

agement, not inconsistent with this chapter or other provisions of law.

(b) To establish, regulate, and terminate State, regional, local, and overseas councils, organizations, chapters, or affiliates in such manner and by such rules as it deems appropriate so as to enable it to carry out its powers and accomplish the objects and purposes set forth in section 1302 of this title.

(c) To solicit and raise funds for the accomplishment of its purposes, and to accept gifts, legacies, devises, and support in furtherance thereof.

(d) To acquire, hold, and dispose of such real and personal property as may be necessary to carry out the corporate purposes; to sell, mortgage, or lease any of its real property if authorized by its board of governors.

(e) To make and enter into contracts.

(f) To borrow money for the purposes of the corporation, issue bonds therefor, and secure the same by mortgage, subject in every case to all applicable provisions of Federal and State law.

(g) To adopt and alter a corporate seal, emblems, and marks.

(h) To choose such officers, representatives, and agents as may be necessary to carry out the corporate purposes.

(i) To establish and maintain offices for the conduct of the affairs of the corporation.

(j) To publish a newspaper, magazine, or other publications.

(k) To sue and be sued in any court.

(l) To do any and all acts and things necessary and proper to accomplish the foregoing specifically enumerated purposes.

(Pub. L. 96-165, § 3, Dec. 29, 1979, 93 Stat. 1269.)

#### § 1304. Restrictions

##### (a) Political activities

The corporation shall be nonpolitical and, as an organization, shall not furnish financial aid or assistance to, or otherwise promote the candidacy of, any person seeking elective public office. No substantial part of the activities of the corporation shall involve carrying on propaganda, or otherwise attempting to influence legislation.

##### (b) Issuance of stock; dividends

The corporation shall have no power to issue any shares of capital stock, or to declare or pay any dividends. It shall also have no power to engage in any business activity for pecuniary profit unless the activity is substantially related to the carrying out of its objects and purposes, as set forth in section 1302 of this title, or the raising of funds for the accomplishment of said purposes.

##### (c) Use of assets on dissolution or liquidation

The property of the corporation is irrevocably dedicated to charitable purposes. Upon dissolution or final liquidation of the corporation, after discharge or satisfaction of all outstanding obligations and liabilities, its remaining assets, if any, shall be distributed in accordance with the determination of its board of governors, in compliance with its bylaws and all Federal and State laws applicable thereto: *Provided, however*, That its property shall not, in any event, inure

to the benefit of any private person except a fund, foundation, association, or corporation operated exclusively for charitable purposes.

##### (d) Distribution of income or assets to members

No part of the income or assets of the corporation shall inure to any member, governor, officer, or employee of the corporation or be distributable to any person during the life of the corporation or upon its dissolution or liquidation. Nothing in this subsection, however, shall be construed to prevent the payment of reasonable compensation for services rendered to officers and employees of the corporation and other persons, or to prevent their reimbursement for actual necessary expenses in amounts approved by the corporation's board of governors.

##### (e) Loans

The corporation shall not make loans to its members, officers, governors, or employees.

(Pub. L. 96-165, § 4, Dec. 29, 1979, 93 Stat. 1269.)

#### § 1305. Governance of corporation

##### (a) Membership

The persons listed in section 1301 of this title are the present members of United Service Organizations, Incorporated, a corporation organized under the Not-for-Profit Corporation Law of the State of New York (hereinafter "the New York Corporation"). Upon the enactment of this charter, and for not more than one year thereafter, the said persons shall be the members of the corporation hereunder. They shall adopt bylaws and perform all other acts necessary to complete the organization of the corporation. Thereafter, the members of the corporation shall consist of nine persons designated by the President of the United States, and such representatives of the organizations listed in section 1302 of this title and of the public at large as shall be specified in the bylaws. The rights, privileges, and designations of the classes of members shall also be as specified in the bylaws.

##### (b) Board of governors

The management of the corporation shall be entrusted to a board of governors, which shall be responsible for the general policies and program of the corporation and for the control of its affairs and property. Upon the enactment of this charter and for not more than one year thereafter, the membership of the initial board of governors of the corporation created hereunder shall consist of the present members of the board of governors of the New York corporation. Thereafter, the board of governors shall be elected by the members of the corporation for such terms and in such classes as shall be specified in the bylaws, and shall include the following persons:

(1) Six members appointed by the President of the United States.

(2) The Secretary of Defense, or his designee.

(3) Such representatives of the organizations listed in section 1302 of this title and of the public at large as shall be specified in the bylaws.

##### (c) Other governing bodies

The corporation shall have such other governing bodies and committees as may be provided for in its bylaws.

