

109TH CONGRESS
1ST SESSION

S. 87

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

IN THE SENATE OF THE UNITED STATES

JANUARY 24, 2005

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. SHORT TITLE.**

4 This Act may be cited as the “National Academies
5 of Practice Recognition Act of 2005”.

6 **SEC. 2. CHARTER.**

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

1 **SEC. 3. CORPORATE POWERS.**

2 The National Academies of Practice (referred to in
3 this Act as the “corporation”) shall have only those pow-
4 ers granted to it through its bylaws and articles of incor-
5 poration filed in the State in which it is incorporated and
6 subject to the laws of such State.

7 **SEC. 4. OBJECTIVES AND PURPOSES OF THE CORPORA-**
8 **TION.**

9 The objectives and purposes for which the corpora-
10 tion is organized shall be provided for in the articles of
11 incorporation and shall include the following:

12 (1) Honoring persons who have made signifi-
13 cant contributions to the practice of applied den-
14 tistry, medicine, nursing, optometry, osteopathy,
15 pharmacy, podiatry, psychology, social work, veteri-
16 nary medicine, and other health care professions.

17 (2) Improving the effectiveness of such profes-
18 sions by disseminating information about new tech-
19 niques and procedures, promoting interdisciplinary
20 practices, and stimulating multidisciplinary exchange
21 of scientific and professional information.

22 (3) Upon request, advising the President, the
23 members of the President’s Cabinet, Congress, Fed-
24 eral agencies, and other relevant groups about prac-
25 titioner issues in health care and health care policy,
26 from a multidisciplinary perspective.

1 **SEC. 5. SERVICE OF PROCESS.**

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

6 **SEC. 6. MEMBERSHIP.**

7 Eligibility for membership in the corporation and the
8 rights and privileges of members shall be as provided in
9 the bylaws of the corporation.

10 **SEC. 7. BOARD OF DIRECTORS; COMPOSITION; RESPON-**
11 **SIBILITIES.**

12 The composition and the responsibilities of the board
13 of directors of the corporation shall be as provided in the
14 articles of incorporation of the corporation and in con-
15 formity with the laws of the State in which it is incor-
16 porated.

17 **SEC. 8. OFFICERS OF THE CORPORATION.**

18 The officers of the corporation and the election of
19 such officers shall be as provided in the articles of incorpo-
20 ration of the corporation and in conformity with the laws
21 of the State in which it is incorporated.

22 **SEC. 9. RESTRICTIONS.**

23 (a) USE OF INCOME AND ASSETS.—No part of the
24 income or assets of the corporation shall inure to any
25 member, officer, or director of the corporation or be dis-
26 tributed to any such person during the life of the charter

1 under this Act. Nothing in this subsection shall be con-
2 strued to prevent the payment of reasonable compensation
3 to the officers of the corporation or reimbursement for ac-
4 tual necessary expenses in amounts approved by the board
5 of directors.

6 (b) LOANS.—The corporation shall not make any
7 loan to any officer, director, or employee of the corpora-
8 tion.

9 (c) POLITICAL ACTIVITY.—The corporation, any offi-
10 cer, or any director of the corporation, acting as such offi-
11 cer or director, shall not contribute to, support, or other-
12 wise participate in any political activity or in any manner
13 attempt to influence legislation.

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

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

20 (f) FEDERAL ADVISORY ACTIVITIES.—While pro-
21 viding advice to Federal agencies, the corporation shall be
22 subject to the Federal Advisory Committee Act (5 U.S.C.
23 Appendix; 86 stat. 700).

1 **SEC. 10. LIABILITY.**

2 The corporation shall be liable for the acts of its offi-
3 cers and agents when acting within the scope of their au-
4 thority.

5 **SEC. 11. MAINTENANCE AND INSPECTION OF BOOKS AND**
6 **RECORDS.**

7 (a) **BOOKS AND RECORDS OF ACCOUNT.**—The cor-
8 poration shall keep correct and complete books and
9 records of account and shall keep minutes of any pro-
10 ceeding of the corporation involving any of its members,
11 the board of directors, or any committee having authority
12 under the board of directors.

13 (b) **NAMES AND ADDRESSES OF MEMBERS.**—The
14 corporation shall keep at its principal office a record of
15 the names and addresses of all members having the right
16 to vote in any proceeding of the corporation.

17 (c) **RIGHT TO INSPECT BOOKS AND RECORDS.**—All
18 books and records of the corporation may be inspected by
19 any member having the right to vote, or by any agent or
20 attorney of such member, for any proper purpose, at any
21 reasonable time.

22 (d) **APPLICATION OF STATE LAW.**—Nothing in this
23 section shall be construed to contravene any applicable
24 State law.

1 **SEC. 12. ANNUAL REPORT.**

2 The corporation shall report annually to the Congress
3 concerning the activities of the corporation during the pre-
4 ceding fiscal year. The report shall not be printed as a
5 public document.

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

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

10 **SEC. 14. DEFINITION.**

11 In this Act, the term "State" includes the District
12 of Columbia, the Commonwealth of Puerto Rico, and the
13 territories and possessions of the United 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.

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