

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1322.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
30702	36:503.	July 19, 1954, ch. 536, § 3, 68 Stat. 490.

Before clause (1), the word “objects” is omitted as unnecessary.

§ 30703. Membership

(a) ELIGIBILITY.—Except as provided in this chapter, eligibility for membership in the corporation and the rights and privileges of members are as provided in constitution and bylaws of the corporation.

(b) VOTING.—Each member has one vote in the conduct of official business of the corporation.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1323.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
30703	36:506.	July 19, 1954, ch. 536, § 6, 68 Stat. 491.

§ 30704. Governing body

(a) BOARD OF DIRECTORS.—The board of directors is the governing body of the corporation. The board shall consist of at least 15 directors elected annually by the members.

(b) OFFICERS.—The officers of the corporation are a chairman of the board, a president, one or more vice presidents, a secretary, a treasurer, and any assistant officers designated by the board. The officers have the powers and shall carry out the duties provided in the bylaws or prescribed by the board.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1323.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
30704(a)	36:507.	July 19, 1954, ch. 536, §§ 7, 8, 68 Stat. 491.
30704(b)	36:508.	

In subsection (a), the words “The board of directors is the governing body of the corporation” are substituted for “The corporation shall be governed by a board of directors” for consistency in the revised title.

In subsection (b), the words “from time to time” are omitted as unnecessary.

§ 30705. Powers

The corporation may—

(1) adopt and amend a constitution and bylaws for the management of its property and the regulation of its affairs;

(2) adopt and alter a corporate seal;

(3) choose officers, managers, agents, and employees as the activities of the corporation require;

(4) make contracts;

(5) acquire, own, lease, encumber, and transfer property as necessary to carry out the purposes of the corporation;

(6) borrow money, issue instruments of indebtedness, and secure its obligations by granting security interests in its property;

(7) use corporate funds to give prizes, awards, loans, scholarships, and grants to deserving students to carry out the purpose of the corporation;

(8) publish a magazine and other publications;

(9) sue and be sued; and

(10) do any other act necessary and proper to carry out the purpose of the corporation.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1323.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
30705	36:504.	July 19, 1954, ch. 536, § 4, 68 Stat. 490.

In clause (1), the word “amend” is substituted for “alter” for consistency in the revised title. The words “not inconsistent with the laws of the United States 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 (4), the words “make contracts” are substituted for “contract and be contracted with” to eliminate unnecessary words.

Clause (5) is substituted for “take and hold by lease, gift, purchase, grant, devise, or bequest any property, real or personal, necessary for attaining the objects of accomplishing the purposes of the corporation” and “transfer and convey real or personal property” for consistency in the revised title and to eliminate unnecessary words. The words “subject to applicable provisions of law of any State (A) governing the amount or kind of real and personal property which may be held by, or (B) 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 “issue instruments of indebtedness and secure its obligations by granting security interests in its property” are substituted for “issue bonds therefor, and secure the same by mortgage” for consistency in the revised title. The words “subject to all applicable provisions of Federal or State law” are omitted as unnecessary.

In clause (9), the words “complain and defend in any court of competent jurisdiction” are omitted as unnecessary.

In clause (10), the words “any other act” are substituted for “any and all acts and things” for consistency in the revised title.

§ 30706. Exclusive right to name, seals, emblems, and badges

The corporation has the exclusive right to use the name “Board for Fundamental Education” and seals, emblems, and badges the corporation adopts.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1323.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
30706	36:516.	July 19, 1954, ch. 536, § 16, 68 Stat. 492.

The word “sole” is omitted as included in “exclusive”. The words “as representing such corporation” and “lawfully” are omitted as unnecessary.

§ 30707. Restrictions

(a) PROFIT.—The corporation may not engage in business for profit.

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

(c) POLITICAL ACTIVITIES.—The corporation or a director, officer, or member as such may not contribute to, support, or assist a political party or candidate for elective public office.

(d) DISTRIBUTION OF INCOME OR ASSETS.—The income or assets of the corporation may not inure to the benefit of, or be distributed to, a director, officer, or member except on dissolution or final liquidation of the corporation.

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

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1323.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
30707(a)	36:512 (words after comma).	July 19, 1954, ch. 536, §§ 9, 10, 12, 68 Stat. 491.
30707(b)	36:512 (words before comma).	
30707(c)	36:510.	
30707(d)	36:509(a).	
30707(e)	36:509(b).	

In subsection (a), the word “pecuniary” is omitted as unnecessary.

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

In subsection (d), the words “inure to the benefit of” are substituted for “inure to” for consistency in the revised title. The words “as provided in section 515 of this title” are omitted as unnecessary.

§ 30708. Principal office

The principal office of the corporation shall be in a place the board of directors decides is appropriate. However, the activities of the corporation may be conducted throughout the States, territories, and possessions of the United States.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1324.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
30708	36:505 (1st, last sentences).	July 19, 1954, ch. 536, § 5 (1st, last sentences), 68 Stat. 490.

§ 30709. 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 directors, and committees having any of the authority of its board of directors; and
- (3) a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member, or an agent or attorney of the member, may inspect the records of the corporation at any reasonable time.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1324.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
30709	36:513.	July 19, 1954, ch. 536, § 13, 68 Stat. 491.

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

§ 30710. Service of process

(a) DISTRICT OF COLUMBIA.—The corporation shall have a designated agent in the District of Columbia to receive service of process for the corporation. Designation of the agent shall be filed in the office of the clerk of the United States District Court for the District of Columbia. Notice to or service on the agent, or mailed to the business address of the agent, is notice to or service on the corporation.

(b) STATES, TERRITORIES, AND POSSESSIONS.—As a condition to the exercise of any power or privilege granted by this chapter, the corporation shall file, with the secretary of state or other designated official of each State, territory, or possession of the United States in which the corporation does business, the name and address of an agent in that State, territory, or possession on whom legal process or demands against the corporation may be served.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1324.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
30710(a)	36:505 (2d, 3d sentences).	July 19, 1954, ch. 536, §§ 5 (2d, 3d sentences), 17, 68 Stat. 490, 492.
30710(b)	36:517.	

In subsection (a), the word “have” is substituted for “maintain at all times”, and the word “authorized” is omitted, for consistency in the revised title and to eliminate unnecessary words. The words “is notice to or service on the corporation” are substituted for “shall be deemed sufficient notice or service upon the corporation” for consistency in the revised title.

In subsection (b), the word “precedent” is omitted as unnecessary. The words “with the secretary of state or other designated official” are substituted for “in the office of the Secretary of State, or similar office” for consistency in the revised title. The words “post office” and “authorized” are omitted as unnecessary.

§ 30711. 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. 1324.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
30711	36:511.	July 19, 1954, ch. 536, § 11, 68 Stat. 491.

§ 30712. Distribution of assets on dissolution or final liquidation

On dissolution or final liquidation of the corporation, any assets remaining after the dis-