

“(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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20104.	Governing body.
20105.	Powers.
20106.	Restrictions.
20107.	Principal office.
20108.	Records and inspection.
20109.	Service of process.
20110.	Liability for acts of officers and agents.
20111.	Use of assets on dissolution or final liquidation.

**§ 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

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
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

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
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

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
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

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
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-

essary or convenient for attaining the objects and carrying into effect the purposes of the corporation” in 36:974(7) and “transfer, convey, lease, sublease, encumber and otherwise alienate real, personal or mixed property” in 36:974(8) for consistency in the revised title and to eliminate unnecessary words. The words “subject, however, to applicable provisions of law of any State (A) governing the amount or kind of property which may be held by, or (B) otherwise limiting or controlling the ownership of property by, a corporation operating in such State” in 36:974(7) are omitted as unnecessary.

In clause (6), the words “issue instruments of indebtedness, and secure its obligations by granting security interests in its property” are substituted for “issue bonds therefor, and secure the same by mortgage, deed of trust, pledge or otherwise” for consistency in the revised title and to eliminate unnecessary words. The words “for the purposes of the corporation” and “subject in every case to all applicable provisions of Federal and State laws” are omitted as unnecessary.

In clause (7), the words “complain and defend in any court of competent jurisdiction” are omitted as unnecessary.

**§ 20106. Restrictions**

(a) STOCK AND DIVIDENDS.—The corporation may not issue stock or declare or pay a dividend.

(b) POLITICAL ACTIVITIES.—The corporation or a governor, officer, employee, or member as such may not contribute to, support, or assist a political party or candidate for public office.

(c) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a governor, officer, or member as such during the life of the corporation or on its dissolution or final liquidation. This subsection does not prevent the payment of compensation to an officer or employee in an amount approved by the board of governors.

(d) LOANS.—The corporation may not make a loan or advance to a governor, officer, employee, or member. Governors who vote for or assent to making a loan or advance to a governor, officer, employee, or member, and officers who participate in making the loan or advance, are jointly and severally liable to the corporation for the amount of the loan or advance until it is repaid.

(e) CONTRIBUTIONS TO CERTAIN ORGANIZATIONS.—None of the principal or interest of a fund referred to in section 20102(1) of this title may be contributed to an organization if—

- (1) a substantial part of its activities is carrying on propaganda or attempting to influence legislation; or
- (2) any part of its net earnings benefits a private shareholder or individual.

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

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
20106(a) .....	36:982.	Aug. 31, 1960, Pub. L. 86-680, §§3(A) (1st sentence proviso), 9, 10, 12, 74 Stat. 573, 575, 576.
20106(b) .....	36:980.	
20106(c) .....	36:979(a).	
20106(d) .....	36:979(b).	
20106(e) .....	36:973(A) (proviso).	

In subsection (a), the words “any shares of” are omitted as unnecessary.

In subsection (d), the words “or advance” are added in 2 places for consistency in the subsection.

**§ 20107. Principal office**

The principal office of the corporation shall be in Kansas City, Kansas, or another place decided by the board of governors. However, the activities of the corporation are not confined to the place where the principal office is located but may be conducted throughout the States, territories, and possessions of the United States.

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

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
20107 .....	36:975(a).	Aug. 31, 1960, Pub. L. 86-680, §5(a), 74 Stat. 574.

The word “various” is omitted as unnecessary.

**§ 20108. Records and inspection**

(a) RECORDS.—The corporation shall keep—

- (1) correct and complete records of account;
- (2) minutes of the proceedings of its members, board of governors, and committees having any of the authority of its board of governors; and
- (3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1286.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
20108(a) .....	36:983 (1st sentence).	Aug. 31, 1960, Pub. L. 86-680, §13, 74 Stat. 576.
20108(b) .....	36:983 (last sentence).	

The word “records” is substituted for “books and records” for consistency in the revised title and with other titles of the United States Code.

**§ 20109. Service of process**

The corporation shall have a designated agent in the District of Columbia to receive service of process for the corporation. Notice to or service on the agent is notice to or service on the corporation.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1286.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
20109 .....	36:975(b).	Aug. 31, 1960, Pub. L. 86-680, §5(b), 74 Stat. 575.

