

–CITE–

36 USC CHAPTER 1405 – MILITARY ORDER OF THE PURPLE HEART
OF THE UNITED STATES OF AMERICA, INCORPORATED 01/06/03

–EXPCITE–

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

Subtitle II – Patriotic and National Organizations

Part B – Organizations

CHAPTER 1405 – MILITARY ORDER OF THE PURPLE HEART OF THE UNITED
STATES OF AMERICA, INCORPORATED

–HEAD–

CHAPTER 1405 – MILITARY ORDER OF THE PURPLE HEART OF THE UNITED
STATES OF AMERICA, INCORPORATED

–MISC1–

Sec.

140501. Organization.

140502. Principles and purposes.

140503. Membership.

140504. Governing body.

140505. Powers.

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140507. Principal office.

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36 USC Sec. 140501 01/06/03

–EXPCITE–

TITLE 36 – PATRIOTIC AND NATIONAL OBSERVANCES, CEREMONIES, AND
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Subtitle II – Patriotic and National Organizations

Part B – Organizations

CHAPTER 1405 – MILITARY ORDER OF THE PURPLE HEART OF THE UNITED
STATES OF AMERICA, INCORPORATED

–HEAD–

Sec. 140501. Organization

–STATUTE–

(a) Federal Charter. – Military Order of the Purple Heart of the
United States of America, Incorporated (in this chapter, the
"corporation"), is a federally chartered corporation.

(b) Place of Incorporation and Domicile. – The corporation is
declared to be incorporated and domiciled in the District of
Columbia.

(c) Perpetual Existence. – Except as otherwise provided, the
corporation has perpetual existence.

–SOURCE–

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1381.)

–MISC1–

HISTORICAL AND REVISION NOTES

Revised Source (U.S. Code) Source (Statutes at Large)

Section

140501 36:821. Aug. 26, 1958, Pub. L.

85–761, Secs. 1, 2, 4(1), 72

Stat. 854, 856.

36:822.

36:824(1).

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

–End–

–CITE–

36 USC Sec. 140502 01/06/03

–EXPCITE–

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

Subtitle II – Patriotic and National Organizations

Part B – Organizations

CHAPTER 1405 – MILITARY ORDER OF THE PURPLE HEART OF THE UNITED STATES OF AMERICA, INCORPORATED

–HEAD–

Sec. 140502. Principles and purposes

–STATUTE–

(a) Principles. – The principles underlying the corporation are patriotic allegiance to the United States, fidelity to the Constitution and laws of the United States, the security of civil liberty, and the permanence of free institutions.

(b) Purposes. – The purposes of the corporation are educational, fraternal, historical, and patriotic, perpetuating the principles of liberty and justice which have created the United States, by –

(1) commemorating all national patriotic holidays;

(2) maintaining true allegiance to the Government of the United States and fidelity to its Constitution and laws;

(3) preserving and strengthening comradeship and patriotism among its members;

(4) assisting, comforting, and aiding all needy and distressed members and their dependents;

(5) giving needed hospital and service work through its Department of Veterans Affairs certified service officers;

(6) cooperating with other civic and patriotic organizations having worthy objectives;

(7) keeping alive the achievements and memory of our country's founders;

(8) ever cherishing the memory of General George Washington, who founded the Purple Heart at his headquarters at Newburgh–on–the–Hudson on August 7, 1782;

(9) influencing and teaching our citizenry, in a loyal appreciation of the heritages of American citizenship, with its

responsibilities and privileges; and

(10) preserving and defending the United States from all enemies.

–SOURCE–

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1381.)

–MISC1–

HISTORICAL AND REVISION NOTES

Revised Source (U.S. Code) Source (Statutes at Large)

Section

140502 36:823. Aug. 26, 1958, Pub. L.

85–761, Sec. 3, 72 Stat.

856; June 13, 1991, Pub. L.

102–54, Sec. 13(n)(3), 105

Stat. 278.

In this section, the words "of America" are omitted for consistency in the revised title.

In subsection (b)(3), the word "among" is substituted for "amongst" to use more common terminology.

In subsection (b)(10), the word "whomsoever" is omitted as unnecessary.

–End–

–CITE–

36 USC Sec. 140503 01/06/03

–EXPCITE–

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

Subtitle II – Patriotic and National Organizations

Part B – Organizations

CHAPTER 1405 – MILITARY ORDER OF THE PURPLE HEART OF THE UNITED
STATES OF AMERICA, INCORPORATED

–HEAD–

Sec. 140503. Membership

–STATUTE–

(a) Active Members. – An individual is eligible for active membership in the corporation if the individual –

(1) is of good moral character; and

(2) has received the Purple Heart for wounds received as a member, of any rank, of the Armed Forces of the United States or any foreign country during military or naval combat against an armed enemy of the United States.

(b) Associate Members. – The corporation may extend eligibility for membership as associate members to parents and lineal descendants of an individual described in subsection (a) of this section on terms provided in its constitution and bylaws.

