

110TH CONGRESS  
1ST SESSION

# S. 1692

To grant a Federal charter to Korean War Veterans Association,  
Incorporated.

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## IN THE SENATE OF THE UNITED STATES

JUNE 25, 2007

Mr. CARDIN (for himself, Mr. BAYH, Mrs. CLINTON, Mr. ISAKSON, Mr. KENNEDY, Mr. KERRY, Mr. LAUTENBERG, Ms. MIKULSKI, Ms. MURKOWSKI, and Mr. VITTER) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To grant a Federal charter to Korean War Veterans  
Association, Incorporated.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. GRANT OF FEDERAL CHARTER TO KOREAN**  
4                       **WAR VETERANS ASSOCIATION, INCOR-**  
5                       **PORATED.**

6       (a) GRANT OF CHARTER.—Part B of subtitle II of  
7       title 36, United States Code, is amended—

8               (1) by striking the following:

1           **“CHAPTER 1201—[RESERVED]”;**

2           and

3           (2) by inserting after chapter 1103 the fol-  
4           lowing new chapter:

5           **“CHAPTER 1201—KOREAN WAR VETERANS**  
6           **ASSOCIATION, INCORPORATED**

“Sec.

“120101. Organization.

“120102. Purposes.

“120103. Membership.

“120104. Governing body.

“120105. Powers.

“120106. Restrictions.

“120107. Tax-exempt status required as condition of charter.

“120108. Records and inspection.

“120109. Service of process.

“120110. Liability for acts of officers and agents.

“120111. Annual report.

“120112. Definition.

7           **“§ 120101. Organization**

8           “(a) FEDERAL CHARTER.—Korean War Veterans  
9 Association, Incorporated (in this chapter, the ‘corpora-  
10 tion’), a nonprofit organization that meets the require-  
11 ments for a veterans service organization under section  
12 501(c)(19) of the Internal Revenue Code of 1986 and that  
13 is organized under the laws of the State of New York,  
14 is a federally chartered corporation.

15          “(b) EXPIRATION OF CHARTER.—If the corporation  
16 does not comply with the provisions of this chapter, the  
17 charter granted by subsection (a) shall expire.

1   **“§ 120102. Purposes**

2           “The purposes of the corporation are those provided  
3 in the articles of incorporation of the corporation and shall  
4 include the following:

5           “(1) To organize as a veterans service organiza-  
6 tion in order to maintain a continuing interest in the  
7 welfare of veterans of the Korean War, and rehabili-  
8 tation of the disabled veterans of the Korean War to  
9 include all that served during active hostilities and  
10 subsequently in defense of the Republic of Korea,  
11 and their families.

12           “(2) To establish facilities for the assistance of  
13 all veterans and to represent them in their claims  
14 before the Department of Veterans Affairs and other  
15 organizations without charge.

16           “(3) To perpetuate and preserve the comrade-  
17 ship and friendships born on the field of battle and  
18 nurtured by the common experience of service to the  
19 United States during the time of war and peace.

20           “(4) To honor the memory of the men and  
21 women who gave their lives so that the United  
22 States and the world might be free and live by the  
23 creation of living memorial, monuments, and other  
24 forms of additional educational, cultural, and rec-  
25 reational facilities.

1           “(5) To preserve for the people of the United  
2       States and posterity of such people the great and  
3       basic truths and enduring principles upon which the  
4       United States was founded.

5   **“§ 120103. Membership**

6       “Eligibility for membership in the corporation, and  
7   the rights and privileges of members of the corporation,  
8   are as provided in the bylaws of the corporation.

9   **“§ 120104. Governing body**

10       “(a) BOARD OF DIRECTORS.—The composition of the  
11   board of directors of the corporation, and the responsibil-  
12   ities of the board, are as provided in the articles of incor-  
13   poration of the corporation.

14       “(b) OFFICERS.—The positions of officers of the cor-  
15   poration, and the election of the officers, are as provided  
16   in the articles of incorporation.

17   **“§ 120105. Powers**

18       ““The corporation has only those powers provided in  
19   its bylaws and articles of incorporation filed in each State  
20   in which it is incorporated.

21   **“§ 120106. Restrictions**

22       “(a) STOCK AND DIVIDENDS.—The corporation may  
23   not issue stock or declare or pay a dividend.

24       “(b) POLITICAL ACTIVITIES.—The corporation, or a  
25   director or officer of the corporation as such, may not con-

1   tribute to, support, or participate in any political activity  
 2   or in any manner attempt to influence legislation.

3       “(c) LOAN.—The corporation may not make a loan  
 4   to a director, officer, or employee of the corporation.

5       “(d) CLAIM OF GOVERNMENTAL APPROVAL OR AU-  
 6   THORITY.—The corporation may not claim congressional  
 7   approval, or the authority of the United States, for any  
 8   activity of the corporation.

9       “(e) CORPORATE STATUS.—The corporation shall  
 10   maintain its status as a corporation incorporated under  
 11   the laws of the State of New York.

12   **“§ 120107. Tax-exempt status required as condition of**  
 13                   **charter**

14       “If the corporation fails to maintain its status as an  
 15   organization exempt from taxation under the Internal  
 16   Revenue Code of 1986, the charter granted under this  
 17   chapter shall terminate.

18   **“§ 120108. Records and inspection**

19       “(a) RECORDS.—The corporation shall keep—

20           “(1) correct and complete records of account;

21           “(2) minutes of the proceedings of the mem-  
 22   bers, board of directors, and committees of the cor-  
 23   poration having any of the authority of the board of  
 24   directors of the corporation; and

1           “(3) at the principal office of the corporation,  
2           a record of the names and addresses of the members  
3           of the corporation entitled to vote on matters relat-  
4           ing to the corporation.

5           “(b) INSPECTION.—A member entitled to vote on any  
6           matter relating to the corporation, or an agent or attorney  
7           of the member, may inspect the records of the corporation  
8           for any proper purpose, at any reasonable time.

9           **“§ 120109. Service of process**

10          “The corporation shall have a designated agent in the  
11          District of Columbia to receive service of process for the  
12          corporation. Notice to or service on the agent is notice  
13          to or service on the corporation.

14          **“§ 120110. Liability for acts of officers and agents**

15          “The corporation is liable for any act of any officer  
16          or agent of the corporation acting within the scope of the  
17          authority of the corporation.

18          **“§ 120111. Annual report**

19          “The corporation shall submit to Congress an annual  
20          report on the activities of the corporation during the pre-  
21          ceding fiscal year. The report shall be submitted at the  
22          same time as the report of the audit required by section  
23          10101(b) of this title. The report may not be printed as  
24          a public document.

1 **“§ 120112. Definition**

2       “For purposes of this chapter, the term ‘State’ in-  
3 cludes the District of Columbia and the territories and  
4 possessions of the United States.”.

5       (b) CLERICAL AMENDMENT.—The item relating to  
6 chapter 1201 in the table of chapters at the beginning of  
7 subtitle II of title 36, United States Code, is amended to  
8 read as follows:

“1201. Korean War Veterans Association, Incorporated ..... 120101”.

