

“(b) SEAL.—The Foundation shall have an official seal selected by the Board which may be used as provided in section 5.

“(c) INCORPORATION; NONPROFIT STATUS.—To carry out the purposes of the Foundation under section 2, the Board shall—

“(1) incorporate the Foundation in the District of Columbia; and

“(2) establish such policies and bylaws as may be necessary to ensure that the Foundation maintains status as an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 [26 U.S.C. 501(c)(3)].

“(d) POWERS.—Subject to the specific provisions of section 2, the Foundation, in consultation with the Office of the President’s Council on Fitness, Sports, and Nutrition, shall have the power, directly or by the awarding of contracts or grants, to carry out or support activities for the purposes described in such section.

“(e) TREATMENT OF PROPERTY.—For purposes of this Act, an interest in real property shall be treated as including easements or other rights for preservation, conservation, protection, or enhancement by and for the public of natural, scenic, historic, scientific, educational inspirational or recreational resources. A gift, devise, or bequest may be accepted by the Foundation even though it is encumbered, restricted, or subject to beneficial interests of private persons if any current or future interest therein is for the benefit of the Foundation.

“SEC. 5. PROTECTION AND USES OF TRADEMARKS AND TRADE NAMES.

“(a) TRADEMARKS OF THE FOUNDATION.—Authorization for a contributor, or a supplier of goods or services, to use, in advertising regarding the contribution, goods, or services, the trade name of the Foundation, or any trademark, seal, symbol, insignia, or emblem of the Foundation may be provided only by the Foundation with the concurrence of the Secretary or the Secretary’s designee.

“(b) TRADEMARKS OF THE COUNCIL.—Authorization for a contributor or supplier described in subsection (a) to use, in such advertising, the trade name of the President’s Council on Fitness, Sports, and Nutrition, or any trademark, seal, symbol, insignia, or emblem of such Council, may be provided—

“(1) by the Secretary or the Secretary’s designee; or

“(2) by the Foundation with the concurrence of the Secretary or the Secretary’s designee.

“SEC. 6. AUDIT, REPORT REQUIREMENTS, AND PETITION OF ATTORNEY GENERAL FOR EQUITABLE RELIEF.

“(a) AUDITS.—For purposes of the Act entitled ‘An Act for audit of accounts of private corporations established under Federal law’, approved August 30, 1964 (Public Law 88-504, [former] 36 U.S.C. 1101-1103 [see 36 U.S.C. 10101]), the Foundation shall be treated as a private corporation under Federal law. The Inspector General of the Department of Health and Human Services and the Comptroller General of the United States shall have access to the financial and other records of the Foundation, upon reasonable notice.

“(b) REPORT.—The Foundation shall, not later than 60 days after the end of each fiscal year, transmit to the Secretary and to Congress a report of its proceedings and activities during such year, including a full and complete statement of its receipts, expenditures, and investments.

“(c) RELIEF WITH RESPECT TO CERTAIN FOUNDATION ACTS OR FAILURE TO ACT.—If the Foundation—

“(1) engages in, or threatens to engage in, any act, practice or policy that is inconsistent with its purposes set forth in section 2(b); or

“(2) refuses, fails, or neglects to discharge its obligations under this Act, or threaten[s] to do so; the Attorney General of the United States may petition in the United States District Court for the District

of Columbia for such equitable relief as may be necessary or appropriate.”

CHAPTER 201—AGRICULTURAL HALL OF FAME

Sec.	
20101.	Organization.
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§ 20101. Organization

(a) FEDERAL CHARTER.—Agricultural Hall of Fame (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. 1284.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
20101(a)	36:971.	Aug. 31, 1960, Pub. L. 86-680, §§ 1, 2, 4(1), 16, 74 Stat. 572, 574, 577.
20101(b)	36:972. 36:974(1). 36:986.	

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

§ 20102. Purposes

The purposes of the corporation are—

(1) to receive and maintain one or more funds and to use any part of the principal or interest only for charitable, scientific, literary, or educational purposes either directly or by contributing to organizations authorized to carry on similar activities;

(2) to honor farmers, farm women, farm leaders, teachers, scientists, inventors, governmental leaders, and other individuals who have helped make this Nation great by their outstanding contributions to the establishment, development, advancement, or improvement of agriculture in the United States;

(3) to perpetuate the memory of those individuals and record their contributions and achievements by the erection and maintenance of buildings and monuments as may be appropriate as a lasting memorial;

