

uating board of trustees. The following-named persons shall constitute the first board of trustees: Lawrence Abbott, Henry J. Allen, Joseph W. Alsop, Charles W. Anderson, R. Livingston Beeckman, Austen Colgate, E. C. Converse, John S. Cravens, T. Coleman du Pont, John H. Finley, James R. Garfield, Mrs. Frank A. Gibson, James P. Goodrich, Lloyd C. Griscom, Hermann Hagedorn, Judson Harmon, George Harvey, Will H. Hays, A. T. Hert, Frederick C. Hicks, Elon H. Hooker, Charles E. Hughes, Hiram W. Johnson, Otto H. Kahn, Frank B. Kellogg, Irwin R. Kirkwood, Mrs. C. Grant La Farge, Franklin K. Lane, Henry D. Lindsley, Henry Cabot Lodge, William Loeb, junior, Mrs. Medill McCormick, James J. McGraw, Clarence H. Mackay, Dwight W. Morrow, George W. Perkins, Gifford Pinchot, Mrs. Whitelaw Reid, Raymond Robins, Elihu Root, Julius Rosenwald, Mrs. C. A. Severance, Harry F. Sinclair, Philip B. Stewart, Henry L. Stimson, Warren S. Stone, Oscar S. Straus, Mark Sullivan, William Boyce Thompson, Henry C. Wallace, Albert H. Wiggin, Luke E. Wright, William Wrigley, junior, and Leonard Wood.

The board of trustees shall have the power to adopt from time to time a constitution, by-laws, rules, and regulations for the selection of their successors, for the admission to membership in the corporation, for the election of officers of the corporation, and in general for the conduct of the affairs of the corporation, and may alter, amend, or repeal the same.

(May 31, 1920, ch. 216, § 4, 41 Stat. 693.)

§ 4705. Prohibition against issuance of stock or payment of dividends

Said corporation will have no power to issue certificates of stock or to declare or pay dividends, but it is organized and shall be operated exclusively for educational purposes, and no part of its earnings, income, or funds will inure to the benefit of any member or individual.

(May 31, 1920, ch. 216, § 5, 41 Stat. 693.)

§ 4706. Reservation of right to amend or repeal chapter

Congress shall have the right to repeal, alter, or amend this chapter at any time.

(May 31, 1920, ch. 216, § 6, 41 Stat. 694.)

§ 4707. Consolidation

This corporation shall have the power at any time to consolidate with Women's Theodore Roosevelt Memorial Association, Incorporated, a nonstock and nonprofit corporation organized and existing under the New York membership corporations law, so as to form a single surviving corporation which shall be this corporation. The corporate entity, existence and name of this corporation shall continue unchanged after the consolidation.

The consolidation shall not be effected unless the agreement for consolidation is approved by act of the trustees of this corporation, who shall be the members of the corporation entitled to vote with respect to consolidation.

Such trustees may act on any question respecting the consolidation by a resolution adopted by two-thirds of those present at any

meeting of the board of trustees at which a quorum of ten is present. Written notice of the time, place, and purposes of such meeting shall be sent to each trustee at his last known address appearing on the books of the corporation by first-class mail, postage prepaid, at least ten days prior to the meeting.

The consolidation shall be effected in the manner prescribed in this section and in the New York membership corporations law and shall become effective when a certificate of consolidation is filed pursuant to said law.

(May 31, 1920, ch. 216, § 7, as added Mar. 29, 1956, ch. 102, 70 Stat. 60.)

CHAPTER 80—82ND AIRBORNE DIVISION ASSOCIATION, INC.

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§ 4801. Recognition as corporation and grant of Federal charter

The 82nd Airborne Division Association, Incorporated, a nonprofit corporation organized under the laws of the State of Illinois, is recognized as such and is granted a Federal charter.

(Pub. L. 101-510, div. A, title XVI, §1601, Nov. 5, 1990, 104 Stat. 1736.)

§ 4802. Powers of corporation

The 82nd Airborne Division Association, Incorporated (hereinafter in this chapter referred to as the "corporation"), shall have only those powers granted to it through its bylaws and articles of incorporation filed in the State or States in which it is incorporated and subject to the laws of such State or States.

(Pub. L. 101-510, div. A, title XVI, §1602, Nov. 5, 1990, 104 Stat. 1736.)

