

AMENDMENT TO RULES COMMITTEE PRINT 115-

23

OFFERED BY MR. MOULTON OF MASSACHUSETTS

At the end of subtitle F of title X, add the following new section:

1 **SEC. 10 ____ . FEDERAL CHARTER FOR SPIRIT OF AMERICA.**

2 (a) FEDERAL CHARTER.—

3 (1) IN GENERAL.—Part B of subtitle II of title
4 36, United States Code, is amended by inserting
5 after chapter 2003 the following new chapter:

6 **“CHAPTER 2005—SPIRIT OF AMERICA**

“Sec.

“200501. Organization.

“200502. Purposes.

“200503. Powers.

“200504. Duty to maintain tax-exempt status.

“200505. Annual report.

7 **“§ 200501. Organization**

8 “(a) FEDERAL CHARTER.—Spirit of America (in this
9 chapter ‘the corporation’), a nonprofit corporation, is a
10 federally chartered corporation.

11 “(b) EXPIRATION OF CHARTER.—If the corporation
12 does not comply with the provisions of this chapter, the
13 charter granted by this chapter expires.

14 “(c) SCOPE OF CHARTER.—Nothing in the charter
15 granted by this chapter shall be construed as conferring

1 special rights or privileges upon the corporation, or as
2 placing upon the Department of Defense any obligation
3 with respect to the corporation.

4 **“§ 200502. Purposes**

5 “The purposes of the corporation are as provided in
6 its constitution and bylaws and include the following patri-
7 otic, charitable, and inspirational purposes:

8 “(1) To respond to the needs of local popu-
9 lations abroad, as identified by members of the
10 Armed Forces and diplomats of the United States
11 abroad.

12 “(2) To provide privately-funded humanitarian,
13 economic, and other nonlethal assistance to address
14 such needs.

15 “(3) To support the safety and success of mem-
16 bers of the Armed Forces and diplomats of the
17 United States abroad.

18 “(4) To connect the people of the United States
19 more closely to the members of the Armed Forces
20 and diplomats of the United States abroad, and to
21 the missions carried out by such personnel abroad.

22 “(5) To demonstrate the goodwill of the people
23 of the United States to peoples around the world.

24 **“§ 200503. Powers**

25 “The corporation may—

1 “(1) adopt and amend a constitution, by-laws,
2 and regulations to carry out the purposes of the cor-
3 poration;

4 “(2) adopt and alter a corporate seal;

5 “(3) establish and maintain offices to conduct
6 its activities;

7 “(4) enter into contracts;

8 “(5) acquire, own, lease, encumber, and trans-
9 fer property as necessary and appropriate to carry
10 out the purposes of the corporation;

11 “(6) establish, regulate, and discontinue subor-
12 dinate State and territorial subdivisions and local
13 chapters or posts;

14 “(7) publish a magazine and other publications
15 (including through the Internet);

16 “(8) sue and be sued; and

17 “(9) do any other act necessary and proper to
18 carry out the purposes of the corporation as pro-
19 vided in its constitution, by-laws, and regulations.

20 **“§ 200504. Duty to maintain tax-exempt status**

21 “If the corporation fails to maintain its status as an
22 organization exempt from taxation under the Internal
23 Revenue Code of 1986, the charter granted under this
24 chapter shall terminate.

1 **“§ 200505. Annual report**

2 “The corporation shall submit an annual report to
3 Congress on the activities of the corporation during the
4 prior fiscal year. The report shall be submitted at the
5 same time as the report of the audit required by section
6 10101 of this title. The report may not be printed as a
7 public document.”.

8 (2) TABLES OF CHAPTERS.—The table of chap-
9 ters at the beginning of title 36, United States Code,
10 and at the beginning of subtitle II of such title, are
11 each amended by inserting after the item relating to
12 chapter 2003 the following new item:

“2005. Spirit of America200501.”.

13 (b) DISTRIBUTION OF CORPORATION ASSISTANCE
14 ABROAD THROUGH DEPARTMENT OF DEFENSE.—

15 (1) ACCEPTANCE AND COORDINATION OF AS-
16 SISTANCE.—The Department of Defense (including
17 members of the Armed Forces) may, in the discre-
18 tion of the Secretary of Defense and in accordance
19 with guidance issued by the Secretary—

20 (A) accept from Spirit of America, a feder-
21 ally-chartered corporation under chapter 2005
22 of title 36, United States Code (as added by
23 subsection (a)), humanitarian, economic, and
24 other nonlethal assistance funded by private

1 funds in the carrying out of the purposes of the
2 corporation; and

3 (B) respond to requests from the corpora-
4 tion for the identification of the needs of local
5 populations abroad for assistance, and coordi-
6 nate with the corporation in the provision and
7 distribution of such assistance, in the carrying
8 out of such purposes.

9 (2) DISTRIBUTION OF ASSISTANCE TO LOCAL
10 POPULATIONS.—In accordance with guidance issued
11 by the Secretary, members of the Armed Forces
12 abroad may provide to local populations abroad hu-
13 manitarian, economic, and other nonlethal assistance
14 provided to the Department by the corporation pur-
15 suant to this subsection.

16 (3) SCOPE OF GUIDANCE.—The guidance issued
17 pursuant to this subsection shall ensure that any as-
18 sistance distributed pursuant to this subsection shall
19 be for purposes of supporting the mission or mis-
20 sions of the Department and the Armed Forces for
21 which such assistance is provided by the corporation.

22 (4) DoD SUPPORT FOR CORPORATION ACTIVI-
23 TIES.—In accordance with guidance issued by the
24 Secretary, the Department and the Armed Forces
25 may—

1 (A) provide transportation, lodging, stor-
2 age, and other logistical support—

3 (i) to personnel of the corporation
4 (whether in the United States or abroad)
5 who are carrying out the purposes of the
6 corporation; and

7 (ii) in connection with the acceptance
8 and distribution of assistance provided by
9 the corporation; and

10 (B) use assets of the Department and the
11 Armed Forces in the provision of support de-
12 scribed in subparagraph (A).