(4) to promote a greater sense of appreciation of the dignity and importance of agriculture, historically carried out through owner-operated farms, and the part it has played in developing those social, economic, and spiritual values which are essential in maintaining the free and democratic institutions of our Republic;

(5) to establish and maintain a library and museum for the collection and preservation

for posterity of agricultural tools, implements, machines, vehicles, pictures, paintings, books, papers, documents, data, relics, mementos, artifacts, and other items relating to agriculture;

(6) to cooperate with other organizations interested in similar projects; and

(7) to engage in other activities appropriate to carry out its purposes.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1284.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
20102	36:973(A) (1st sentence words before proviso, last sentence), (B)-(G).	Aug. 31, 1960, Pub. L. 86-680, §3(A) (1st sentence words before proviso, last sentence), (B)-(G), 74 Stat. 573.

In clause (1), the words “and apply the whole or”, “therefrom”, “thereof”, and “duly” and 36:973(A) (1st sentence) are omitted as unnecessary. The text of 36:973(A) (last sentence) is omitted as unnecessary.

In clause (2), the words “of America” are omitted as unnecessary.

In clause (3), the words “those individuals” are substituted for “such persons” for clarity. The word “edifices” is omitted as included in “buildings”. The word “deemed” is omitted as unnecessary.

In clause (4), the word “promote” is substituted for “foster, promote, and encourage” to eliminate redundant words.

In clause (7), the words “other activities appropriate to carry out its purposes” are substituted for “any and all activities incidental thereto or necessary, suitable, or proper for the accomplishment of any of the aforementioned purposes” for consistency in the revised title and to eliminate unnecessary words.

§ 20103. Membership

(a) ELIGIBILITY.—Except as provided in this chapter, eligibility for membership in the corporation and the rights, privileges, and designation of classes of members are as provided in the bylaws.

(b) VOTING.—Each member given voting rights by the bylaws has one vote on each matter submitted to a vote at a meeting of the voting members. The vote may be cast in the manner provided in the bylaws.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1284.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
20103	36:976.	Aug. 31, 1960, Pub. L. 86-680, §6, 74 Stat. 575.

In subsection (a), the words “are as provided in the bylaws” are substituted for “shall . . . be determined as the bylaws of the corporation may provide” to eliminate unnecessary words.

In subsection (b), the words “the right to” are omitted as unnecessary.

§ 20104. Governing body

(a) BOARD OF GOVERNORS.—(1) The board of governors is the governing body of the corporation. Between meetings of the members of the corporation, the board is responsible for the general policies and program of the corporation and for the control of all funds of the corporation.

(2) The number of governors, their manner of selection (including the filling of vacancies), and their term of office are as provided in the bylaws. However, the board shall have at least 15 members.

(3) The board may appoint committees. Each committee has the powers provided in the bylaws or by resolution of the board. The powers of a committee may include all the powers of the board.

(b) OFFICERS.—(1) The officers of the corporation are a president, one or more one vice presidents as provided in the bylaws, a secretary, a treasurer, one or more assistant secretaries and assistant treasurers, and other officers as provided in the bylaws.

(2) The manner of election, term of office, and duties of the officers are as provided in the bylaws.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1284.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
20104(a)	36:977.	Aug. 31, 1960, Pub. L. 86-680, §§7, 8, 74 Stat. 575.
20104(b)	36:978.	

In subsection (a), the text of 36:977(a) is omitted as executed and obsolete. In paragraph (3), the words “and exercise” are omitted as unnecessary.

§ 20105. Powers

The corporation may—

(1) adopt and amend bylaws for the management of its property and the regulation of its affairs;

(2) adopt and alter a corporate seal;

(3) choose officers, managers, agents, and employees as the activities of the corporation require;

(4) make contracts;

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

(6) borrow money, issue instruments of indebtedness, and secure its obligations by granting security interests in its property; and

(7) sue and be sued.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1285.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
20105	36:974(2)-(9). 36:987.	Aug. 31, 1960, Pub. L. 86-680, §§4(2)-(9), 17, 74 Stat. 574, 577.

In this section, the text of 36:987 is omitted as executed and obsolete.

In clause (1), the words “and alter” are omitted as unnecessary.

In clause (2), the word “use” is omitted as unnecessary.

In clause (4), the words “make contracts” are substituted for “contract and be contracted with” to eliminate unnecessary words.

Clause (5) is substituted for “take by lease, gift, purchase, grant, devise, or bequest from any private corporation, association, partnership, firm, or individual and to hold any property, real, personal, or mixed, nec-