**§ 20110. Liability for acts of officers and agents**

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1286.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
20110 .....	36:981.	Aug. 31, 1960, Pub. L. 86-680, §11, 74 Stat. 576.

**§ 20111. Use of assets on dissolution or final liquidation**

On dissolution or final liquidation of the corporation, any assets of the corporation remaining after the discharge of all liabilities shall be distributed as provided by the board of governors, but in compliance with the charter and bylaws.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1286.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
20111 .....	36:985.	Aug. 31, 1960, Pub. L. 86-680, §15, 74 Stat. 577.

The word “satisfaction” is omitted as included in “discharge”, and the word “obligations” is omitted as included in “liabilities”. The words “outstanding” and “all Federal and State laws applicable thereto” are omitted as unnecessary.

**CHAPTER 202—AIR FORCE SERGEANTS ASSOCIATION**

Sec.	
20201.	Definition.
20202.	Organization.
20203.	Purposes.
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20205.	Governing body.
20206.	Powers.
20207.	Restrictions.
20208.	Duty to maintain corporate and tax-exempt status.
20209.	Records and inspection.
20210.	Service of process.
20211.	Liability for acts of officers and agents.
20212.	Annual report.

**§ 20201. Definition**

For purposes of this chapter, “State” includes the District of Columbia and the territories and possessions of the United States.

(Added Pub. L. 105-354, §1(4)(A), Nov. 3, 1998, 112 Stat. 3239.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
20201 .....	36 App.:5815.	Nov. 18, 1997, Pub. L. 105-85, title XV, §1516, 111 Stat. 1966.

The words “the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands” are omitted as included in “the territories and possessions of the United States”.

**§ 20202. Organization**

(a) FEDERAL CHARTER.—Air Force Sergeants Association (in this chapter, the “corporation”), a nonprofit corporation incorporated in the District of Columbia, is a federally chartered corporation.

(b) EXPIRATION OF CHARTER.—If the corporation does not comply with any provision of this chapter, the charter granted by this chapter expires.

(Added Pub. L. 105-354, §1(4)(A), Nov. 3, 1998, 112 Stat. 3239.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
20202(a) .....	36 App.:5801.	Nov. 18, 1997, Pub. L. 105-85, title XV, §§1501, 1514 (related to termination of charter), 1515, 111 Stat. 1963, 1966.
20202(b) .....	36 App.:5813 (related to termination of charter). 36 App.:5814.	

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

**§ 20203. Purposes**

(a) GENERAL.—The purposes of the corporation are as provided in its bylaws and articles of incorporation and include—

- (1) helping to maintain a highly dedicated and professional corps of enlisted personnel within the United States Air Force, including the United States Air Force Reserve, and the Air National Guard;
- (2) supporting fair and equitable legislation and Department of the Air Force policies and influencing by lawful means departmental plans, programs, policies, and legislative proposals that affect enlisted personnel of the Regular Air Force, the Air Force Reserve, and the Air National Guard, its retirees, and other veterans of enlisted service in the Air Force;
- (3) actively publicizing the roles of enlisted personnel in the United States Air Force;
- (4) participating in civil and military activities, youth programs, and fundraising campaigns that benefit the United States Air Force;
- (5) providing for the mutual welfare of members of the corporation and their families;
- (6) assisting in recruiting for the United States Air Force;
- (7) assembling together for social activities;
- (8) maintaining an adequate Air Force for our beloved country;
- (9) fostering among the members of the corporation a devotion to fellow airmen; and
- (10) serving the United States and the United States Air Force loyally, and doing all else necessary to uphold and defend the Constitution of the United States.

(b) CORPORATE FUNCTION.—The corporation shall function as an educational, patriotic, civic, historical, and research organization under the laws of the District of Columbia.

(Added Pub. L. 105-354, §1(4)(A), Nov. 3, 1998, 112 Stat. 3240.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
20203(a) .....	36 App.:5803.	Nov. 18, 1997, Pub. L. 105-85, title XV, §§1503, 1508(f), 111 Stat. 1963, 1965.