

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
220305	36:1204. 36:1216 (1st sentence).	Oct. 20, 1978, Pub. L. 95-493, §§ 4, 16 (1st sentence), 92 Stat. 1644, 1647.

In this section, the text of 36:1216 (1st sentence) is omitted as executed and obsolete.

In clause (1), the word “apply” is omitted as unnecessary. The word “alter” is omitted as included in “amend”. The words “not inconsistent with the laws of the United States of America or any State in which the corporation is to operate” are omitted as unnecessary.

In clause (2), the word “use” is omitted as unnecessary.

In clause (3), the word “activities” is substituted for “business” for consistency in the revised title.

In clause (4), the words “make contracts” are substituted for “contract and be contracted with” for consistency in the revised title and to eliminate unnecessary words.

Clause (5) is substituted for “take hold by lease, gift, purchase, grant, devise, bequest, or otherwise any property, real, personal, or mixed, necessary or convenient for attaining the objects of the corporation” and “transfer, lease, or convey real or personal property” for consistency in the revised title and to eliminate unnecessary words. The words “subject, however, to applicable provisions of law of any State (1) governing the amount or kind of real and personal property which may be held by, or (2) otherwise limiting or controlling the ownership or real and personal property which may be held by, or (3) otherwise limiting or controlling the ownership of real and personal property by, a corporation operating in such State” are omitted as unnecessary.

In clause (6), the words “for the purposes of the corporation” are omitted as unnecessary. The words “instruments of indebtedness, and secure its obligations by granting security interests in its property” are substituted for “bonds or other evidences of indebtedness therefor and secure the same mortgage or pledge” for consistency in the revised title. The words “subject to applicable Federal or State laws” are omitted as unnecessary.

Clause (7) is substituted for 36:1204(k) and (l) to eliminate unnecessary words.

In clause (9), the words “from individuals, corporations, and other bodies, foundations, and organizations” are omitted as unnecessary.

In clause (10), the words “complain, and defend in any court of competent jurisdiction” are omitted as unnecessary.

In clause (11), the words “any other act” are substituted for “any and all acts” for consistency in the revised title.

§ 220306. Exclusive right to name, seals, emblems, insignia, marks, and words

The corporation has the exclusive right to use the name “United States Capitol Historical Society” and seals, emblems, distinctive insignia, and descriptive or designating marks, words, or phrases required to carry out the duties and powers of the corporation. This section does not affect any vested rights.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1464.)

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<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
220306	36:1215.	Oct. 20, 1978, Pub. L. 95-493, § 15, 92 Stat. 1647.

The word “sole” is omitted as included in “exclusive”. The words “required to carry out the duties and powers of the corporation” are substituted for “as may be required in the furtherance of its functions” for consistency in the revised title and with other titles of the United States Code. The words “This section does not affect any vested rights” are substituted for “Nothing in this section shall be construed to interfere or conflict with established or vested rights” for consistency in the revised title and to eliminate unnecessary words.

§ 220307. Tax exemption

Notwithstanding section 105 of title 4 of the United States Code or any provision of the District of Columbia Code, the corporation is not required to pay, collect, or account for any tax specified in those provisions in connection with activities conducted within, or on the grounds of, the United States Capitol Building.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1464.)

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<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
220307	36:1219.	Oct. 20, 1978, Pub. L. 95-493, § 19, as added Jan. 12, 1983, Pub. L. 97-447, 96 Stat. 2364.

The words “or title 47, chapter 26 of the District of Columbia Code (1973)” (subsequently covered in chapter 20 of title 47 of the District of Columbia Code (1981)) are omitted as unnecessary. The words “in connection with activities conducted” are substituted for “applicable to taxable events occurring” for clarity. The words “occurring . . . on or after January 1, 1964” are omitted as obsolete.

§ 220308. Restrictions

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

(b) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a trustee, officer, or member as such during the life of the corporation or on its dissolution or final liquidation. This subsection does not prevent the payment of reasonable compensation to an officer or employee or reimbursement for actual expenses in amounts approved by the board of trustees.

(c) LOANS.—The corporation may not make a loan or advance to a trustee, officer, or employee. Trustees who vote for or assent to making a loan or advance to a trustee, officer, or employee, and officers who participate in making the loan or advance, are jointly and severally liable to the corporation for the amount of the loan or advance until it is repaid.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1464.)

