

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

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
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;

(3) establish and maintain offices in the District of Columbia and the States, territories, and possessions of the United States to conduct its affairs;

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

(5) sue and be sued; and

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

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1332.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
40304	36:205 (less perpetual succession).	July 1, 1946, ch. 527, §5 (less perpetual succession), 60 Stat. 347.

In clause (1), the word “amend” is substituted for “alter” for consistency in the revised title. The words “not inconsistent with law” are omitted as unnecessary.

In clause (3), the words “States, territories, and possessions” are substituted for “several States and Territories” for consistency in the revised title.

Clause (4) is substituted for “acquire, hold, mortgage, and dispose of such real and personal property as may be necessary for its corporate purposes” and “accept gifts, legacies, and devises which will further the corporate purposes” for consistency in the revised title and to eliminate unnecessary words.

In clause (6), the words “any other act” are substituted for “any and all acts and things” to eliminate unnecessary words. The word “objects” is omitted as unnecessary.

§ 40305. Restrictions

The corporation may not engage in business for profit or issue stock.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1332.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
40305	36:204.	July 1, 1946, ch. 527, §4, 60 Stat. 347.

This section is substituted for 36:204(a) to eliminate unnecessary words. The text of 36:204(b) is omitted as executed and obsolete.

§ 40306. Exclusive right to name, insignia, copyrights, emblems, badges, marks, and words

The corporation has the exclusive right to use the name “Civil Air Patrol” and all insignia, copyrights, emblems, badges, descriptive or designating marks, words, and phrases the corporation adopts. This section does not affect any vested rights.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1332.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
40306	36:206.	July 1, 1946, ch. 527, §6, 60 Stat. 347.

The word “sole” is omitted as included in “exclusive”. The words “right to use the name ‘Civil Air Patrol’ and all” are substituted for “right to the name ‘Civil Air Patrol’ and to have and to use, in carrying