

§ 617. Reservation of right to amend or repeal chapter

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

(Aug. 28, 1954, ch. 1036, § 17, 68 Stat. 895.)

CHAPTER 27—LEGION OF VALOR OF THE UNITED STATES OF AMERICA

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CHANGE OF NAME

The name of the corporation was changed from the Army and Navy Legion of Valor of the United States of America, Incorporated, to the Legion of Valor of the United States of America, Incorporated, by Pub. L. 87-56, § 1, June 21, 1961, 75 Stat. 95. See section 648 of this title.

§ 631. Corporation created

The following persons, to wit: James G. Waish, Distinguished Service Cross, 50 Patten Street, Jamaica Plain, Massachusetts; Robert G. Woodside, Distinguished Service Cross, 3858 First Avenue, South, Saint Petersburg, Florida; Deming Bronson, Congressional Medal of Honor, route 2, box 322, Roseburg, Oregon; George E. Parker, Junior, Distinguished Service Cross, Lutherville, Maryland; Leo L. Zingale, Distinguished Service Cross, 3612 East One Hundred and Seventeenth Street, Cleveland, Ohio; John Davis, Congressional Medal of Honor, 800 North Shore Drive, Saint Petersburg, Florida; Glen O. McEwen, Distinguished Service Cross, box 737, Spokane 3, Washington; Ben. Prager, Distinguished Service Cross, 316 Court House, Pittsburgh, Pennsylvania; Earle D. Norton, Distinguished Service Cross, 29 Broadway, New York, New York; Ray Eastman, Navy Cross, 396 LaSalle Avenue, Buffalo 15, New York; Ben Neff, Distinguished Service Cross, 208 Evanston Building, Minneapolis, Minnesota; Warren L. Granger, Navy Cross, 703 Sixteenth Street, Alexandria, Virginia; William

Oliver Smith, Distinguished Service Cross, 917 Holt Drive, Raleigh, North Carolina; Robert M. Gaynor, Distinguished Service Cross, 621 South Taylor Street, Arlington, Virginia; Leon M. Hanna, Distinguished Service Cross, box 217, McHenry, Illinois; Bruno O. Forsterer, Congressional Medal of Honor, Walker Street, Oakland, California; Elmer R. Hangartner, Distinguished Service Cross, 2103 Lynn Avenue, Altoona, Wisconsin; Thomas Eadie, Congressional Medal of Honor, 120 Gibbs Avenue, Newport, Rhode Island; John D. Hawk, Congressional Medal of Honor, 3243 Solie, Bremerton, Washington; Leon A. Dombrowski, Distinguished Service Cross, 137 Highland Drive, Williamsville, New York; William C. Hardie, Distinguished Service Cross, post-office box 1396, Billings, Montana; E. Lee Henderson, Navy Cross, 10948 Fruitland Drive, North Hollywood, California; Othel J. Gee, Distinguished Service Cross, 416 Medical Arts Building, Oklahoma City, Oklahoma; Leslie Hardy, Distinguished Service Cross, 1021 East Sierra Vista, Phoenix, Arizona; A. Allen Johnson, Distinguished Service Cross, 953 Dixwell Avenue, New Haven, Connecticut; Dennis C. Turner, Distinguished Service Cross, 1008 Missouri Avenue, Houston, Texas; Columbus Whipple, Distinguished Service Cross, 2704 Brinker Avenue, Ogden, Utah; John D. Licklider, Distinguished Service Cross, 229 Woodrow Avenue, Martinsburg, West Virginia; Murry Wolfe, Navy Cross, 240 Gregory Avenue, Passaic, New Jersey; Willard H. Marshall, Distinguished Service Cross, 31 West Whitney Street, Sheridan, Wyoming; Peter Paul Martinek, Navy Cross, 1731 South Brand Boulevard, Glendale, California; Lucian Adams, Congressional Medal of Honor, 213 Santa Clara Street, San Antonio, Texas; and Edgar H. Bain, post-office box 2, Goldsboro, North Carolina, and their successors, are created and declared to be a body corporate of the District of Columbia, where its legal domicile shall be, by the name of the Legion of Valor of the United States of America, Incorporated (hereinafter referred to as the "corporation"), and by such name shall be known and have perpetual succession and the powers, limitations, and restrictions herein contained.

(Aug. 4, 1955, ch. 546, § 1, 69 Stat. 486; June 21, 1961, Pub. L. 87-56, § 1, 75 Stat. 95.)

CHANGE OF NAME

"Legion of Valor of the United States of America, Incorporated" was substituted for "Army and Navy Legion of Valor of the United States of America, Incorporated" on authority of section 1 of Pub. L. 87-56. See section 648 of this title.