(c) Voting. – Each member described in subsection (a) of this section has one vote on each matter submitted to a vote at a meeting of the members.

–SOURCE–

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1382.)

–MISC1–

HISTORICAL AND REVISION NOTES

Revised Source (U.S. Code) Source (Statutes at Large)

Section

140503 36:826. Aug. 26, 1958, Pub. L.

85–761, Sec. 6, 72 Stat. 857.

In this section, the text of 36:826(d) is omitted as obsolete.

In subsection (a), the words "has received" are substituted for "who have received or who may hereafter receive", and the words "as a member" are substituted for "are, have been, or may become members", for clarity and to eliminate unnecessary words.

In subsection (b), the word "may" is substituted for "shall have the power, moreover, to" for consistency and to eliminate unnecessary words.

–End–

–CITE–

36 USC Sec. 140504 01/06/03

–EXPCITE–

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

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CHAPTER 1405 – MILITARY ORDER OF THE PURPLE HEART OF THE UNITED

STATES OF AMERICA, INCORPORATED

–HEAD–

Sec. 140504. Governing body

–STATUTE–

(a) Board of Directors. – (1) The board of directors is the governing body of the corporation. Between meetings of the corporation, the board is responsible for the general policies and program of the corporation. The board is responsible for all funds of the corporation.

(2) The number of directors, their manner of selection (including the filling of vacancies), and their term of office are as provided in the constitution and bylaws of the corporation. However, the board shall have at least 18 directors.

(b) Officers. – (1) The officers of the corporation are a commander, a senior vice commander, a chaplain, an adjutant, a finance officer, a judge advocate, an inspector, a surgeon, a historian, and other elected officers as provided in the constitution and bylaws.

(2) The manner of election, term of office, and duties of the officers are as provided in the constitution and bylaws.

–SOURCE–

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1382.)

–MISC1–

HISTORICAL AND REVISION NOTES

Revised Source (U.S. Code) Source (Statutes at Large)

Section

140504(a) 36:827. Aug. 26, 1958, Pub. L.

85–761, Secs. 7, 8, 72 Stat.

857.

140504(b) 36:828.

In subsection (a), the text of 36:827(a) is omitted as obsolete.

–End–

–CITE–

36 USC Sec. 140505 01/06/03

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TITLE 36 – PATRIOTIC AND NATIONAL OBSERVANCES, CEREMONIES, AND
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Part B – Organizations

CHAPTER 1405 – MILITARY ORDER OF THE PURPLE HEART OF THE UNITED
STATES OF AMERICA, INCORPORATED

–HEAD–

Sec. 140505. Powers

–STATUTE–

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) make contracts;

(4) acquire, own, lease, encumber, and transfer property as necessary or convenient to carry out the purposes of the corporation;

(5) borrow money, issue instruments of indebtedness, and secure its obligations by granting security interests in its property;

(6) charge and collect membership dues; and

(7) sue and be sued.

–SOURCE–

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1382.)

–MISC1–

HISTORICAL AND REVISION NOTES

Revised Source (U.S. Code) Source (Statutes at Large)

Section

140505 36:824(2)–(9). Aug. 26, 1958, Pub. L.

85–761, Secs. 4(2)–(9), 16,

72 Stat. 856, 859.

36:836.

In this section, the text of 36:836 is omitted as executed and obsolete.

In clause (1), the word "alter" is omitted as included in "amend". The words "not inconsistent with the laws of the United States or any State in which the corporation is to operate" are omitted as unnecessary.

Clause (4) is substituted for "take [by] lease, gift, purchase, grant, devise, or bequest from any private corporation, association, partnership, firm or individual and to hold any property, real, personal or mixed, necessary or convenient for attaining the object and carrying into effect the purposes of the corporation" and "transfer, convey, lease, sublease, encumber, and otherwise alienate real, personal or mixed property" for consistency in the revised title and to eliminate unnecessary words. The words "subject, however, to applicable provisions of law of any State (A) governing the amount or kind of property which may be held, or (B) otherwise limiting or controlling the ownership of property by, a corporation operating in such State" are omitted as unnecessary.

In clause (5), the words "for the purposes of the corporation" are omitted as unnecessary. The words "issue instruments of indebtedness, and secure its obligations by granting security interests in its property" are substituted for "issue bonds therefor, and secure the same by mortgage, deed of trust, pledge, or otherwise" to eliminate unnecessary words. The words "subject in every case to all applicable provisions of Federal and State laws" are omitted as unnecessary.

In clause (7), the words "complain and defend in any court of competent jurisdiction" are omitted as unnecessary.

–End–

–CITE–

36 USC Sec. 140506 01/06/03

–EXPCITE–

TITLE 36 – PATRIOTIC AND NATIONAL OBSERVANCES, CEREMONIES, AND
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CHAPTER 1405 – MILITARY ORDER OF THE PURPLE HEART OF THE UNITED
STATES OF AMERICA, INCORPORATED

–HEAD–

Sec. 140506. Restrictions

–STATUTE–

(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 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 except on dissolution or final liquidation of the corporation. This subsection does not prevent the payment of compensation to an officer in an amount approved by the executive committee of the corporation.

