

§ 240112. 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.

CHAPTER 2501—[RESERVED]

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CERTIFICATE OF INCORPORATION

We, the undersigned, all citizens of the United States, and a majority citizens and residents of the District of Columbia, desiring to associate ourselves as a corporation pursuant to the Code of Laws for the District of Columbia, 1940 (29-601) do hereby certify as follows:

FIRST: The name and title by which this corporation shall be known in law as the Women's Army Corps Veterans' Association.

SECOND: The Association shall have its existence in perpetuity.

THIRD: The object of the corporation is to promote the general welfare of all veterans, especially the personnel of the Women's Army Corps, its veterans and veterans of the Women's Army Auxiliary Corps in hospitals or wherever they may be; to provide publications pertaining to the members and to further general education and civic betterment programs for the general welfare of the community.

FOURTH: The number of Directors for the first year shall be eight (8) and the names of the Directors who shall serve until their successors shall have been elected at the 1951 Convention of the Association are: Esther Bentley, Isabelle Biasini, Audrey Bonser, Marge Sievers, Kamile J. Michalowski, Dorris Sessoms, Agatha Bobbitt and Leonora Townson.

FIFTH: In order to carry out the objects of the corporation, chapters of the Association may be established in accordance with the Bylaws of the Association. The names of the Presidents of existing chapters are Margaret Hatton, Chicago, Illinois; Donna K. Knapp, Columbus, Ohio; Marge Sievers, Milwaukee, Wisconsin; Betty Smith, Cleveland, Ohio; Dorothy Edwards, Buffalo, New York; Rosemary Hoffman, Indianapolis, Indiana; Margaret Closterman, Philadelphia, Pennsylvania; Wilma Pickert, Los Angeles, California; Ida Mears, New York, New York; Dortha Martin, Portland, Oregon; Ruth Young, Miami, Florida; Mable Anderson, Boston, Massachusetts; Mavis Nash, Detroit, Michigan; and Captain Mary Charlotte Lane, Washington, DC The name of the secretary of the Newark, Ohio chapter is Mrs. Maxine Lord.

IN TESTIMONY WHEREOF we have this 11th day of May, AD, 1951, hereunto set our hands and seals.

(Signed)

Esther R. Bentley
Mary Charlotte Lane
Jessie Habercom
Lucy E. Birdsall
Mary Agnes Brown
Edith Nourse Rogers
Louise Duncan
Elizabeth F. Fitzgerald
Lillian Agnes Sheetz

Jeanne K. Letellier
Marie E. Blasco
Mary Agnes Hallaren
Selma J. Rassin
Ruth L. Smith
Eva E. Manchester
Marie Shayeb
Bernice K. Johnson

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CERTIFICATE OF INCORPORATION

DISTRICT OF COLUMBIA, SS:

I, Samuel Rose, A Notary Public in and for the District of Columbia, do hereby certify that --- (The above named signatories), parties to a certain Certificate of Incorporation bearing the date of the 11th day of May, 1951, and hereunto annexed, personally appeared before me in the said District of Columbia, the said --- (signatories) being personally well known to me as the persons who executed said Certificate of Incorporation and acknowledge same to be their act and deed.

Given unto my hand and Seal this 11th day of May 1951.

(Signed) Samuel Rose
NOTARY PUBLIC, D. C.

(The foregoing Certificate of Incorporation was received for the record on the 14th day of May, A. D., 1951, in the Office of Records and Deeds, District of Columbia.)

PREAMBLE

We, the members of the Women's Army Corps Veterans' Association, humbly petition the blessings of our Heavenly Father upon all our activities, that we may grow in grace and glorify our purpose to be of service to all veterans. We pledge allegiance to the United States of America, and the members in whose name we serve. We are resolved to promote justice, tolerance, peace and good will among all men, toward the end that all wars may cease.

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FEDERAL CHARTER

Note: Public Law 98-584 replaced by Public Law 105-225 at the 2002 WACVA Annual Convention.

PUBLIC LAW 98-584--OCT. 30, 1984

Public Law 98-584
98th Congress

An Act

To recognize the organization known as the Women's Army Cops Veterans' Association.
Oct. 30, 1984 (H.R. 4966)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

CHARTER

SECTION 1 The Women's Army Cops Veterans' Association, a non profit corporation organized under the laws of the District of Columbia, is recognized as such and is granted a Federal charter.

Corporation.
36 USC 3101.

POWERS

SEC. 2. The Women's Army Corps Veterans' Association (hereinafter in this Act referred to as the "corporation"), shall have only those powers granted to it through its bylaws and articles of incorporation filed in the States in which it is incorporated, and subject to the laws of such States.

