

Public Law 96-497
96th Congress

An Act

To incorporate the Gold Star Wives of America.

Dec. 4, 1980
[S. 1179]

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

Gold Star Wives
of America.
Federal charter.

CHARTER

SECTION 1. Gold Star Wives of America, a corporation organized and operating under the laws of the State of New York, is hereby recognized as such and granted a Federal charter. 36 USC 1601.

POWERS

SEC. 2. Gold Star Wives of America (hereinafter referred to as the "corporation") shall have only those powers granted to it through its bylaws and articles of incorporation filed in the State in which it is incorporated. 36 USC 1602.

OBJECTS AND PURPOSES OF CORPORATION

SEC. 3. The objects and purposes of the corporation shall be, solely, that it is— 36 USC 1603.

(a) organized and operated in the public interest, as a nonpartisan and nonprofit organization, with terms of membership and requirements for holding office within the organization which does not discriminate on the basis of race, color, religion, or national origin;

(b) organized and operated solely for patriotic, charitable, literary, educational, scientific, or civic improvement purposes; and

(c) organized for those purposes stated in its articles of incorporation which are not inconsistent with any of the foregoing objects and purposes.

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 those States in which it carries on its activities in furtherance of its corporate purposes. 36 USC 1604.

MEMBERSHIP

SEC. 5. Eligibility for membership in the corporation and the rights and privileges of members shall, except as provided in this Act, be as provided in the articles of incorporation and the bylaws of the corporation. 36 USC 1605.

BOARD OF DIRECTORS; COMPOSITION; RESPONSIBILITIES

- 36 USC 1606. 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 State or States where incorporated.

OFFICERS OF CORPORATION

- 36 USC 1607. SEC. 7. The officers of the corporation and the election of such officers shall be as is provided in the articles of incorporation of the corporation and in conformity with the laws of the State or States where incorporated.

RESTRICTIONS

- 36 USC 1608. SEC. 8. (a) No part of the income or assets of the corporation shall inure to any member, officer, or director of the corporation or be distributed to any such person during the life of this charter. Nothing in this subsection shall be construed to prevent the payment of reasonable compensation to officers of the corporation or reimbursement for actual necessary expenses in amounts approved by the board of directors.
- (b) The corporation shall not make any loan to any officer, director, or employee of the corporation.
- (c) The corporation and any officer and director of the corporation, acting as such officer or director, shall not contribute to, support or otherwise participate in any political activity or in any manner attempt to influence legislation.
- (d) The corporation shall have no power to issue any shares of stock nor to declare or pay any dividends.

LIABILITY

- 36 USC 1609. SEC. 9. The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority and in accordance with the laws of the States in which it carries on its activities.

BOOKS AND RECORDS; INSPECTION

- 36 USC 1610. SEC. 10. The corporation shall keep correct and complete books and records of account 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. All books and records of such corporation may be inspected by any member having the right to vote, or by any agent or attorney of such member, for any proper purpose, at any reasonable time. However, nothing in this section shall be construed to contravene any applicable State law.

AUDIT OF FINANCIAL TRANSACTIONS

- 36 USC 1101. SEC. 11. The first section of the Act entitled "An Act to provide for audit of accounts of private corporations established under Federal law", approved August 30, 1964 (Public Law 88-504; 78 Stat. 635; 36 U.S.C. 1101), is amended by adding at the end thereof the following: "(52) Gold Star Wives of America".

ANNUAL REPORT

SEC. 12. The corporation shall report annually to the Congress concerning the activities of the corporation during the preceding calendar year. The report shall not be printed as a public document. 36 USC 1611.

RESERVATION OF RIGHT TO AMEND OR REPEAL CHARTER

SEC. 13. The right to alter, amend, or repeal this Act is expressly reserved to the Congress. 36 USC 1612.

DEFINITION OF "STATE"

SEC. 14. For purposes of this Act, the term "State" means the several States, the District of Columbia, the Commonwealth of Puerto Rico and the territories and possessions of the United States. 36 USC 1613.

TAX EXEMPT STATUS—EXPIRATION OF CHARTER

SEC. 15. The corporation shall retain its status as an organization exempt from taxation as provided in the Internal Revenue Code. If the corporation fails to retain such status, or if it fails to comply with the provisions of this Act, the charter granted hereby shall expire. 36 USC 1614.

Approved December 4, 1980.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 96-1397 accompanying H.R. 154 (Comm. on the Judiciary).

SENATE REPORT No. 96-479 (Comm. on the Judiciary).

CONGRESSIONAL RECORD:

Vol. 125 (1979): Dec. 20, considered and passed Senate.

Vol. 126 (1980): Nov. 17, considered and passed House, amended, in lieu of H.R. 154.

Nov. 21, Senate concurred in House amendment.