(d) Loans. – The corporation may not make a loan to a director, officer, or employee. Directors 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.

–SOURCE–

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1383.)

–MISC1–

HISTORICAL AND REVISION NOTES

Revised Source (U.S. Code) Source (Statutes at Large)

Section

140506(a) 36:832. Aug. 26, 1958, Pub. L.

85–761, Secs. 9, 10, 12, 72

Stat. 858.

140506(b) 36:830.

140506(c) 36:829(a).

140506(d) 36:829(b).

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

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

The words "as provided in section 835 of this title" are omitted as unnecessary.

–End–

–CITE–

36 USC Sec. 140507 01/06/03

–EXPCITE–

TITLE 36 – PATRIOTIC AND NATIONAL OBSERVANCES, CEREMONIES, AND

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CHAPTER 1405 – MILITARY ORDER OF THE PURPLE HEART OF THE UNITED

STATES OF AMERICA, INCORPORATED

–HEAD–

Sec. 140507. Principal office

–STATUTE–

The principal office of the corporation shall be in the District of Columbia or another place decided by the national executive board. 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.

–SOURCE–

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1383.)

–MISC1–

HISTORICAL AND REVISION NOTES

Revised Source (U.S. Code) Source (Statutes at Large)

Section

140507 36:825(a). Aug. 26, 1958, Pub. L.

85–761, Sec. 5(a), 72 Stat.

856.

The word "various" is omitted as unnecessary.

–End–

–CITE–

36 USC Sec. 140508 01/06/03

–EXPCITE–

TITLE 36 – PATRIOTIC AND NATIONAL OBSERVANCES, CEREMONIES, AND
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CHAPTER 1405 – MILITARY ORDER OF THE PURPLE HEART OF THE UNITED
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–HEAD–

Sec. 140508. Records and inspection

–STATUTE–

(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.

–SOURCE–

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1383.)

–MISC1–

HISTORICAL AND REVISION NOTES

Revised Source (U.S. Code) Source (Statutes at Large)

Section

140508 36:833. Aug. 26, 1958, Pub. L.

85–761, Sec. 13, 72 Stat.

858.

The word "records" is substituted for "books and records" for consistency in the revised title and with other titles of the United States Code.

–End–

–CITE–

36 USC Sec. 140509 01/06/03

–EXPCITE–

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

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CHAPTER 1405 – MILITARY ORDER OF THE PURPLE HEART OF THE UNITED STATES OF AMERICA, INCORPORATED

–HEAD–

Sec. 140509. Liability for acts of officers and agents

–STATUTE–

The corporation is liable for the acts of its officers and agents

acting within the scope of their authority.

–SOURCE–

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1383.)

–MISC1–

HISTORICAL AND REVISION NOTES

Revised Source (U.S. Code) Source (Statutes at Large)

Section

140509 36:831. Aug. 26, 1958, Pub. L.

85–761, Sec. 11, 72 Stat.

858.

–End–

–CITE–

36 USC Sec. 140510 01/06/03

–EXPCITE–

TITLE 36 – PATRIOTIC AND NATIONAL OBSERVANCES, CEREMONIES, AND
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CHAPTER 1405 – MILITARY ORDER OF THE PURPLE HEART OF THE UNITED
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–HEAD–

Sec. 140510. Service of process

–STATUTE–

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.

–SOURCE–

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

–MISC1–

HISTORICAL AND REVISION NOTES

Revised Source (U.S. Code) Source (Statutes at Large)

Section

140510 36:825(b). Aug. 26, 1958, Pub. L.

85–761, Sec. 5(b), 72 Stat.

857.

The words "at all times" are omitted as unnecessary.

–End–

–CITE–

36 USC Sec. 140511 01/06/03

–EXPCITE–

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

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CHAPTER 1405 – MILITARY ORDER OF THE PURPLE HEART OF THE UNITED

STATES OF AMERICA, INCORPORATED

–HEAD–

Sec. 140511. Distribution of assets on dissolution or final liquidation

–STATUTE–

On dissolution or final liquidation of the corporation, any assets remaining after the discharge of all liabilities shall be distributed as provided by the board of directors, but in compliance with the constitution and bylaws of the corporation.

–SOURCE–

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

–MISC1–

HISTORICAL AND REVISION NOTES

Revised Source (U.S. Code) Source (Statutes at Large)

Section

140511 36:835. Aug. 26, 1958, Pub. L.

85–761, Sec. 15, 72 Stat.

859.

The word "satisfaction" is omitted as included in "discharge",

and the word "obligations" is omitted as included in "liabilities".

The words "outstanding" and "all Federal and State laws applicable

thereto" are omitted as unnecessary.

-End-