

–CITE–

36 USC CHAPTER 403 – CIVIL AIR PATROL 01/06/03

–EXPCITE–

TITLE 36 – PATRIOTIC AND NATIONAL OBSERVANCES, CEREMONIES, AND  
ORGANIZATIONS

Subtitle II – Patriotic and National Organizations

Part B – Organizations

CHAPTER 403 – CIVIL AIR PATROL

–HEAD–

CHAPTER 403 – CIVIL AIR PATROL

–MISC1–

Sec.

40301. Organization.

40302. Purposes.

40303. Membership and governing body.

40304. Powers.

40305. Restrictions.

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

40307. Annual report.

AMENDMENTS

2000 – Pub. L. 106–398, Sec. 1 [[div. A], title X, Sec.

1090(b)(2)(C)], Oct. 30, 2000, 114 Stat. 1654, 1654A–300, inserted

"and governing body" after "Membership" in item 40303.

–End–

–CITE–

36 USC Sec. 40301 01/06/03

–EXPCITE–

TITLE 36 – PATRIOTIC AND NATIONAL OBSERVANCES, CEREMONIES, AND  
ORGANIZATIONS

Subtitle II – Patriotic and National Organizations

Part B – Organizations

CHAPTER 403 – CIVIL AIR PATROL

–HEAD–

Sec. 40301. Organization

–STATUTE–

(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.

–SOURCE–

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1331.)

–MISC1–

HISTORICAL AND REVISION NOTES

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Revised Source (U.S. Code) Source (Statutes at Large)

Section

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40301(a) 36:201. July 1, 1946, ch. 527, Secs.

1, 5 (related to perpetual  
succession), 60 Stat. 346,

347.

40301(b) 36:205 (related to  
perpetual  
succession).

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

–SECRET–

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 10 section 9441.

–End–

–CITE–

36 USC Sec. 40302 01/06/03

–EXPCITE–

#### TITLE 36 – PATRIOTIC AND NATIONAL OBSERVANCES, CEREMONIES, AND ORGANIZATIONS

##### Subtitle II – Patriotic and National Organizations

##### Part B – Organizations

##### CHAPTER 403 – CIVIL AIR PATROL

–HEAD–

Sec. 40302. Purposes

–STATUTE–

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.

–SOURCE–

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

–MISC1–

#### HISTORICAL AND REVISION NOTES

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Revised Source (U.S. Code) Source (Statutes at Large)

Section

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40302 36:202. July 1, 1946, ch. 527, Sec. 2, 60 Stat. 346.

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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.

#### AMENDMENTS

2000 – Pub. L. 106–398, Sec. 1 [[div. A], title X, Sec.

1090(b)(1)(A)], substituted "as follows:" for "to – " in introductory provisions.

Par. (1). Pub. L. 106–398, Sec. 1 [[div. A], title X, Sec.

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, Sec. 1 [[div. A], title X, Sec.

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, Sec. 1 [[div. A], title X, Sec.

1090(b)(1)(B), (D)], inserted "To" before "encourage" and substituted a period for "; and" at the end.

Par. (4). Pub. L. 106–398, Sec. 1 [[div. A], title X, Sec.

1090(b)(1)(B)], inserted "To" before "provide".

Par. (5). Pub. L. 106–398, Sec. 1 [[div. A], title X, Sec.

1090(b)(1)(E)], added par. (5).

#### 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, Sec. 1090(c)] of Pub. L.

106–398, set out as an Effective Date note under section 9441 of

Title 10, Armed Forces.

–SECREf–

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 10 sections 9441, 9443.

–End–

–CITE–

36 USC Sec. 40303 01/06/03

–EXPCITE–

#### TITLE 36 – PATRIOTIC AND NATIONAL OBSERVANCES, CEREMONIES, AND ORGANIZATIONS

Subtitle II – Patriotic and National Organizations

Part B – Organizations

#### CHAPTER 403 – CIVIL AIR PATROL

–HEAD–

Sec. 40303. Membership and governing body

–STATUTE–

(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 9447 of title 10.