36 USC 3102.c

OBJECTS AND PURPOSES OF CORPORATION

SEC. 3. The objects and purposes of the corporation are those provided in its articles of incorporation and shall include a continuing commitment on a national basis to --

- (1) promote the general welfare of all veterans, especially women veterans, who have served or are serving in the United States Army, the Army Reserve, and the Army National Guard;
- (2) recognize outstanding women in college ROTC units throughout the United States; and
- (3) provide services and support to patients in Veterans Administration Hospitals throughout the United States.

36 USC 3103.

SERVICE OF PROCESS

SEC. 4. With respect to service of process, the corporation shall comply with the laws of the States in which it is incorporated and in which it carries on activities in furtherance of its corporate purposes.
36 USC 3104.

MEMBERSHIP

SEC. 5. Eligibility for membership in the corporation and the rights and privileges of members shall be as provided in the constitution and bylaws of the corporation.

36 USC 3105.

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FEDERAL CHARTER

BOARD OF DIRECTORS

SEC. 6. The board of directors of the corporation and the responsibilities thereof shall be as provided in the articles of incorporation of the corporation and in conformity with the laws of the States in which it is incorporated.

36 USC 3106.

OFFICERS

SEC. 7. The officers of the corporation and the election of such officers shall be as provided in the articles of Incorporation of the corporation and shall be in conformity with the laws of the States in which it is incorporated.

36 USC 3107.

RESTRICTIONS ON CORPORATE POWERS

SEC. 8. (a) No part of the income or assets of the corporation may inure to any member, officer, or director of the corporation or be distributed to any such individual during the life of this charter. Nothing in this subsection shall be construed to prevent the payment of reasonable compensation to the officers of the corporation or reimbursement for actual and necessary expenses in amounts approved by the board of directors.

(b) The corporation may not make any loan to any officer, director, or employee of the corporation.

(c) Neither the corporation nor any officer or director thereof may contribute to, support, or otherwise participate in any political activity or attempt in any manner to influence legislation.

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

(e) The corporation shall not claim the approval or authorization of the Federal Government for any of its activities.

36 USC 3108.

LIABILITY

SEC. 9. The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

36 USC 3109.

BOOKS AND RECORDS: INSPECTION

SEC 10. The corporation shall keep correct and complete books and records of accounts and shall keep minutes of any proceeding of the corporation involving any of its members, the board of directors, or any committee having authority under the board of directors. The corporation shall keep at its principal office a record of the names and addresses of all members having the right to vote in any proceeding of the corporation. All books and records of such corporation may be inspected by any member having the right to vote in any corporation proceeding, or by any agent or attorney of such member, for any proper purpose at any reasonable time. Nothing in this section shall be construed to contravene any applicable State law.

AUDIT OF FINANCIAL TRANSACTIONS

SEC. 11. The first section the Act entitled ~"An Act to provide for audit of accounts of private corporations established under Federal law", approved August 30, 1964 (36 U.S.C. 1101), is amended by adding at the end thereof the following:

"(64) Women's Army Corps Veterans' Association."

36 USC 3110.

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FEDERAL CHARTER

ANNUAL REPORT

SEC. 12. The corporation shall report annually to the Congress concerning the activities of the corporation during the preceding fiscal year. Such annual report shall be submitted at the same time as the report of the audit of the corporation required by section 2 of the Act entitled 'An Act to provide for audit of accounts of private corporations established under Federal law', approved August 30, 1964 (36 U.S.C. 1101). The report shall not be printed as a public document.

36 USC 3111.

RESERVATION OF RIGHT TO AMEND OR REPEAL CHARTER

SEC. 13. The right to amend or repeal this Act is expressly reserved to the Congress.

36 USC 3112.

DEFINITION OF ~ "STATE"

SEC. 14. For purposes of this Act, the term 'State' included the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and the territories and possessions of the United States.

36 USC 3113

TAX-EXEMPT STATUS

SEC. 15. The corporation shall maintain its status as an organization exempt from taxation as provided in the Internal Revenue Code of 1954. If the corporation fails to maintain such status, the charter granted by this Act shall expire.

36 USC 3114.

TERMINATION

SEC. 16. If the corporation fails to comply with any of the restrictions or provisions of this Act, the charter granted by this Act shall expire.

36 USC 3115.

Approved October 30, 1984

LEGISLATIVE HISTORY -- H.R. 4966 (5. 2720):

CONGRESSIONAL RECORD, Vol. 130 (1984):

Sept. 26, considered and passed House.
Oct. 4, considered and passed Senate, amended.
Oct. 5, House concurred in Senate amendments.