CHAPTER 403—CIVIL AIR PATROL

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40301. Organization.
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AMENDMENTS

2000—Pub. L. 106–398, §1 [[div. A], title X, §1090(b)(2)(C)], Oct. 30, 2000, 114 Stat. 1654, 1654A–300, inserted ''and governing body'' after ''Membership'' in item 40303.

§ 40301. Organization

(a) FEDERAL CHARTER.—Civil Air Patrol (in this chapter, the ''corporation'') is a federally chartered corporation.

(b) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1331.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
40301(a)	36:201.	July 1, 1946, ch. 527, §§1, 5 (related to perpetual succession), 60 Stat. 346, 347.
40301(b)	36:205 (related to perpetual succession).	

This section is substituted for the source provisions for consistency in the revised title and to eliminate executed and unnecessary words.

§ 40302. Purposes

The purposes of the corporation are as follows:

(1) To provide an organization to—

(A) encourage and aid citizens of the United States in contributing their efforts, services, and resources in developing aviation and in maintaining air supremacy; and

(B) encourage and develop by example the voluntary contribution of private citizens to the public welfare.

(2) To provide aviation education and training especially to its senior and cadet members.

(3) To encourage and foster civil aviation in local communities.

(4) To provide an organization of private citizens with adequate facilities to assist in meeting local and national emergencies.

(5) To assist the Department of the Air Force in fulfilling its noncombat programs and missions.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1331; Pub. L. 106–398, §1 [[div. A], title X, §1090(b)(1)], Oct. 30, 2000, 114 Stat. 1654, 1654A–299.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
40302	36:202.	July 1, 1946, ch. 527, §2, 60 Stat. 346.

Before clause (1), the word ''objects'' is omitted as included in ''purposes''.

In clause (1)(A), the words ''citizens of the United States'' are substituted for ''American citizens'' for consistency in the revised title and with other titles of the United States Code.

AMENDMENTS

2000—Pub. L. 106–398, §1 [[div. A], title X, §1090(b)(1)(A)], substituted ''as follows:'' for ''to—'' in introductory provisions.

Par. (1). Pub. L. 106–398, §1 [[div. A], title X, §1090(b)(1)(B), (C)], inserted ''To'' before ''provide'' in introductory provisions and substituted a period for the semicolon at the end of subpar. (B).

Par. (2). Pub. L. 106–398, §1 [[div. A], title X, §1090(b)(1)(B), (C)], inserted ''To'' before ''provide'' and substituted a period for the semicolon at the end.

Par. (3). Pub. L. 106–398, §1 [[div. A], title X, §1090(b)(1)(B), (D)], inserted ''To'' before ''encourage'' and substituted a period for ''; and'' at the end.

Par. (4). Pub. L. 106–398, §1 [[div. A], title X, §1090(b)(1)(B)], inserted ''To'' before ''provide''.

Par. (5). Pub. L. 106–398, §1 [[div. A], title X, §1090(b)(1)(E)], added par. (5).

EFFECTIVE DATE OF 2000 AMENDMENT

Amendment by Pub. L. 106–398 effective 120 days after Oct. 30, 2000, see section 1 [[div. A], title X, §1090(c)] of Pub. L. 106–398, set out as an Effective Date note under section 9441 of Title 10, Armed Forces.

§ 40303. Membership and governing body

(a) MEMBERSHIP.—Eligibility for membership in the corporation and the rights and privileges of members are as provided in the constitution and bylaws of the corporation.

(b) GOVERNING BODY.—The Civil Air Patrol has a Board of Governors. The composition and responsibilities of the Board of Governors are set forth in section 9447 of title 10.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1332; Pub. L. 106–398, §1 [[div. A], title X, §1090(b)(2)(A), (B)], Oct. 30, 2000, 114 Stat. 1654, 1654A–300.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
40303	36:203.	July 1, 1946, ch. 527, §3, 60 Stat. 346.

The words ''are as provided in'' are substituted for ''shall be determined according to'' for consistency in the revised title. The text of 36:203 (proviso) is omitted as obsolete.

AMENDMENTS

2000—Pub. L. 106–398 inserted ''and governing body'' after ''Membership'' in section catchline, designated existing provisions as subsec. (a), inserted subsec. (a) heading, and added subsec. (b).