–SOURCE–

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1332; Pub. L. 106–398, Sec. 1 [[div. A], title X, Sec. 1090(b)(2)(A), (B)], Oct. 30, 2000,

114 Stat. 1654, 1654A–300.)

–MISC1–

## HISTORICAL AND REVISION NOTES

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Revised Source (U.S. Code) Source (Statutes at Large)

Section

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40303 36:203. July 1, 1946, ch. 527, Sec.

3, 60 Stat. 346.

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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.

## AMENDMENTS

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).

## 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, Sec. 1090(c)] of Pub. L. 106–398, set out as an Effective Date note under section 9441 of Title 10, Armed Forces.

–End–

–CITE–

36 USC Sec. 40304 01/06/03

–EXPCITE–

TITLE 36 – PATRIOTIC AND NATIONAL OBSERVANCES, CEREMONIES, AND  
ORGANIZATIONS

Subtitle II – Patriotic and National Organizations

Part B – Organizations

CHAPTER 403 – CIVIL AIR PATROL

–HEAD–

Sec. 40304. Powers

–STATUTE–

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.

–SOURCE–

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

–MISC1–

HISTORICAL AND REVISION NOTES

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Revised Source (U.S. Code) Source (Statutes at Large)

Section

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40304 36:205 (less July 1, 1946, ch. 527, Sec.  
perpetual 5 (less perpetual  
succession). succession), 60 Stat. 347.

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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.

–SECREP–

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 10 section 9447.

–End–

–CITE–

36 USC Sec. 40305 01/06/03

–EXPCITE–

TITLE 36 – PATRIOTIC AND NATIONAL OBSERVANCES, CEREMONIES, AND  
ORGANIZATIONS

Subtitle II – Patriotic and National Organizations

Part B – Organizations

CHAPTER 403 – CIVIL AIR PATROL

–HEAD–

Sec. 40305. Restrictions

–STATUTE–

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

–SOURCE–

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

–MISC1–

HISTORICAL AND REVISION NOTES

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Revised Source (U.S. Code) Source (Statutes at Large)

Section

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40305 36:204. July 1, 1946, ch. 527, Sec.

4, 60 Stat. 347.

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

–End–

–CITE–

36 USC Sec. 40306 01/06/03

–EXPCITE–

TITLE 36 – PATRIOTIC AND NATIONAL OBSERVANCES, CEREMONIES, AND  
ORGANIZATIONS

Subtitle II – Patriotic and National Organizations

Part B – Organizations

CHAPTER 403 – CIVIL AIR PATROL

–HEAD–

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

–STATUTE–

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.

–SOURCE–

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

–MISC1–

HISTORICAL AND REVISION NOTES

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Revised Source (U.S. Code) Source (Statutes at Large)

Section

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40306 36:206. July 1, 1946, ch. 527, Sec.

6, 60 Stat. 347.

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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 out its purposes, all" for consistency in the revised title and to eliminate unnecessary words. The words "the corporation adopts" are substituted for "now or heretofore used by the Civil Air Patrol" in section 6 of the Act of July 1, 1946 (ch. 527, 60 Stat. 347) for consistency in the revised title. The words "in carrying out its program" are omitted as unnecessary. The words "This section does not affect any vested rights" are substituted for "Provided, however, That no powers or privileges herein granted shall interfere or conflict with established or vested rights" for consistency in the revised title and to eliminate unnecessary words.

–End–

–CITE–

36 USC Sec. 40307 01/06/03

–EXPCITE–

TITLE 36 – PATRIOTIC AND NATIONAL OBSERVANCES, CEREMONIES, AND ORGANIZATIONS

Subtitle II – Patriotic and National Organizations

Part B – Organizations

CHAPTER 403 – CIVIL AIR PATROL

–HEAD–

Sec. 40307. Annual report

–STATUTE–

The corporation shall submit an annual report to Congress on the activities of the corporation during the prior fiscal year.

–SOURCE–

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

–MISC1–

#### HISTORICAL AND REVISION NOTES

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Revised Source (U.S. Code) Source (Statutes at Large)

Section

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40307 36:207. July 1, 1946, ch. 527, Sec.

7, 60 Stat. 347.

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#### TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of reporting provisions in this section, see section 3003 of Pub. L. 104–66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and page 198 of House Document No. 103–7.

–End–