

Public Law 100-655  
100th Congress

Joint Resolution

To designate the month of October 1988, as "National AIDS Awareness and Prevention Month".

Nov. 14, 1988  
[S.J. Res. 192]

Whereas the President has declared AIDS as the number one public health enemy;

Whereas the Secretary of Health and Human Services has projected that, by the end of 1991, the cumulative total of all AIDS cases in the United States will reach 270,000 and result in nearly 180,000 deaths;

Whereas information, education, and public health measures are the Nation's primary weapons in prevention and control of the spread of AIDS;

Whereas if the AIDS epidemic is not controlled through a major national educational, informational, and public health effort, the devastating human and economic impact on society will be unprecedented in modern times;

Whereas informing and educating the American public, including the youth of today, about AIDS is crucial to preventing and controlling the spread of AIDS: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the month of October 1988 is designated as "National AIDS Awareness and Prevention Month", and the President is authorized and requested to issue a proclamation calling upon the people of the United States to observe such month with appropriate activities.

**TITLE I—NATIONAL MINING HALL OF FAME AND MUSEUM**

**SECTION 101.** The National Mining Hall of Fame and Museum, organized and incorporated under the laws of Colorado, is hereby recognized as such and is granted a charter.

Corporations.  
Historic  
preservation.  
Libraries.  
36 USC 4101.

**POWERS**

**SEC. 102.** The National Mining Hall of Fame and Museum (hereafter in this title referred to as the "corporation"), shall have only those powers granted to it through its bylaws and

36 USC 4102.

articles of incorporation filed in the State or States in which it is incorporated and subject to the laws of such State or States.

#### OBJECTS AND PURPOSES OF CORPORATION

36 USC 4103.

SEC. 103. The objects and purposes of the corporation are those provided in its articles of incorporation including—

(1) to honor citizens, mining leaders, miners, prospectors, teachers, scientists, engineers, inventors, governmental leaders, and other individuals, who have helped to make this Nation great by their outstanding contributions to the establishment, development, advancement, or improvement of mining in the United States of America;

(2) to perpetuate the memory of such individuals and record their contributions and achievements by the erection and maintenance of such buildings, monuments, and edifices as may be deemed appropriate as a lasting memorial;

(3) to foster, promote, and encourage a better understanding of the origins and growth of mining, especially in the United States, and the part mining has played in changing the economic, social, and scientific aspects of our Nation;

(4) to establish and maintain a library and museum for collecting and preserving for posterity, the history of those honored by the corporation, together with a documentation of their accomplishments and contributions to mining, including such items as mining pictures, paintings, books, papers, documents, scientific data, relics, mementos, artifacts, and things relating to such items;

(5) to cooperate with other mining organizations which are actively engaged and interested in similar projects; and

(6) to engage in any and all activities incidental thereto or necessary, suitable, or proper for the accomplishment of any of the purposes set forth in this section.

#### MEMBERSHIP

36 USC 4104.

SEC. 104. Eligibility for membership in the corporation and the rights and privileges of members shall be as provided in the bylaws of the corporation.

#### BOARD OF DIRECTORS; COMPOSITION; RESPONSIBILITIES

36 USC 4105.

SEC. 105. The board of directors of the corporation and the responsibilities thereof shall be as provided in the articles of incorporation of the corporation and in conformity with the laws of the State or States in which it is incorporated.

#### OFFICERS OF CORPORATION

36 USC 4106.

SEC. 106. The officers of the corporation, and the election of such officers shall be as is provided in the articles of incorporation of the corporation and in conformity with the laws of the State or States wherein it is incorporated.

#### RESTRICTIONS

36 USC 4107.

SEC. 107. (a) No part of the income or assets of the corporation shall inure to any member, officer, or director of the corporation or be distributed to any such person during the life of this charter.

Nothing in this subsection shall be construed to prevent the payment of reasonable compensation to the officers of the corporation or reimbursement for actual necessary expenses in amounts approved by the board of directors.

(b) The corporation shall not make any loan to any officer, director, or employee of the corporation.

(c) The corporation and any officer and director of the corporation, acting as such officer or director, shall not contribute to, support, or otherwise participate in any political activity or in any manner attempt to influence legislation.

(d) The corporation shall have no power to issue any shares of stock nor to declare or pay any dividends.

(e) The corporation shall not claim congressional approval or Federal Government authority for any of its activities.

(f) The corporation shall retain and maintain its status as a corporation organized and incorporated under the laws of the State of Colorado.

#### LIABILITY

SEC. 108. The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority. 36 USC 4108.

#### SERVICE OF PROCESS

SEC. 109. With respect to service of process, the corporation shall comply with the laws of the States in which it is incorporated and those States in which it carries on its activities in furtherance of its corporate purposes. 36 USC 4109.

#### BOOKS AND RECORDS; INSPECTION

SEC. 110. The corporation shall keep correct and complete books and records of account and shall keep minutes of any proceeding of the corporation involving any of its members, the board of directors, or any committee having authority under the board of directors. The corporation shall keep at its principal office a record of the names and addresses of all members having the right of vote. All books and records of such corporation may be inspected by any member having the right to vote, or by any agent or attorney of such member, for any proper purpose, at any reasonable time. Nothing in this section shall be construed to contravene any applicable State law. 36 USC 4110.

#### AUDIT OF FINANCIAL TRANSACTIONS

SEC. 111. The first section of the Act entitled "An Act to provide for audit of accounts of private corporations established under Federal law", approved August 30, 1964 (36 U.S.C. 1101), is amended by adding at the end thereof the following:

"(60) The National Mining Hall of Fame and Museum".

#### ANNUAL REPORT

SEC. 112. The corporation shall report annually to the Congress concerning the activities of the corporation during the preceding fiscal year. Such annual report shall be submitted at the same time as is the report of the audit required by section 111 of this title. The report shall not be printed as a public document. 36 USC 4111.

## RESERVATION OF RIGHT TO AMEND OR REPEAL CHARTER

36 USC 4112. SEC. 113. The right to alter, amend, or repeal this title is expressly reserved to the Congress.

## DEFINITION OF "STATE"

36 USC 4113. SEC. 114. For purposes of this title, the term "State" includes the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States.

## TAX-EXEMPT STATUS

36 USC 4114. SEC. 115. The corporation shall maintain its status as an organization exempt from taxation as provided in the Internal Revenue Code of 1954.

## TERMINATION

36 USC 4115. SEC. 116. If the corporation fails to comply with any of the restrictions or other provisions of this title, the charter granted by this title shall expire.

Approved November 14, 1988.

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**LEGISLATIVE HISTORY—S.J. Res. 192:**

CONGRESSIONAL RECORD, Vol. 134 (1988):

Oct. 5, considered and passed Senate.

Oct. 21, considered and passed House.