

106TH CONGRESS
1ST SESSION

S. 234

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

IN THE SENATE OF THE UNITED STATES

JANUARY 19, 1999

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 (referred to in
10 this Act as the “corporation”) shall have only those pow-
11 ers granted to it through its bylaws and articles of incor-

1 poration filed in the State in which it is incorporated and
2 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
24 articles of incorporation of the corporation and in con-

1 formity with the laws of the State in which it is incor-
2 porated.

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

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

8 **SEC. 8. RESTRICTIONS.**

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

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

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

7 The corporation shall report annually to the Congress
8 concerning the activities of the corporation during the pre-
9 ceding fiscal year. Such annual report shall be submitted
10 at the same time as is the report of the audit for such
11 fiscal year required by section 3 of the Act referred to
12 in section 11 of this Act. The report shall not be printed
13 as a public document.

14 **SEC. 12. RESERVATION OF RIGHT TO AMEND OR REPEAL**
15 **CHARTER.**

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

18 **SEC. 13. DEFINITION.**

19 In this Act, the term “State” includes the District
20 of Columbia, the Commonwealth of Puerto Rico, and the
21 territories and possessions of the United States.

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

23 The corporation shall maintain its status as an orga-
24 nization exempt from taxation as provided in the Internal

1 Revenue Code of 1986 or any corresponding similar provi-
2 sion.

3 **SEC. 15. TERMINATION.**

4 If the corporation fails to comply with any of the re-
5 strictions or provisions of this Act the charter granted by
6 this Act shall terminate.

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