

108TH CONGRESS
2D SESSION

S. 2800

To amend title 36, United States Code, to grant a Federal charter to the
Pulaski Cadets, Ltd.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 14, 2004

Mr. LAUTENBERG (for himself and Mr. CORZINE) introduced the following
bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend title 36, United States Code, to grant a Federal
charter to the Pulaski Cadets, Ltd.

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 FOR PULASKI CADETS, LTD.**

4 Part B of subtitle II of title 36, United States Code,
5 is amended—

6 (1) by striking the following:

7 **“CHAPTER 2501—[RESERVED]”;**

8 and

9 (2) by inserting the following:

1 **“CHAPTER 2501—PULASKI CADETS, LTD.**

“Sec.

“250101. Organization.

“250102. Purposes.

“250103. Membership.

“250104. Governing body.

“250105. Powers.

“250106. Exclusive right to name, seals, emblems, and badges.

“250107. Restrictions.

“250108. Duty to maintain tax-exempt status.

“250109. Principal office.

“250110. Records and inspection.

“250111. Service of process.

“250112. Liability for acts of officers and agents.

“250113. Annual report.

2 **“§ 250101. Organization**

3 “(a) FEDERAL CHARTER.—The Pulaski Cadets, Ltd.
4 (in this chapter, the ‘corporation’), incorporated in New
5 York, is a federally chartered corporation.

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

9 **“§ 250102. Purposes**

10 “The purposes of the corporation are as provided in
11 the articles of incorporation and include—

12 “(1) to perpetuate the history of General
13 Kazimierz Pulaski and military personnel of Polish
14 origin with other nationals who served with the Con-
15 tinental Army of America in the war of our Inde-
16 pendence;

17 “(2) to promote Americanism, patriotism, and
18 establish a military unit to encourage willingness to

1 serve and defend these United States of America;
2 and

3 “(3) to maintain a nonbiased military and so-
4 cial structure to assist and prepare all members eli-
5 gible for basic military training for the purpose of
6 enlisting in all branches and components of the
7 United States Military Services.

8 **“§ 250103. Membership**

9 “Eligibility for membership in the corporation and
10 the rights and privileges of membership are as provided
11 in the bylaws.

12 **“§ 250104. Governing body**

13 “(a) BOARD OF DIRECTORS.—The board of directors
14 and the responsibilities of the board are as provided in
15 the articles of incorporation.

16 “(b) OFFICERS.—The officers and the election of offi-
17 cers are as provided in the articles of incorporation.

18 **“§ 250105. Powers**

19 ““The corporation shall have only the powers provided
20 in its bylaws and articles of incorporation filed in each
21 State in which it is incorporated.

22 **“§ 250106. Exclusive right to name, seals, emblems,**
23 **and badges**

24 ““The corporation has the exclusive right to use the
25 names ‘Pulaski Cadets, Ltd.’ and ‘Pulaski Cadets’ and

1 any seals, emblems, and badges relating thereto that the
2 corporation adopts.

3 **“§ 250107. Restrictions**

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

6 “(b) POLITICAL ACTIVITIES.—The corporation or a
7 director or officer as such may not contribute to, support,
8 or participate in any political activity or in any manner
9 attempt to influence legislation.

10 “(c) DISTRIBUTION OF INCOME OR ASSETS.—The in-
11 come or assets of the corporation may not inure to the
12 benefit of, or be distributed to, a director, officer, or mem-
13 ber during the life of the charter granted by this chapter.
14 This subsection does not prevent the payment of reason-
15 able compensation to an officer or member in an amount
16 approved by the board of directors.

17 “(d) LOANS.—The corporation may not make any
18 loan to a director, officer, or employee.

19 “(e) CLAIM OF GOVERNMENTAL APPROVAL OR AU-
20 THORIZATION.—The corporation may not claim congres-
21 sional approval or the authority of the United States Gov-
22 ernment for any of its activities.

1 **“§ 250108. Duty to maintain tax-exempt status**

2 “The corporation shall maintain its status as an or-
3 ganization exempt from taxation under the Internal Rev-
4 enue Code of 1986 (26 U.S.C. 1 et seq.).

5 **“§ 250109. Principal office**

6 “The principal office of the corporation shall be in
7 the State of New Jersey, or another place decided by the
8 board of directors.

9 **“§ 250110. Records and inspection**

10 “(a) RECORDS.—The corporation shall keep—

11 “(1) correct and complete books and records of
12 account;

13 “(2) minutes of the proceedings of its members,
14 board of directors, and committees having any of the
15 authority of its board of directors; and

16 “(3) at its principal office, a record of the
17 names and addresses of its members entitled to vote.

18 “(b) INSPECTION.—A member entitled to vote, or an
19 agent or attorney of the member, may inspect the records
20 of the corporation for any proper purpose, at any reason-
21 able time.

22 **“§ 250111. Service of process**

23 “The corporation shall comply with the law on service
24 of process of each State in which it is incorporated and
25 each State in which it carries on activities.

1 **“§ 250112. Liability for acts of officers and agents**

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

4 **“§ 250113. Annual report**

5 “The corporation shall submit an annual report to
6 Congress on the activities of the corporation during the
7 prior fiscal year. The report shall be submitted at the
8 same time as the report of the audit required by section
9 10101 of this title. The report shall not be printed as a
10 public document.”.

11 **SEC. 2. CLERICAL AMENDMENT.**

12 The table of chapters at the beginning of subtitle II
13 of title 36, United States Code, is amended by striking
14 the item relating to chapter 2501 and inserting the fol-
15 lowing new item:

“**2501. Pulaski Cadets, Ltd.** **250101**”.

