

South Dakota; Reuben D. Hays, of Tennessee; M. A. Harlan, of Texas; Gaylen S. Young, of Utah; Malvern S. Ellis, of Vermont; George D. Simmons, of Virginia; Miles Price, of Washington; W. J. O'Neil, of West Virginia; Reverend G. Stearns, of Wisconsin; and such persons as may be chosen who are members of the Disabled American Veterans of the World War, and their successors, are created and declared to be a body corporate. The name of this corporation shall be the "Disabled American Veterans."

(June 17, 1932, ch. 268, §1, 47 Stat. 320; July 15, 1942, ch. 505, §1, 56 Stat. 659.)

#### AMENDMENTS

1942—Act July 15, 1942, substituted "Disabled American Veterans" for "Disabled American Veterans of the World War".

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 90b of this title.

### § 90b. Completion of organization

The said persons named in section 90a of this title, and such other persons as may be selected from among the membership of the Disabled American Veterans of the World War, an unincorporated patriotic society of the wounded and disabled soldiers, sailors, and marines of the Great War of 1917–1918, are hereby authorized to meet to complete the organization of said corporation by the selection of officers, the adoption of a constitution and by-laws, and to do all other things necessary to carry into effect the provisions of this chapter, at which meeting any person duly accredited as a delegate from any local or State organizations of the existing unincorporated organization known as the Disabled American Veterans of the World War shall be permitted to participate in the proceedings thereof.

(June 17, 1932, ch. 268, §2, 47 Stat. 320.)

### § 90c. Purposes of corporation

The purposes of this corporation shall be—

To uphold and maintain the Constitution and the laws of the United States, to realize the true American ideals and aims for which those eligible to membership fought; to advance the interests and work for the betterment of all wounded, injured, and disabled American veterans; to cooperate with the Department of Veterans Affairs and all other public and private agencies devoted to the cause of improving and advancing the condition, health, and interests of all wounded, injured, and disabled veterans; to stimulate a feeling of mutual devotion, helpfulness, and comradeship among all wounded, injured, and disabled veterans; to serve our comrades, our communities, and our country; and to encourage in all people that spirit of understanding which will guard against future wars.

(June 17, 1932, ch. 268, §3, 47 Stat. 320; July 15, 1942, ch. 505, §2, 56 Stat. 660; June 13, 1991, Pub. L. 102–54, §13(n)(2), 105 Stat. 278.)

#### AMENDMENTS

1991—Pub. L. 102–54 substituted "Department of Veterans Affairs" for "United States Veterans' Administration".

1942—Act July 15, 1942, struck out references to veterans "of the World War" and inserted "to serve our comrades, our communities, and our country;".

### § 90d. Powers of corporation

The corporation created by this chapter shall have the following powers: To have perpetual succession with power to sue and be sued in courts of law and equity; to receive, hold, own, use, and dispose of such real estate and personal property as shall be necessary for its corporate purposes; to adopt a corporate seal and alter the same at pleasure; to adopt a constitution, by-laws, and regulations to carry out its purposes, not inconsistent with the laws of the United States or any State; to use in carrying out the purposes of the corporation such emblems and badges as it may adopt; to establish and maintain offices for the conduct of its business; to establish State and Territorial organizations and local chapter or post organizations; to publish a newspaper or other publications devoted to the purposes of the corporation; and generally to do any and all such acts and things as may be necessary and proper in carrying into effect the purposes of the corporation.

(June 17, 1932, ch. 268, §4, 47 Stat. 321.)

#### CROSS REFERENCES

Penalty for unauthorized manufacture, reproduction, or sale of badges or emblems of veterans' organizations, see section 705 of Title 18, Crimes and Criminal Procedure.

Recognition by Secretary of Veterans Affairs of representatives of Disabled American Veterans for prosecution of claims under laws administered by Department of Veterans Affairs, see section 5902 of Title 38, Veterans' Benefits.

### § 90e. Membership

Any man or woman who was wounded, gassed, injured, or disabled in line of duty during time of war while in the service of either the military or naval forces of the United States of America, and who has been honorably discharged or separated from such service, or who may still be in active service in the armed forces of the United States, is eligible for membership in the Disabled American Veterans. Others who were disabled while serving with any of the armed forces of any nations associated with the United States as allies during any of its war periods, who are American citizens and who were honorably discharged, are also eligible. The Disabled American Veterans shall not have honorary members.

(June 17, 1932, ch. 268, §5, 47 Stat. 321; July 15, 1942, ch. 505, §3, 56 Stat. 660.)

#### AMENDMENTS

1942—Act July 15, 1942, struck out limitation on membership to disabled veterans of World War I, among other changes.

### § 90f. Nonpolitical nature of corporation

The organization shall be nonpolitical and nonsectarian, and as an organization shall not promote the candidacy of any person seeking public office.

(June 17, 1932, ch. 268, §6, 47 Stat. 321; July 15, 1942, ch. 505, §4, 56 Stat. 660.)