**(d) Officers**

The office of honorary chairman of the corporation shall be tendered to the President of the United States. Upon acceptance of such office, the honorary chairman shall be invited to preside at such meetings of the corporation as he may deem appropriate and convenient. The corporation shall have such other officers as may be designated in its bylaws.

(Pub. L. 96-165, § 5, Dec. 29, 1979, 93 Stat. 1270.)

**§ 1306. Acquisition of assets and liabilities of existing corporation; retention of State corporate status**

Upon the enactment of this charter, the corporation shall acquire the assets and assume the liabilities of the New York corporation. The United Service Organizations, Incorporated, shall retain and maintain its existing status as a corporation incorporated under the laws of the State of New York, another State, or the District of Columbia.

(Pub. L. 96-165, § 6, Dec. 29, 1979, 93 Stat. 1271.)

**§ 1307. Exclusive right to names, insignia, emblems, and badges**

The corporation, its regional, State, and local councils, organizations, chapters, and affiliates shall have the sole and exclusive right to use the names "United Service Organizations, Incorporated" and "USO" and such distinctive insignia, emblems, and badges as the corporation may lawfully adopt in carrying out its purposes.

(Pub. L. 96-165, § 7, Dec. 29, 1979, 93 Stat. 1271.)

**§ 1308. Assistance by Government agencies**

The Department of Defense may make its resources available to the USO, to the extent compatible with the primary mission of the Department of Defense and in accordance with guidelines promulgated by the Secretary of Defense, in order to facilitate the accomplishment of the USO mission.

(Pub. L. 96-165, § 8, Dec. 29, 1979, 93 Stat. 1271.)

**§ 1309. Miscellaneous provisions****(a) Principal office; territorial scope of activities**

The principal office of the corporation shall be located in New York, New York, or in such other place as may be later determined by the board of governors, but the activities of the corporation shall not be confined to that place. The said activities may be conducted throughout the various States, territories, and possessions of the United States, and in foreign countries.

**(b) Agent for service of process**

The corporation shall maintain at all times in the District of Columbia a designated agent authorized to accept service of process for the corporation. Service upon, or notice mailed to the business address of, such agent, shall be deemed notice to or service upon the corporation.

**(c) Local agents for service of process**

The corporation shall file in the office of the secretary of each State, territory, or possession of the United States in which the corporation or

its local, State, or regional councils, organizations, chapters, or affiliates may have activities, the name and post office address of an authorized agent upon whom local process or demands against the corporation may be served.

**(d) Books and records; inspection**

The corporation shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its members, and of its board of governors, or any committee having any of the authority of the board of governors; and shall keep at its principal office a record giving the names and addresses of its members entitled to vote; and shall permit all books and records of the corporation to be inspected by any member or his agent or his attorney for any purpose at any reasonable time.

**(e) Annual report**

The corporation shall make public an annual report concerning its proceedings and activities for the preceding calendar year.

**(f) Audit of financial transactions**

The provisions of sections 1102 and 1103 of this title shall apply with respect to the corporation.

**(g) Omitted****(h) Reservation of right to amend or repeal chapter**

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

(Pub. L. 96-165, § 9, Dec. 29, 1979, 93 Stat. 1271, 1272.)

## CODIFICATION

Subsec. (g) provided for an amendment to section 1101 of this title.

**CHAPTER 46—UNITED STATES HOLOCAUST MEMORIAL COUNCIL**

Sec.	
1401.	Council established; functions.
1402.	Membership. <ul style="list-style-type: none"> <li>(a) Composition of Council; appointment; vacancies.</li> <li>(b) Composition of initial Council; tenure.</li> <li>(c) Term of office.</li> <li>(d) Chairperson and Vice Chairperson; term of office; vacancies.</li> <li>(e) Reappointment.</li> </ul>
1403.	Compensation; travel expenses; full-time officers or employees of United States or Members of Congress.
1404.	Administrative provisions. <ul style="list-style-type: none"> <li>(a) Bylaws; quorum.</li> <li>(b) Experts and consultants.</li> <li>(c) Contract authority.</li> <li>(d) Assistance from other Federal departments and agencies.</li> <li>(e) Administrative services and support.</li> </ul>
1405.	Staff. <ul style="list-style-type: none"> <li>(a) Executive Director.</li> <li>(b) Appointment of employees.</li> </ul>
1406.	Memorial museum. <ul style="list-style-type: none"> <li>(a) Transfer or purchase of real property in District of Columbia.</li> <li>(b) Architectural design approval.</li> <li>(c) Termination of construction and operation authority.</li> <li>(d) Employees performing governmental functions.</li> </ul>