§ 4803. Objects and purposes of corporation

The objects and purposes of the corporation are those provided in its articles of incorporation and shall include—

- (1) perpetuating the memory of members of the 82nd Airborne Division who fought and died for this Nation;
- (2) furthering the common bond between retired and active members of the 82nd Airborne Division;

(3) providing educational assistance in the form of college scholarships and grants to the qualified children of current and former members of the 82nd Airborne Division;

(4) promoting civic and patriotic activities; and

(5) promoting the indispensable role of airborne defense to the national security of the United States.

(Pub. L. 101-510, div. A, title XVI, §1603, Nov. 5, 1990, 104 Stat. 1736.)

§ 4804. Service of process

With respect to service of process, the corporation shall comply with the laws of the State or States in which it is incorporated and the State or States in which it carries on its activities in furtherance of its corporate purposes.

(Pub. L. 101-510, div. A, title XVI, §1604, Nov. 5, 1990, 104 Stat. 1737.)

§ 4805. Membership

(a) Subject to subsection (b) of this section, eligibility for membership in the corporation and the rights and privileges of members of the corporation shall be as provided in the constitution and bylaws of the corporation.

(b) Terms of membership and requirements for holding office within the corporation shall not discriminate on the basis of race, color, national origin, sex, religion, or handicapped status.

(Pub. L. 101-510, div. A, title XVI, §1605, Nov. 5, 1990, 104 Stat. 1737.)

§ 4806. Board of directors

The composition of the board of directors of the corporation and the responsibilities of such board shall be as provided in the articles of incorporation of the corporation and shall be in conformity with the laws of the State or States in which it is incorporated.

(Pub. L. 101-510, div. A, title XVI, §1606, Nov. 5, 1990, 104 Stat. 1737.)

§ 4807. Officers

The positions of officers of the corporation and the election of members to such positions shall be as provided in the articles of incorporation of the corporation and shall be in conformity with the laws of the State or States in which it is incorporated.

(Pub. L. 101-510, div. A, title XVI, §1607, Nov. 5, 1990, 104 Stat. 1737.)

§ 4808. Restrictions

(a) Distribution of income or assets to members

No part of the income or assets of the corporation may inure to the benefit of any member, officer, or director of the corporation or be distributed to any such individual during the life of this charter. Nothing in this subsection shall be construed to prevent the payment of reasonable compensation to the officers of the corporation or reimbursement for actual and necessary expenses in amounts approved by the board of directors.

(b) Loans

The corporation may not make any loan to any officer, director, or employee of the corporation.

(c) Political activities

The corporation and any officer and director of the corporation, acting as such officer or director, shall not contribute to, support or otherwise participate in any political activity or in any manner attempt to influence legislation.

(d) Issuance of stock; dividends

The corporation shall have no power to issue any shares of stock nor to declare or pay any dividends.

(e) Claim of approval or authorization

The corporation shall not claim congressional approval or Federal Government authority for any of its activities.

(Pub. L. 101-510, div. A, title XVI, §1608, Nov. 5, 1990, 104 Stat. 1737.)

§ 4809. Liability for acts of officers and agents

The corporation shall be liable for the acts of its officers and agents whenever such officer and agents have acted within the scope of their authority.

(Pub. L. 101-510, div. A, title XVI, §1609, Nov. 5, 1990, 104 Stat. 1737.)

§ 4810. Books and records; inspection

The corporation shall keep correct and complete books and records of account and minutes of any proceeding of the corporation involving any of its members, the board of directors, or any committee having authority under the board of directors. The corporation shall keep, at its principal office, a record of the names and addresses of all members having the right to vote in any proceeding of the corporation. All books and records of such corporation may be inspected by any member having the right to vote in any corporation proceeding, or by any agent or attorney of such member, for any proper purpose at any reasonable time. Nothing in this section shall be construed to contravene any applicable State law.

(Pub. L. 101-510, div. A, title XVI, §1610, Nov. 5, 1990, 104 Stat. 1737.)

§ 4811. Annual report

The corporation shall report annually to the Congress concerning the activities of the corporation during the preceding fiscal year. Such annual report shall be submitted at the time as the report of the audit of the corporation required by section 1102 of this title. The report shall not be printed as a public document.

(Pub. L. 101-510, div. A, title XVI, §1612, Nov. 5, 1990, 104 Stat. 1738.)

§ 4812. Reservation of right to amend or repeal chapter

The right to amend, alter, or repeal this chapter is expressly reserved to the Congress.

(Pub. L. 101-510, div. A, title XVI, §1613, Nov. 5, 1990, 104 Stat. 1738.)

§ 4813. “State” defined

For purposes of this chapter, the term “State” includes the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and the territories and possessions of the United States.

