

105TH CONGRESS
1ST SESSION

S. 163

To recognize the organization known as the National Academies of Practice.

IN THE SENATE OF THE UNITED STATES

JANUARY 21, 1997

Mr. INOUE introduced the following bill; which was read twice and referred
to the Committee on the Judiciary

A BILL

To recognize the organization known as the National
Academies of Practice.

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. CHARTER.**

4 The National Academies of Practice organized and
5 incorporated under the laws of the District of Columbia,
6 is hereby recognized as such and is granted a Federal
7 charter.

8 **SEC. 2. CORPORATE POWERS.**

9 The National Academies of Practice (hereafter re-
10 ferred to in this Act as the “corporation”) shall have only
11 those powers granted to it through its bylaws and articles

1 of incorporation filed in the State in which it is incor-
2 porated and subject to the laws of such State.

3 **SEC. 3. PURPOSES OF CORPORATION.**

4 The purposes of the corporation shall be to honor per-
5 sons who have made significant contributions to the prac-
6 tice of applied psychology, dentistry, medicine, nursing,
7 optometry, osteopathy, podiatry, social work, veterinary
8 medicine, and other health care professions, and to im-
9 prove the practices in such professions by disseminating
10 information about new techniques and procedures.

11 **SEC. 4. SERVICE OF PROCESS.**

12 With respect to service of process, the corporation
13 shall comply with the laws of the State in which it is incor-
14 porated and those States in which it carries on its activi-
15 ties in furtherance of its corporate purposes.

16 **SEC. 5. MEMBERSHIP.**

17 Eligibility for membership in the corporation and the
18 rights and privileges of members shall be as provided in
19 the bylaws of the corporation.

20 **SEC. 6. BOARD OF DIRECTORS; COMPOSITION; RESPON-**
21 **SIBILITIES.**

22 The composition and the responsibilities of the board
23 of directors of the corporation shall be as provided in the

1 articles of incorporation of the corporation and in con-
2 formity with the laws of the State in which it is incor-
3 porated.

4 **SEC. 7. OFFICERS OF THE CORPORATION.**

5 The officers of the corporation and the election of
6 such officers shall be as provided in the articles of incorpo-
7 ration of the corporation and in conformity with the laws
8 of the State in which it is incorporated.

9 **SEC. 8. RESTRICTIONS.**

10 (a) **USE OF INCOME AND ASSETS.**—No part of the
11 income or assets of the corporation shall inure to any
12 member, officer, or director of the corporation or be dis-
13 tributed to any such person during the life of this charter.
14 Nothing in this subsection shall be construed to prevent
15 the payment of reasonable compensation to the officers of
16 the corporation or reimbursement for actual necessary ex-
17 penses in amounts approved by the board of directors.

18 (b) **LOANS.**—The corporation shall not make any
19 loan to any officer, director, or employee of the corpora-
20 tion.

21 (c) **POLITICAL ACTIVITY.**—The corporation, any offi-
22 cer, or any director of the corporation, acting as such offi-
23 cer or director, shall not contribute to, support, or other-
24 wise participate in any political activity or in any manner
25 attempt to influence legislation.

1 (d) ISSUANCE OF STOCK AND PAYMENT OF DIVI-
2 DENDS.—The corporation shall have no power to issue any
3 shares of stock nor to declare or pay any dividends.

4 (e) CLAIMS OF FEDERAL APPROVAL.—The corpora-
5 tion shall not claim congressional approval or Federal
6 Government authority for any of its activities.

7 **SEC. 9. LIABILITY.**

8 The corporation shall be liable for the acts of its offi-
9 cers and agents when acting within the scope of their au-
10 thority.

11 **SEC. 10. MAINTENANCE AND INSPECTION OF BOOKS AND**
12 **RECORDS.**

13 (a) BOOKS AND RECORDS OF ACCOUNT.—The cor-
14 poration shall keep correct and complete books and
15 records of account and shall keep minutes of any proceed-
16 ing of the corporation involving any of its members, the
17 board of directors, or any committee having authority
18 under the board of directors.

19 (b) NAMES AND ADDRESSES OF MEMBERS.—The
20 corporation shall keep at its principal office a record of
21 the names and addresses of all members having the right
22 to vote in any proceeding of the corporation.

23 (c) RIGHT TO INSPECT BOOKS AND RECORDS.—All
24 books and records of the corporation may be inspected by
25 any member having the right to vote, or by any agent or

1 attorney of such member, for any proper purpose, at any
2 reasonable time.

3 (d) APPLICATION OF STATE LAW.—Nothing in this
4 section shall be construed to contravene any applicable
5 State law.

6 **SEC. 11. AUDIT OF FINANCIAL TRANSACTIONS.**

7 The first section of the Act entitled “An Act to pro-
8 vide for audit of accounts of private corporations estab-
9 lished under Federal law”, approved August 30, 1964 (36
10 U.S.C. 1101), is amended—

11 (1) by redesignating paragraph (72) as para-
12 graph (71);

13 (2) by designating the paragraph relating to the
14 Non Commissioned Officers Association of the
15 United States of America, Incorporated, as para-
16 graph (72);

17 (3) by redesignating paragraph (60), relating to
18 the National Mining Hall of Fame and Museum, as
19 paragraph (73); and

20 (4) by adding at the end the following:

21 “(75) National Academies of Practice.”.

22 **SEC. 12. 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

1 at the same time as is the report of the audit for such
 2 fiscal year required by section 3 of the Act referred to
 3 in section 11 of this Act. The report shall not be printed
 4 as a public document.

5 **SEC. 13. RESERVATION OF RIGHT TO AMEND OR REPEAL**
 6 **CHARTER.**

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

9 **SEC. 14. DEFINITION.**

10 For purposes of this Act, the term “State” includes
 11 the District of Columbia, the Commonwealth of Puerto
 12 Rico, and the territories and possessions of the United
 13 States.

14 **SEC. 15. TAX-EXEMPT STATUS.**

15 The corporation shall maintain its status as an orga-
 16 nization exempt from taxation as provided in the Internal
 17 Revenue Code of 1986 or any corresponding similar provi-
 18 sion.

19 **SEC. 16. TERMINATION.**

20 If the corporation fails to comply with any of the re-
 21 strictions or provisions of this Act the charter granted by
 22 this Act shall terminate.

○