## AMENDMENTS

1942—Act July 15, 1942, struck out comma and inserted “and” after “nonpolitical”, inserted “and” before “as”, and substituted “person” for “persons”.

**§ 90g. Acquisition of assets and liabilities of existing organization**

Said corporation may acquire any or all of the assets of the existing unincorporated national organization known as the Disabled American Veterans of the World War upon discharging or satisfactorily providing for the payment and discharge of all its liabilities.

(June 17, 1932, ch. 268, § 7, 47 Stat. 321.)

**§ 90h. Exclusive right to name**

Said corporation, and its State and local subdivisions, shall have the sole and exclusive right to have and to use in carrying out its purposes the name “Disabled American Veterans”.

(June 17, 1932, ch. 268, § 8, 47 Stat. 321; July 15, 1942, ch. 505, § 5, 56 Stat. 660.)

## AMENDMENTS

1942—Act July 15, 1942, substituted “Disabled American Veterans” for “Disabled Veterans of the World War”.

**§ 90i. Annual report**

The said corporation shall, on or before the 1st day of January in each year, make and transmit to the Congress a report of its proceedings for its preceding fiscal year.

(June 17, 1932, ch. 268, § 9, 47 Stat. 321; July 15, 1942, ch. 505, § 6, 56 Stat. 660; Aug. 30, 1964, Pub. L. 88-504, § 4(8), 78 Stat. 636; Dec. 18, 1967, Pub. L. 90-208, § 1, 81 Stat. 655; May 21, 1984, Pub. L. 98-291, 98 Stat. 203.)

## AMENDMENTS

1984—Pub. L. 98-291 struck out “(a)” before “The said corporation shall” and struck out subsec. (b) which directed the corporation to make and transmit to the Comptroller General, at the close of each fiscal year, a report of its proceedings for the preceding fiscal year, including a full, complete, and itemized report of receipts and expenditures of whatever kind, which report had to be duly authorized by the Comptroller General, and which had directed the corporation to reimburse the Comptroller General for auditing its accounts, with the sums so paid to be covered into the Treasury of the United States as miscellaneous receipts.

1967—Pub. L. 90-208 designated existing provisions as subsec. (a) and added subsec. (b).

1964—Pub. L. 88-504 struck out “, including a full and complete report of its receipts and expenditures” after “fiscal year”.

1942—Act July 15, 1942, amended section generally, changing period of annual report from calendar year to fiscal year and omitting proviso that report shall not be printed as a public document.

## EFFECTIVE DATE OF 1967 AMENDMENT

Section 2 of Pub. L. 90-208 provided that: “The amendment made by this Act [amending this section] shall be effective with respect to each fiscal year of the Disabled American Veterans beginning after the date of enactment of this Act [Dec. 18, 1967].”

## CROSS REFERENCES

Printing of proceedings of national encampments as House documents, see section 1332 of Title 44, Public Printing and Documents.

**§ 90j. Agents for service of process**

As a condition precedent to the exercise of any power or privilege herein granted or conferred, the Disabled American Veterans shall file in the office of the secretary of each State, in which chapters thereof may be organized, the name and post-office address of an authorized agent in such State, upon whom legal process or demands against the Disabled American Veterans may be served.

(June 17, 1932, ch. 268, § 10, 47 Stat. 321; July 15, 1942, ch. 505, § 7, 56 Stat. 660.)

## AMENDMENTS

1942—Act July 15, 1942, amended section generally, striking out “of the World War” after “Veterans” in two places, “posts” before “chapters”, and “or subdivisions” after “chapters”.

**§ 90k. Reservation of right to amend or repeal chapter**

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

(June 17, 1932, ch. 268, § 11, 47 Stat. 322.)

**CHAPTER 7—AMERICAN WAR MOTHERS**

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**§ 91. Corporation created**

The following-named persons, namely: Alice M. French, founder, Indianapolis, Indiana; Mable C. Digney, State War Mother, White Plains, New York; Mrs. George Gordon Seibold, Washington, District of Columbia; Mary I. Huntington, State War Mother, Bloomington, Indiana; Edna C. Wilson, State War Mother, Warrensburg, Missouri; Libbie Thomas, State War Mother, Racine, Wisconsin; Virginia Heaen, State War Mother, Frankfort, Kentucky; A. Shanahan, State War Mother, Jersey City, New Jersey; Blanche A. Bellak, State War Mother, Philadelphia, Pennsylvania; Lydia Burby, State War Mother, Butte, Montana; Estelle T. Wilcox, State War Mother, Omaha, Nebraska; Emile Hendricks, State War Mother, Salem, Oregon; Grace R. Montgomery, State War Mother, Charlotte, North Carolina; Kate C. DeKay, State War Mother, Blackfoot, Idaho; Elizabeth Allen, State War Mother, Loveland, Colorado; Ida McCullough, State War Mother, Ottawa, Illinois; Rose S. Sargent, State War Mother, San Francisco, California; Jessie Monahan, State War Mother, Edmond, Oklahoma; Margaret N. McCluer, Kansas City, Missouri; Carrie R. Root,