(Pub. L. 101-510, div. A, title XVI, §1614, Nov. 5, 1990, 104 Stat. 1738.)

§ 4814. Tax-exempt status

The corporation shall maintain its status as an organization exempt from taxation as provided in title 26.

(Pub. L. 101-510, div. A, title XVI, §1615, Nov. 5, 1990, 104 Stat. 1738.)

§ 4815. Failure to comply with restrictions or provisions

If the corporation fails to comply with any of the restrictions or provisions of this chapter, the charter granted by this chapter shall expire.

(Pub. L. 101-510, div. A, title XVI, §1616, Nov. 5, 1990, 104 Stat. 1738.)

CHAPTER 81—AMERICAN HOSPITAL OF PARIS

Sec.	
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§ 4901. Corporation created

John H. Harjes, John J. Hoff, H. H. Harjes, Henry Cachard, S. F. B. Biddle, W. S. Dalliba, Doctor Edmund L. Gros, Leopold Huffer, Doctor A. J. Magnin, Frank H. Mason, J. Pierpont Morgan, F. W. Sharon, H. A. van Bergen, Doctor Crosby Whitman, and such persons as shall or may hereafter associate with them and in such manner and upon such terms as shall be specified in the by-laws of this corporation, are hereby ordained, constituted, and declared a body corporate in fact and in name in the District of Columbia, by the name and style of the American Hospital of Paris.

(Jan. 30, 1913, ch. 21, §1, 37 Stat. 654.)

EFFECTIVE DATE

Section 11 of act Jan. 30, 1913 provided: “That this Act [enacting this chapter] shall take effect immediately.”

§ 4902. Powers of corporation

The said corporation is authorized to take by purchase, gift, grant, devise, and bequest, and to hold, mortgage, lease, transfer, and convey, for the purposes of the said corporation, any real and personal property in the United States of America and in France as may be deemed necessary for the wants or development of the corporation or any of them.

(Jan. 30, 1913, ch. 21, §2, 37 Stat. 654; June 14, 1929, ch. 23, 46 Stat. 11; Oct. 1, 1965, Pub. L. 89-231, §1, 79 Stat. 901.)

AMENDMENTS

1965—Pub. L. 89-231 struck out before period at end “: *Provided*, That the total value of the property owned at any one time by the said corporation shall not exceed \$8,000,000”.

1929—Act June 14, 1929 increased property limitation in proviso from two million to eight million dollars.

§ 4903. Design and purpose of corporation

It shall be the design and purpose of said corporation to establish, maintain, and conduct in the city of Paris, Republic of France, or in its vicinity, a hospital to furnish, gratuitously or otherwise, medical and surgical aid and care to the citizens of the United States of America, and it shall be lawful for the said corporation to demand and receive a reasonable compensation for such care, sustenance, professional treatment, and other services; and all moneys so received shall be applied to the uses and benefits of the said corporation.

(Jan. 30, 1913, ch. 21, §3, 37 Stat. 654.)

§ 4904. Board of governors; principal office

The direction and management of the affairs of the said corporation shall be vested in a board of governors composed of not less than twelve members. The principal office of the corporation shall be located in the District of Columbia, but offices may be maintained and the meetings of the board of governors and committees held elsewhere.

(Jan. 30, 1913, ch. 21, §4, 37 Stat. 655; Apr. 12, 1974, Pub. L. 93-266, §1(a), 88 Stat. 85.)

AMENDMENTS

1974—Pub. L. 93-266 struck out “nor more than twenty” after “twelve”.

§ 4905. Composition of initial board

The following persons shall, until the first annual election, be held to constitute the first board of governors: John H. Harjes, John J. Hoff, H. H. Harjes, Henry Cachard, S. F. B. Biddle, W. S. Dalliba, Doctor Edmund L. Gros, L. Huffer, Doctor A. J. Magnin, Frank H. Mason, J. Pierpont Morgan, F. W. Sharon, H. A. van Bergen, and Doctor Crosby Whitman. In case any of the above-named persons shall decline to serve or be ineligible, the vacancy or vacancies may be filled by the remaining governors, and any governor shall be eligible for reelection.

(Jan. 30, 1913, ch. 21, §5, 37 Stat. 655.)

§ 4906. Completion of organization; officers; tenure

As soon as practicable after January 30, 1913, the said board shall organize and shall, by ballot, elect from the members of the board a president, a vice president, a secretary, and a treasurer, who shall hold their respective offices until the annual meeting in the year nineteen hundred and thirteen. At such meeting for organization the said board shall by lot divide into three classes of equal numbers. The term of of-