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<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
220308(a)	36:1211.	Oct. 20, 1978, Pub. L. 95-493, §§ 9, 11, 92 Stat. 1646.
220308(b)	36:1209(a).	
220308(c)	36:1209(b).	

In subsection (a), the words “any shares of” are omitted as unnecessary.

In subsection (b), the words “inure to the benefit of” are substituted for “inure to” for consistency in the revised title. The words “This subsection does not prevent” are substituted for “Nothing in this subsection, however, shall be construed to prevent” for consistency in the revised title and to eliminate unnecessary words.

In subsection (c), the words “or advance” are added the first time they appear for consistency in the subsection. The word “Trustees” is substituted for “Any director”, and the word “trustee” is substituted for “director”, for clarity and consistency in the revised chapter.

§ 220309. Duty to maintain corporate status

The corporation shall maintain its status as a corporation incorporated under the laws of the District of Columbia or a State.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1465.)

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Revised Section	Source (U.S. Code)	Source (Statutes at Large)
220309	36:1216 (last sentence).	Oct. 20, 1978, Pub. L. 95–493, §16 (last sentence), 92 Stat. 1647.

The word “retain” is omitted as unnecessary.

§ 220310. Principal office

The principal office of the corporation shall be in the District of Columbia or another place decided by the board of trustees. However, the activities of the corporation are not confined to the place where the principal office is located but may be conducted throughout the States, territories, and possessions of the United States.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1465.)

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Revised Section	Source (U.S. Code)	Source (Statutes at Large)
220310	36:1205(a).	Oct. 20, 1978, Pub. L. 95–493, §5(a), 92 Stat. 1644.

The words “board of trustees” are substituted for “board of directors” for clarity and consistency in the revised chapter. The words “States, territories, and possessions of the United States” are substituted for “various possessions of the United States” for consistency in the revised title.

§ 220311. Records and inspection

(a) RECORDS.—The corporation shall keep—

- (1) correct and complete records of account;
- (2) minutes of the proceedings of its members, board of trustees, and committees having any of the authority of its board of trustees; and
- (3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1465.)

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Revised Section	Source (U.S. Code)	Source (Statutes at Large)
220311	36:1212.	Oct. 20, 1978, Pub. L. 95–493, §12, 92 Stat. 1646.

The word “records” is substituted for “books and records” for consistency in the revised title and with other titles of the United States Code.

§ 220312. Service of process

The corporation shall have a designated agent in the District of Columbia to receive service of process for the corporation. Notice to or service on the agent, or mailed to the business address of the agent, is notice to or service on the corporation.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1465.)

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Revised Section	Source (U.S. Code)	Source (Statutes at Large)
220312	36:1205(b).	Oct. 20, 1978, Pub. L. 95–493, §5(b) 92 Stat. 1644.

The words “at all times” are omitted as unnecessary. The words “to receive” are substituted for “authorized to accept”, and the words “is notice to or service on” are substituted for “shall be deemed as service or notice upon”, for consistency in the revised title.

§ 220313. Liability for acts of officers and agents

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

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1465.)

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Revised Section	Source (U.S. Code)	Source (Statutes at Large)
220313	36:1210.	Oct. 20, 1978, Pub. L. 95–493, §10, 92 Stat. 1646.

The word “when” is omitted as unnecessary.

§ 220314. Annual report and audit

(a) ANNUAL REPORT.—The corporation shall submit an annual report to each House of Congress on the activities of the corporation during the prior fiscal year. The report shall be submitted as soon as practical after the end of each fiscal year.

(b) AUDIT.—In addition to complying with the audit requirements of section 10101 of this title, the corporation shall comply with section 5108 of title 40.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1465; Pub. L. 107–217, §3(i)(2), Aug. 21, 2002, 116 Stat. 1300.)

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Revised Section	Source (U.S. Code)	Source (Statutes at Large)
220314(a)	36:1217.	Oct. 20, 1978, Pub. L. 95–493, §§13(b), 17, 92 Stat. 1646, 1647.
220314(b)	36:1213(b).	

In subsection (b), the words “In addition to complying with the audit requirements of section 10101 of this title” are added for clarity.