

103^D CONGRESS
1ST SESSION

H. R. 2032

To recognize the organization known as the Black Veterans of America.

IN THE HOUSE OF REPRESENTATIVES

MAY 6, 1993

Mr. PENNY introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To recognize the organization known as the Black Veterans of America.

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. RECOGNITION AS CORPORATION AND GRANT**
4 **OF FEDERAL CHARTER.**

5 The Black Veterans of America, a nonprofit corpora-
6 tion organized under the laws of the State of Minnesota,
7 is hereby recognized as such and is granted a Federal
8 charter.

9 **SEC. 2. POWERS.**

10 The Black Veterans of America (hereinafter in this
11 Act referred to as the “corporation”) shall have only those

1 powers granted to it through its bylaws and articles of
2 incorporation filed in the State in which it is incorporated
3 and subject to the laws of such State.

4 **SEC. 3. OBJECTS AND PURPOSES.**

5 The objects and purposes of the corporation are those
6 provided in its bylaws and articles of incorporation and
7 shall include the following:

8 (1) Recognizing the contribution to the United
9 States throughout its history made by black Ameri-
10 cans in military service.

11 (2) Ensuring that all veterans, and particularly
12 black veterans, receive all benefits accorded them
13 under law.

14 (3) Serving as an information clearinghouse for
15 all veterans' benefits, including education, housing,
16 job training, disability, health care, and burial bene-
17 fits.

18 (4) Providing outreach and referral to commu-
19 nity services for veterans and their families.

20 (5) Providing a forum for discussion of veter-
21 ans' issues and concerns.

22 **SEC. 4. SERVICE OF PROCESS.**

23 With respect to service of process, the corporation
24 shall comply with the laws of the State in which it is incor-

1 porated and those States in which it carries on its activi-
2 ties in furtherance of its corporate purposes.

3 **SEC. 5. MEMBERSHIP.**

4 Except as provided in section 8, eligibility for mem-
5 bership in the corporation and the rights and privileges
6 of members of the corporation shall be as provided in the
7 articles of incorporation and bylaws of the corporation.

8 **SEC. 6. BOARD OF DIRECTORS.**

9 Except as provided in section 8, the composition of
10 the board of directors of the corporation and the respon-
11 sibilities of such board shall be as provided in the articles
12 of incorporation of the corporation and in conformity with
13 the laws of the State in which it is incorporated.

14 **SEC. 7. OFFICERS OF CORPORATION.**

15 Except as provided in section 8, the positions of offi-
16 cers of the corporation and the election of members to
17 such positions shall be as provided in the articles of incor-
18 poration of the corporation and in conformity with the
19 laws of the State in which it is incorporated.

20 **SEC. 8. PROHIBITION AGAINST DISCRIMINATION.**

21 In establishing the conditions of membership in the
22 corporation and in determining the requirements for serv-
23 ing on the board of directors or as an officer of the cor-
24 poration, the corporation may not discriminate on the

1 basis of race, color, religion, sex, handicap, age, or na-
2 tional origin.

3 **SEC. 9. RESTRICTIONS.**

4 (a) INCOME AND COMPENSATION.—No part of the in-
5 come or assets of the corporation may inure to the benefit
6 of any member, officer, or director of the corporation or
7 be distributed to any such individual during the life of this
8 charter. Nothing in this subsection shall be construed to
9 prevent the payment of reasonable compensation to the
10 officers of the corporation or reimbursement for actual
11 necessary expenses in amounts approved by the board of
12 directors.

13 (b) LOANS.—The corporation may not make any loan
14 to any officer, director, or employee of the corporation.

15 (c) STOCK.—The corporation shall have no power to
16 issue any shares of stock or to declare or pay any divi-
17 dends.

18 (d) CLAIM OF CONGRESSIONAL APPROVAL OR AU-
19 THORIZATION.—The corporation shall not claim congres-
20 sional approval or the authorization of the Federal Gov-
21 ernment for any of its activities by virtue of this Act.

22 **SEC. 10. LIABILITY FOR ACTS OF OFFICERS AND AGENTS.**

23 The corporation shall be liable for the acts of its offi-
24 cers and agents whenever such officers and agents have
25 acted within the scope of their authority.

1 **SEC. 11. BOOKS AND RECORDS.**

2 The corporation shall keep correct and complete
3 books and records of account and minutes of any proceed-
4 ing of the corporation involving any of its members, the
5 board of directors, or any committee having authority
6 under the board of directors. The corporation shall keep,
7 at its principal office, a record of the names and addresses
8 of all members having the right to vote in any proceeding
9 of the corporation. All books and records of such corpora-
10 tion may be inspected by any member having the right
11 to vote in any corporation proceeding, or by any agent or
12 attorney of such member, for any proper purpose at any
13 reasonable time. Nothing in this section shall be construed
14 to contravene any applicable State law.

15 **SEC. 12. AUDIT OF FINANCIAL TRANSACTIONS.**

16 The first section of the Act entitled "An Act to pro-
17 vide for audit of accounts of private corporations estab-
18 lished under Federal law", approved August 30, 1964 (36
19 U.S.C. 1101), is amended by adding at the end the follow-
20 ing:

21 "(77) The Black Veterans of America."

22 **SEC. 13. ANNUAL REPORT.**

23 The corporation shall report annually to the Congress
24 concerning the activities of the corporation during the pre-
25 ceding fiscal year. Such annual report shall be submitted
26 at the same time as the report of the audit required by

1 section 2 of the Act referred to in section 12. The report
2 shall not be printed as a public document.

3 **SEC. 14. RESERVATION OF RIGHT TO ALTER, AMEND, OR**
4 **REPEAL CHARTER.**

5 The right to alter, amend, or repeal this Act is ex-
6 pressly reserved to the Congress.

7 **SEC. 15. "STATE" DEFINED.**

8 For purposes of this Act, the term "State" includes
9 the District of Columbia, the Commonwealth of Puerto
10 Rico, the Commonwealth of the Northern Mariana Is-
11 lands, and the territories and possessions of the United
12 States.

13 **SEC. 16. TAX-EXEMPT STATUS.**

14 The corporation shall maintain its status as an orga-
15 nization exempt from taxation as provided in the Internal
16 Revenue Code of 1986.

17 **SEC. 17. TERMINATION FOR FAILURE TO COMPLY WITH RE-**
18 **STRICTIONS OR PROHIBITIONS.**

19 If the corporation shall fail to comply with any of the
20 restrictions or provisions of this Act, the charter granted
21 by this Act shall expire.

○