§ 632. Omitted

CODIFICATION

Section, act Aug. 4, 1955, ch. 546, § 2, 69 Stat. 487, related to the procedure for the completion of the organization of the corporation.

§ 633. Principles and objects of corporation

(a) The principles underlying the corporation are patriotic allegiance to the United States of America, fidelity to its Constitution and law,

the security of civil liberty, and the permanence of free institutions.

(b) The objects of the corporation are to cherish the memories of the vallant deeds in arms for which the Congressional Medal of Honor, the Distinguished Service Cross, Air Force Cross, and the Navy Cross are the insignia; to promote true fellowship among its members; to advance the best interests of members of the Armed Forces of the United States of America; to extend all possible relief to needy members of the corporation, their widows, and children; and to stimulate patriotism in the minds of our youth by encouraging the study of the patriotic, military, and naval history of our Nation.

(Aug. 4, 1955, ch. 546, § 3, 69 Stat. 487; June 21, 1961, Pub. L. 87-56, § 2, 75 Stat. 95.)

AMENDMENTS

1961—Subsec. (b). Pub. L. 87-56 inserted "Air Force Cross" following "Distinguished Service Cross."

§ 634. Powers of corporation

The corporation shall have power—

(1) to have succession by its corporate name;

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

(3) to adopt, use, and alter a corporate seal;

(4) to charge and collect membership dues;

(5) to adopt, amend, and alter a constitution and bylaws, not inconsistent with the laws of the United States 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 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 objects and carrying into effect the purposes of the corporation, subject, however, to applicable provisions of law of any State (A) governing the amount or kind of property which may be held by, or (B) otherwise limiting or controlling the ownership of property by, a corporation operating in such State;

(8) to transfer, convey, lease, sublease, encumber, and otherwise alienate real, personal or mixed property; and

(9) to borrow money for the purposes of the corporation, issue bonds therefor, and secure the same by mortgage, deed of trust, pledge, or otherwise, subject in every case to all applicable provisions of Federal and State laws.

(Aug. 4, 1955, ch. 546, § 4, 69 Stat. 487.)

§ 635. Principal office; territorial scope of activities; resident agent

(a) The principal office of the corporation shall be located in Pittsburgh, Pennsylvania, 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 States, 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 of process for the corporation; and notice to or service upon such agent, or mailed to the business address of such agent, shall be deemed notice to or service upon the corporation.

(Aug. 4, 1955, ch. 546, § 5, 69 Stat. 487.)

§ 636. Eligibility for membership

(a) Requirements

All persons of good moral character who are, have been, or may become members of the Armed Forces of the United States or any foreign country of whatever rank, who have received or who may hereafter receive a Congressional Medal of Honor, a Distinguished Service Cross, Air Force Cross or a Navy Cross awarded for acts of extraordinary heroism in connection with military or naval operations against an armed enemy, or for heroism of a specially distinguished character, shall be eligible for active membership in the corporation.

(b) Power to extend membership to parents and descendants

The corporation shall have the power, moreover, to extend eligibility for membership, either active or associate, to parents and lineal descendants of the persons described in subsection (a) of this section under such conditions and upon such terms as the corporation may specify in its constitution and bylaws.

(c) Voting rights

Each member of the corporation, other than associate members, shall have the right to one vote on each matter submitted to a vote at all meetings of the members of the corporation.

(d) Exception

Notwithstanding the limitations set out in subsections (a) and (b) of this section, any member in good standing of the corporate body referred to in section 646 of this title shall be admitted on request to comparable membership in the corporation created by this chapter.

(Aug. 4, 1955, ch. 546, § 6, 69 Stat. 488; June 21, 1961, Pub. L. 87-56, § 2, 75 Stat. 95.)

REFERENCES IN TEXT

Section 646 of this title, referred to in subsec. (a), was omitted from the Code.

AMENDMENTS

1961—Subsec. (a). Pub. L. 87-56 included persons who have received or who may receive the Air Force Cross.

§ 637. Governing body

(a) Composition

Upon the enactment of this chapter the membership of the initial board of directors of the corporation shall consist of the present officers of the Army and Navy Legion of Valor, referred to in section 646 of this title, or such of them as may then be living and are qualified officers of that corporation, to wit: William Oliver Smith, of Raleigh, North Carolina; Peter Paul Mar-

tinek, of Glendale, California; Lucian Adams, of San Antonio, Texas; Edgar H. Bain, of Goldsboro, North Carolina; and Ben Prager, of Pittsburgh, Pennsylvania, who are respectively, the commander, the senior vice commander, the junior vice commander, the chaplain, and the adjutant and quartermaster.

(b) Tenure

Thereafter, the board of directors of the corporation shall consist of such number (not less than ten), shall be selected in such manner (including the filling of vacancies), and shall serve for such terms as may be prescribed in the constitution and bylaws of the corporation.

