

117TH CONGRESS 1ST SESSION

# H.R. 2679

## AN ACT

To amend title 36, United States Code, to revise the Federal charter for the Foundation of the Federal Bar Association.

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,

### 1 SECTION 1. SHORT TITLE.

- 2 This Act may be cited as the "Foundation of the Fed-
- 3 eral Bar Association Charter Amendments Act of 2021".
- 4 SEC. 2. ORGANIZATION.
- 5 Section 70501 of title 36, United States Code, is
- 6 amended by striking subsection (b) and redesignating sub-
- 7 section (c) as subsection (b).
- 8 SEC. 3. MEMBERSHIP.
- 9 Section 70503 of title 36, United States Code, is
- 10 amended—
- 11 (1) by striking subsections (a) and (b) and in-
- serting the following:
- 13 "(a) Eligibility.—Except as provided in this chap-
- 14 ter, eligibility for membership in the corporation and the
- 15 rights and privileges of members are as provided in the
- 16 bylaws."; and
- 17 (2) by redesignating subsection (c) as sub-
- section (b).
- 19 SEC. 4. GOVERNING BODY.
- Section 70504 of title 36, United States Code, is
- 21 amended to read as follows:
- 22 **"§ 70504. Governing body**
- 23 "(a) Board of Directors.—The board of directors
- 24 is the governing body of the corporation. The board may
- 25 exercise, or provide for the exercise of, the powers of the

- 1 corporation. The board of directors and the responsibilities
- 2 of the board are as provided in the bylaws.
- 3 "(b) Officers.—The officers and the election of the
- 4 officers are as provided for in the bylaws.".
- 5 SEC. 5. RESTRICTIONS.
- 6 Section 70507 of title 36, United States Code, is
- 7 amended to read as follows:
- 8 **"§ 70507. Restrictions**
- 9 "(a) STOCK AND DIVIDENDS.—The corporation may
- 10 not issue stock or declare or pay a dividend.
- 11 "(b) POLITICAL ACTIVITIES.—The corporation or a
- 12 director or officer in his or her corporate capacity may
- 13 not contribute to, support, or participate in any political
- 14 activity or in any manner attempt to influence legislation.
- 15 "(c) Distribution of Income or Assets.—The in-
- 16 come or assets of the corporation may not inure to the
- 17 benefit of, or be distributed to, a director, officer, or mem-
- 18 ber during the life of the charter granted by this chapter.
- 19 This subsection does not prevent the payment, in amounts
- 20 approved by the board of directors, of—
- 21 "(1) reasonable compensation; or
- 22 "(2) reimbursement for expenses incurred in
- undertaking the corporation's business, to officers,
- 24 directors, or members.

- 1 This subsection does not prevent the award of a grant to
- 2 a Federal Bar Association chapter of which an officer, di-
- 3 rector, or member may be a member. This subsection also
- 4 does not prevent the payment of reasonable compensation
- 5 to the corporation's employees for services undertaken on
- 6 behalf of the corporation.
- 7 "(d) Loans.—The corporation may not make a loan
- 8 to a director, officer, member, or employee.
- 9 "(e) Immunity From Liability.—Members and pri-
- 10 vate individuals are not liable for the obligations of the
- 11 corporation.
- 12 "(f) Claim of Governmental Approval or Au-
- 13 THORITY.—The corporation may not claim congressional
- 14 approval or the authority of the United States Govern-
- 15 ment for any of its activities; it may, however, acknowl-
- 16 edge this charter.".

### 17 SEC. 6. PRINCIPAL OFFICE.

- 18 Section 70508 of title 36, United States Code, is
- 19 amended by striking "the District of Columbia," and in-
- 20 serting "a United States location decided by the board of
- 21 directors and specified in the bylaws,".

### 22 SEC. 7. SERVICE OF PROCESS.

- Section 70510 of title 36, United States Code, is
- 24 amended to read as follows:

### 1 "§ 70510. Service of process

- 2 "The corporation shall comply with the law on service
- 3 of process of the State or District in which it is incor-
- 4 porated.".
- 5 SEC. 8. DEPOSIT OF ASSETS ON DISSOLUTION OR FINAL
- 6 LIQUIDATION.
- 7 Section 70512 of title 36, United States Code, is
- 8 amended to read as follows:
- 9 "§ 70512. Deposit of assets on dissolution or final liq-
- 10 uidation
- 11 "On dissolution or final liquidation of the corpora-
- 12 tion, any assets of the corporation remaining after the dis-
- 13 charge of all liabilities shall be distributed as provided by
- 14 the board of directors, but in compliance with the charter
- 15 and bylaws.".
- 16 SEC. 9. DETERMINATION OF BUDGETARY EFFECTS.
- 17 The budgetary effects of this Act, for the purpose of
- 18 complying with the Statutory Pay-As-You-Go Act of 2010,
- 19 shall be determined by reference to the latest statement
- 20 titled "Budgetary Effects of PAYGO Legislation" for this
- 21 Act, submitted for printing in the Congressional Record
- 22 by the Chairman of the House Budget Committee, pro-

- 1 vided that such statement has been submitted prior to the
- 2 vote on passage.

Passed the House of Representatives June 23, 2021. Attest:

Clerk.

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