

Public Law 98-314
98th Congress

An Act

To recognize the organization known as the American Gold Star Mothers, Incorporated.

June 12, 1984

[S. 2413]

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

CHARTER

SECTION 1. American Gold Star Mothers, Incorporated, organized and incorporated under the laws of the District of Columbia, is hereby recognized as such and is granted a charter.

36 USC 2401.

POWERS

SEC. 2. American Gold Star Mothers, Incorporated (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 or States which it is incorporated and subject to the laws of such State or States.

36 USC 2402.

OBJECTS AND PURPOSES OF CORPORATION

SEC. 3. The objects and purposes for which the corporation is organized shall be those provided in its articles of incorporation and shall include a continuing commitment, on a national basis, to—

36 USC 2403.

(a) keep alive and develop the spirit that promoted world services;

(b) maintain the ties of fellowship born of that service, and to assist and further all patriotic work;

(c) inculcate a sense of individual obligation to the community, State, and Nation;

(d) assist veterans of World War I, World War II, the Korean Conflict, Vietnam, and other strategic areas and their dependents in the presentation of claims to the Veterans' Administration, and to aid in any way in their power the men and women who served and died or were wounded or incapacitated during hostilities;

(e) perpetuate the memory of those whose lives were sacrificed in our wars;

(f) maintain true allegiance to the United States of America;

(g) inculcate lessons of patriotism and love of country in the communities in which we live;

(h) inspire respect for the Stars and Stripes in the youth of America;

(i) extend needful assistance to all Gold Star Mothers and, when possible, to their descendants; and

(j) to promote peace and good will for the United States and all other Nations.

SERVICE OF PROCESS

- 36 USC 2404. 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.

MEMBERSHIP

- 36 USC 2405. 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 constitution and bylaws of the corporation, and terms of membership and requirements for holding office within the corporation shall not be discriminatory on the basis of race, color, religion, or national origin.

BOARD OF DIRECTORS; COMPOSITION; RESPONSIBILITIES

- 36 USC 2406. 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 in which it is incorporated.

OFFICERS OF CORPORATION

- 36 USC 2407. 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 wherein it is incorporated.

RESTRICTIONS

- 36 USC 2408. 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 the 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 shall have no power to issue any shares of stock nor to declare or pay any dividends.
- (d) The corporation shall not claim congressional approval or Federal Government authority for any of its activities.
- (e) The corporation shall retain and maintain its status as a corporation organized and incorporated under the laws of the State or States wherein it is incorporated.

LIABILITY

- 36 USC 2409. SEC. 9. The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

BOOKS AND RECORDS; INSPECTION

- 36 USC 2410. 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. Nothing in this section shall be construed to contravene any applicable State law.

AUDIT OF FINANCIAL TRANSACTIONS

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 (36 U.S.C. 1101), is amended by adding at the end thereof the following:

"(63) American Gold Star Mothers, Incorporated".

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 is the report of the audit required by section 11 of this Act. The report shall not be printed as a public document. 36 USC 2411.

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 2412.

DEFINITION OF "STATE"

SEC. 14. For purposes of this Act, the term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States. 36 USC 2413.

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 hereby shall expire. 36 USC 2414.
26 USC 1 *et seq.*

36 USC 2415.

TERMINATION

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

Approved June 12, 1984.

Sec. 17. The first section of the Act entitled "An Act to provide for the liquidation of private corporations established under Federal law," approved August 30, 1981 (96 Stat. 1101), is amended by adding at the end thereof the following:

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 is the report of the audit required by section 11 of this Act. The report shall not be printed as a public document.

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.

DEFINITION OF "STATE"

Sec. 14. For purposes of this Act, the term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States.

TAX-RESIDENT 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 hereby shall expire.

LEGISLATIVE HISTORY—S. 2413 (H.R. 3811):

SENATE REPORT No. 98-379 (Comm. on the Judiciary).
CONGRESSIONAL RECORD, Vol. 130 (1984):

Apr. 25, considered and passed Senate.

May 10, H.R. 3811 considered and passed House; S. 2413, amended, passed in lieu.

May 22, Senate concurred in House amendment.