(c) Duties

The board of directors shall be the governing board of the corporation and shall, during the intervals between corporation meetings, be responsible for the general policies and program of the corporation. The board shall be responsible for all finances of the corporation.

(Aug. 4, 1955, ch. 546, § 7, 69 Stat. 488.)

REFERENCES IN TEXT

Section 646 of this title, referred to in subsec. (d), was omitted from the Code.

§ 638. Officers of corporation; election; tenure; duties

(a) The officers of the corporation shall be a commander, a senior vice commander, a junior vice commander, a chaplain, an adjutant and quartermaster, a judge advocate, an inspector, a surgeon, a historian, and such aides-de-camp as may be provided in the constitution and bylaws.

(b) The officers of the corporation shall be elected in such manner and for such terms and with such duties as may be prescribed in the constitution and bylaws of the corporation.

(Aug. 4, 1955, ch. 546, § 8, 69 Stat. 489.)

§ 639. Distribution of income or assets to members; loans

(a) No part of the income or assets of the corporation shall inure to any member, officer, or director, or be distributable to any such person otherwise than upon dissolution or final liquidation of the corporation as provided in section 645 of this title. Nothing in this subsection, however, shall be construed to prevent the payment of compensation to officers of the corporation in amounts approved by the executive committee of the corporation.

(b) The corporation shall not make loans to its officers, directors, or employees. Any 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 the repayment thereof.

(Aug. 4, 1955, ch. 546, § 9, 69 Stat. 489.)

CROSS REFERENCES

Exemption from income tax of certain organizations, see section 501 of Title 26, Internal Revenue Code.

§ 640. Nonpolitical nature of corporation

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

(Aug. 4, 1955, ch. 546, § 10, 69 Stat. 489.)

§ 641. Liability for acts of officers and agents

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

(Aug. 4, 1955, ch. 546, § 11, 69 Stat. 489.)

§ 642. Prohibition against issuance of stock or payment of dividends

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

(Aug. 4, 1955, ch. 546, § 12, 69 Stat. 489.)

§ 643. Books and records; inspection

The corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its members, board of directors, and committees having any authority under the board of directors; and it shall also keep at its principal office a record of the names and addresses of its members entitled to vote. All books and records of the corporation may be inspected by any member entitled to vote, or his agent or attorney, for any proper purpose, at any reasonable time.

(Aug. 4, 1955, ch. 546, § 13, 69 Stat. 489.)

§ 644. Repealed. Pub. L. 88-504, § 4(24), Aug. 30, 1964, 78 Stat. 637

Section, act Aug. 4, 1955, ch. 546, § 14, 69 Stat. 489, related to audit of financial transactions and report of such audit to Congress. See sections 1101 to 1103 of this title.

§ 645. Use of assets upon dissolution or liquidation

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 may be distributed in accordance with the determination of the board of directors of the corporation and in compliance with the constitution and bylaws of the corporation and all Federal and State laws applicable thereto.

(Aug. 4, 1955, ch. 546, § 15, 69 Stat. 490.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 639 of this title.

§ 646. Omitted

CODIFICATION

Section, act Aug. 4, 1955, ch. 546, § 16, 69 Stat. 490, authorized the corporation to acquire the assets and liabilities of the corporation organized under the laws of the State of New York and known as the Army and Navy Legion of Valor of the United States of America, Incorporated.

§ 647. Reservation of right to amend or repeal chapter

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

(Aug. 4, 1955, ch. 546, § 17, 69 Stat. 490.)

§ 648. Change of name to Legion of Valor of the United States of America, Incorporated

The corporation known as the Army and Navy Legion of Valor of the United States of America, Incorporated, which was incorporated by the Act entitled "An Act to incorporate the Army and Navy Legion of Valor of the United States of America", approved August 4, 1955 (69 Stat. 486), shall be known and designated on and after June 21, 1961 as the Legion of Valor of the United States of America, Incorporated, and any reference to such corporation under the name of the Army and Navy Legion of Valor of the United States of America, Incorporated, shall be held to refer to such corporation under and by the name of the Legion of Valor of the United States of America, Incorporated.

(Pub. L. 87-56, § 1, June 21, 1961, 75 Stat. 95.)

REFERENCES IN TEXT

The Act entitled "An Act to incorporate the Army and Navy Legion of Valor of the United States of America", approved August 4, 1955, referred to in text, is act Aug. 4, 1955, ch. 546, 69 Stat. 486, as amended, which is classified generally to this chapter (§ 631 et seq.). For complete classification of this Act to the Code, see Tables.

