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.

(a) FEDERAL CHARTER.—

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

“CHAPTER 2005—SPIRIT OF AMERICA

“Sec.
“200501. Organization.
“200502. Purposes.
“200504. Duty to maintain tax-exempt status.
“200505. Annual report.

§ 200501. Organization

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

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

“(c) SCOPE OF CHARTER.—Nothing in the charter granted by this chapter shall be construed as conferring
special rights or privileges upon the corporation, or as placing upon the Department of Defense any obligation with respect to the corporation.

§ 200502. Purposes

“The purposes of the corporation are as provided in its constitution and bylaws and include the following patriotic, charitable, and inspirational purposes:

“(1) To respond to the needs of local populations abroad, as identified by members of the Armed Forces and diplomats of the United States abroad.

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

“(3) To support the safety and success of members of the Armed Forces and diplomats of the United States abroad.

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

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

§ 200503. Powers

“The corporation may—
“(1) adopt and amend a constitution, by-laws, and regulations to carry out the purposes of the corporation;

“(2) adopt and alter a corporate seal;

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

“(4) enter into contracts;

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

“(6) establish, regulate, and discontinue subordinate State and territorial subdivisions and local chapters or posts;

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

“(8) sue and be sued; and

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

§ 200504. Duty to maintain tax-exempt status

“If the corporation fails to maintain its status as an organization exempt from taxation under the Internal Revenue Code of 1986, the charter granted under this chapter shall terminate.
§ 200505. Annual report

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

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

“2005. Spirit of America ................................................................. 200501.”.

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

(1) ACCEPTANCE AND COORDINATION OF ASSISTANCE.—The Department of Defense (including members of the Armed Forces) may, in the discretion of the Secretary of Defense and in accordance with guidance issued by the Secretary—

(A) accept from Spirit of America, a federally-chartered corporation under chapter 2005 of title 36, United States Code (as added by subsection (a)), humanitarian, economic, and other nonlethal assistance funded by private
funds in the carrying out of the purposes of the
corporation; and

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

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

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

(4) DoD SUPPORT FOR CORPORATION ACTIVI-
TIES.—In accordance with guidance issued by the
Secretary, the Department and the Armed Forces
may—
(A) provide transportation, lodging, storage, and other logistical support—

(i) to personnel of the corporation

(whether in the United States or abroad)

who are carrying out the purposes of the corporation; and

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

(B) use assets of the Department and the Armed Forces in the provision of support described in subparagraph (A).