

§ 40301. Organization

(a) FEDERAL CHARTER.—Civil Air Patrol (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. 1331.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
40301(a)	36:201.	July 1, 1946, ch. 527, §§1, 5 (related to perpetual succession), 60 Stat. 346, 347.
40301(b)	36:205 (related to perpetual succession).	

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

§ 40302. Purposes

The purposes of the corporation are as follows:

- (1) To provide an organization to—
 - (A) encourage and aid citizens of the United States in contributing their efforts, services, and resources in developing aviation and in maintaining air supremacy; and
 - (B) encourage and develop by example the voluntary contribution of private citizens to the public welfare.
- (2) To provide aviation education and training especially to its senior and cadet members.
- (3) To encourage and foster civil aviation in local communities.
- (4) To provide an organization of private citizens with adequate facilities to assist in meeting local and national emergencies.
- (5) To assist the Department of the Air Force in fulfilling its noncombat programs and missions.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1331; Pub. L. 106–398, §1 [[div. A], title X, §1090(b)(1)], Oct. 30, 2000, 114 Stat. 1654, 1654A–299.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
40302	36:202.	July 1, 1946, ch. 527, §2, 60 Stat. 346.

Before clause (1), the word “objects” is omitted as included in “purposes”.

In clause (1)(A), the words “citizens of the United States” are substituted for “American citizens” for consistency in the revised title and with other titles of the United States Code.

Editorial Notes

AMENDMENTS

2000—Pub. L. 106–398, §1 [[div. A], title X, §1090(b)(1)(A)], substituted “as follows:” for “to—” in introductory provisions.

Par. (1). Pub. L. 106–398, §1 [[div. A], title X, §1090(b)(1)(B), (C)], inserted “To” before “provide” in introductory provisions and substituted a period for the semicolon at the end of subpar. (B).

Par. (2). Pub. L. 106–398, §1 [[div. A], title X, §1090(b)(1)(B), (C)], inserted “To” before “provide” and substituted a period for the semicolon at the end.

Par. (3). Pub. L. 106–398, §1 [[div. A], title X, §1090(b)(1)(B), (D)], inserted “To” before “encourage” and substituted a period for “; and” at the end.

Par. (4). Pub. L. 106–398, §1 [[div. A], title X, §1090(b)(1)(B)], inserted “To” before “provide”.

Par. (5). Pub. L. 106–398, §1 [[div. A], title X, §1090(b)(1)(E)], added par. (5).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2000 AMENDMENT

Amendment by Pub. L. 106–398 effective 120 days after Oct. 30, 2000, see section 1 [[div. A], title X, §1090(c)] of Pub. L. 106–398, set out as an Effective Date note under section 9441 of Title 10, Armed Forces.

§ 40303. Membership and governing body

(a) MEMBERSHIP.—Eligibility for membership in the corporation and the rights and privileges of members are as provided in the constitution and bylaws of the corporation.

(b) GOVERNING BODY.—The Civil Air Patrol has a Board of Governors. The composition and responsibilities of the Board of Governors are set forth in section 9497 of title 10.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1332; Pub. L. 106–398, §1 [[div. A], title X, §1090(b)(2)(A), (B)], Oct. 30, 2000, 114 Stat. 1654, 1654A–300; Pub. L. 115–232, div. A, title VIII, §809(l)(2), Aug. 13, 2018, 132 Stat. 1843.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
40303	36:203.	July 1, 1946, ch. 527, §3, 60 Stat. 346.

The words “are as provided in” are substituted for “shall be determined according to” for consistency in the revised title. The text of 36:203 (proviso) is omitted as obsolete.

Editorial Notes

AMENDMENTS

2018—Subsec. (b). Pub. L. 115–232 substituted “section 9497 of title 10” for “section 9447 of title 10”.

2000—Pub. L. 106–398 inserted “and governing body” after “Membership” in section catchline, designated existing provisions as subsec. (a), inserted subsec. (a) heading, and added subsec. (b).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2018 AMENDMENT

Amendment by Pub. L. 115–232 effective Feb. 1, 2019, with provision for the coordination of amendments and special rule for certain redesignations, see section 800 of Pub. L. 115–232, set out as a note preceding section 3001 of Title 10, Armed Forces.

EFFECTIVE DATE OF 2000 AMENDMENT

Amendment by Pub. L. 106–398 effective 120 days after Oct. 30, 2000, see section 1 [[div. A], title X, §1090(c)] of Pub. L. 106–398, set out as an Effective Date note under section 9441 of Title 10, Armed Forces.

§ 40304. Powers

The corporation may—

- (1) adopt and amend a constitution, bylaws, and regulations;
- (2) adopt and alter a corporate seal;