CODIFICATION

Section was not enacted as a part of act Aug. 4, 1955, ch. 546, 69 Stat. 486, which comprises this chapter.

CHAPTER 28—NATIONAL MUSIC COUNCIL

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- 661. Corporation created.
- 662. Omitted.
- 663. Objects and purposes of Corporation.
- 664. Powers of Corporation.
- 665. Territorial scope of activities; resident agent; principal office.
- 666. Membership; voting rights.
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- 668. Officers of Corporation; powers and duties.
- 669. Distribution of income or assets to members; loans.
- 670. Nonpolitical nature of Corporation.
- 671. Liability for acts of officers and agents.
- 672. Prohibition against issuance of stock or payment of dividends.
- 673. Books and records; inspection.
- 674. Repealed.
- 675. Use of assets upon dissolution or liquidation.
- 676. Exclusive right to name, seals, emblems, and badges.
- 677. State and territorial agents.
- 678. Omitted.
- 679. Effective date.
- 680. Reservation of right to amend or repeal chapter.

§ 661. Corporation created

The following persons: Stanley Adams, New York, New York; Irl Allison, Austin, Texas; Leon Barzin, New York, New York; Marion Bauer, New York, New York; Edwine Behre, New York, New York; Thomas H. Belviso, Pelham Manor, New York; Robert Russell Ben-

nett, New York, New York; Duane Branigan, Champaign, Illinois; Howard C. Bronson, Hague, Virginia; John Brownlee, New York, New York; L. Perkins Bull, Glencoe, Illinois; Earl Campbell, Washington, District of Columbia; Leon Carson, New York, New York; Robert A. Choate, Boston, Massachusetts; James Francis Cooke, Philadelphia, Pennsylvania; Paul Creston, Yonkers, New York; Kathleen Davison, Des Moines, Iowa; Norman Dello Jolo, New York, New York; Vera Wardner Dougan, Beloit, Wisconsin; Walter G. Douglas, New York, New York; Deane Edwards, Rye, New York; S. Lewis Elmer, New York, New York; Herman Finkelstein, New York, New York; Charles Warren Fox, Rochester, New York; Arthur Flagler Fultz, Boston, Massachusetts;

Percy Walter Gatz, White Plains, New York; Karl Geiringer, Boston, Massachusetts; Ira Gershwin, Beverly Hills, California; Ray Green, New York, New York; Vernon Hammond, Philadelphia, Pennsylvania; Howard Hanson, Rochester, New York; Otto A. Harbach, New York, New York; Ernest E. Harris, New York, New York; Arthur A. Hauser, Berwyn, Pennsylvania; Carl Haverlin, New York, New York; Patrick Hayes, Washington, District of Columbia; Frank W. Hill, Cedar Falls, Iowa; Mark M. Horblit, Boston, Massachusetts; Edwin Hughes, New York, New York; Edna Wallace Johnston, Winter Park, Florida; Archie N. Jones, Austin, Texas; S. Turner Jones, Baldwin, New York; Arthur Judson, New York, New York; Harrison Keller, Boston, Massachusetts; Ruth Kemper, New York, New York; Raymond Kendall, Los Angeles, California; Richard Korn, New York, New York; Olga Koussevitzky, Lenox, Massachusetts; Otto Luening, New York, New York; Mae MacKenzie, Pittsburgh, Pennsylvania;

Joseph E. Maddy, Ann Arbor, Michigan; Donald F. Malin, Boston, Massachusetts; Marie Marti, Detroit, Michigan; Jane R. Mayer, New York, New York; Charles Mayer, New York, New York; Peter Mennin, New York, New York; Ada Holding Miller, Providence, Rhode Island; Howard Mitchell, Washington, District of Columbia; Dmitri Mitropoulos, New York, New York; Douglas Moore, New York, New York; Harold C. Morris, New York, New York; Carol Morse, New York, New York; Walter W. Naumburg, New York, New York; Herman Neuman, New York, New York; Geoffrey O'Hara, Pawling, New York; Ralph Sylvester Peer, New York, New York; Gustave Reese, New York, New York; Claire R. Reis, New York, New York; Cornelia B. Rogers, New York, New York; Willard Rhodes, New York, New York; James Sample, Erie, Pennsylvania; William A. Schroeder, New York, New York; Ellie Slegmeister, Great Neck, New York; Izler Soloman, Peekskill, New York; Sigmund Spaeth, New York, New York;

Harold Spivacke, Washington, District of Columbia; Marshall Stearns, New York, New York; William Richard Steinway, New York, New York; Paul Swarm, Decatur, Illinois; Bernard U. Taylor, New York, New York; Anthony Ralph Teta, New Haven, Connecticut; Charles A. Wall, New York, New York; Sidney William Wattenberg, New York, New York; Eleanor