EFFECTIVE DATE OF 2000 AMENDMENT

Amendment by Pub. L. 106–398 effective 120 days after Oct. 30, 2000, see section 1 [[div. A], title X, §1090(c)] of Pub. L. 106–398, set out as an Effective Date note under section 9441 of Title 10, Armed Forces.

§ 40304. Powers

The corporation may—

(1) adopt and amend a constitution, bylaws, and regulations;

(2) adopt and alter a corporate seal;

(3) establish and maintain offices in the District of Columbia and the States, territories,

and possessions of the United States to conduct its affairs;

(4) acquire, own, lease, encumber, and transfer property as necessary to carry out the purposes of the corporation;

(5) sue and be sued; and

(6) do any other act necessary and proper to carry out the purposes of the corporation.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1332.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
40304	36:205 (less perpetual succession).	July 1, 1946, ch. 527, § 5 (less perpetual succession), 60 Stat. 347.

In clause (1), the word ''amend'' is substituted for ''alter'' for consistency in the revised title. The words ''not inconsistent with law'' are omitted as unnecessary.

In clause (3), the words ''States, territories, and possessions'' are substituted for ''several States and Territories'' for consistency in the revised title.

Clause (4) is substituted for ''acquire, hold, mortgage, and dispose of such real and personal property as may be necessary for its corporate purposes'' and ''accept gifts, legacies, and devises which will further the corporate purposes'' for consistency in the revised title and to eliminate unnecessary words.

In clause (6), the words ''any other act'' are substituted for ''any and all acts and things'' to eliminate unnecessary words. The word ''objects'' is omitted as unnecessary.

§ 40305. Restrictions

The corporation may not engage in business for profit or issue stock.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1332.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
40305	36:204.	July 1, 1946, ch. 527, § 4, 60 Stat. 347.

This section is substituted for 36:204(a) to eliminate unnecessary words. The text of 36:204(b) is omitted as executed and obsolete.

§ 40306. Exclusive right to name, insignia, copyrights, emblems, badges, marks, and words

The corporation has the exclusive right to use the name ''Civil Air Patrol'' and all insignia, copyrights, emblems, badges, descriptive or designating marks, words, and phrases the corporation adopts. This section does not affect any vested rights.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1332.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
40306	36:206.	July 1, 1946, ch. 527, § 6, 60 Stat. 347.

The word ''sole'' is omitted as included in ''exclusive''. The words ''right to use the name 'Civil Air Patrol' and all'' are substituted for ''right to the name 'Civil Air Patrol' and to have and to use, in carrying out its purposes, all'' for consistency in the revised title and to eliminate unnecessary words. The words ''the corporation adopts'' are substituted for ''now or heretofore used by the Civil Air Patrol'' in section 6 of the Act of July 1, 1946 (ch. 527, 60 Stat. 347) for consistency in the revised title. The words ''in carrying out its program'' are omitted as unnecessary. The words ''This section does not affect any vested rights'' are substituted for ''*Provided, however*, That no powers or privileges herein granted shall interfere or conflict with established or vested rights'' for consistency in the revised title and to eliminate unnecessary words.

§ 40307. Annual report

The corporation shall submit an annual report to Congress on the activities of the corporation during the prior fiscal year.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1332.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
40307	36:207.	July 1, 1946, ch. 527, § 7, 60 Stat. 347.

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of reporting provisions in this section, see section 3003 of Pub. L. 104–66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and page 198 of House Document No. 103–7.

CHAPTER 405—CONGRESSIONAL MEDAL OF HONOR SOCIETY OF THE UNITED STATES OF AMERICA

Sec.
40501. Organization.
40502. Purposes.
40503. Membership.
40504. Governing body.
40505. Powers.
40506. Restrictions.
40507. Principal office.
40508. Records and inspection.
40509. Service of process.
40510. Liability.
40511. Distribution of assets on dissolution or final liquidation.

§ 40501. Organization

(a) FEDERAL CHARTER.—Congressional Medal of Honor Society of the United States of America (in this chapter, the ''corporation'') is a federally chartered corporation.

(b) PLACE OF INCORPORATION AND DOMICILE.—The corporation is declared to be incorporated and domiciled in the District of Columbia.

(c) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1332.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
40501	36:791. 36:792.	Aug. 14, 1958, Pub. L. 85–642, §§ 1, 2, 72 Stat. 597.

This section is substituted for 36:791 for consistency in the revised title and to eliminate executed and unnecessary language. The text of 36:792 is omitted as executed and obsolete.

§ 40502. Purposes

The purposes of the corporation are—