

gift, purchase, grant, devise, or bequest, in full title, in trust, or otherwise, any property, real or personal, necessary for attaining the objects and carrying into effect the purposes of the corporation, subject however, to applicable provisions of law of any State (A) governing the amount or kind of real and personal property which may be held by, or (B) otherwise limiting or controlling the ownership of real and personal property by, a corporation operating in such State; to transfer and convey real or personal property; to borrow money for the purposes of the corporation, and issue bonds therefor, and secure the same by mortgage subject in every case to all applicable provisions of Federal or State laws; to publish a journal and other publications, and generally to do any and all such acts and things as may be necessary and proper in carrying into effect the purposes of the corporation. (Sept. 20, 1950, ch. 958, § 5, 64 Stat. 871.)

**§ 346. Liability for acts of officers and agents; service of process.**

The corporation shall be liable for the acts of its officers and agents. It shall have in the District of Columbia at all times a designated agent authorized to accept service of process for the corporation; and notice to or service upon such agent, or mailed to the business address of such agent, shall be deemed notice to or service upon the corporation. (Sept. 20, 1950, ch. 958, § 6, 64 Stat. 871.)

**§ 347. Issue of stock; dividends, or loans to officers or members of executive council prohibited.**

The corporation shall not issue shares of stock, nor declare or pay dividends, nor make loans or advances to its officers or members of its executive council or any of them. Any member of its executive council who votes for or assents to the making of a loan or advance to an officer of the corporation or to a member of its executive council, and any officer or officers participating in the making of any such loan or advance, shall be jointly and severally liable to the corporation for the amount of such loan or advance until the repayment thereof. (Sept. 20, 1950, ch. 958, § 7, 64 Stat. 871.)

**§ 348. Books and records.**

The corporation shall keep correct and complete books and records of account. It shall also keep minutes of the proceedings of its members, executive council, and committees having any of the authority of the said council. It shall also keep at its principal office a record giving the names and addresses of its members entitled to vote. All books and records of the corporation may be inspected by any member or his agent or attorney, for any proper purpose, at any reasonable time. (Sept. 20, 1950, ch. 958, § 8, 64 Stat. 872.)

**§ 349. Annual audit.**

There shall be an annual audit of the financial transactions of the corporation and of the pertinent books and records of the corporation by a certified public accountant, at the expense of the corporation, and the said audit shall be filed with the Congress. (Sept. 20, 1950, ch. 958, § 9, 64 Stat. 871.)

**§ 350. Duration of corporation.**

The duration of the corporation shall be perpetual. (Sept. 20, 1950, ch. 958, § 10, 64 Stat. 872.)

**§ 351. Acquisition of assets of existing association.**

The corporation may and shall acquire all of the assets of the existing unincorporated association known as the American Society of International Law, subject to any liabilities and obligations of the said association. (Sept. 20, 1950, ch. 958, § 11, 64 Stat. 872.)

**§ 352. Reservation of right to repeal or amend.**

The right to alter, repeal, or amend this chapter is expressly reserved to Congress. (Sept. 20, 1950, ch. 958, § 12, 64 Stat. 872.)

**Chapter 17.—UNITED STATES OLYMPIC ASSOCIATION [New]**

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**§ 371. Corporation created; principal offices; meetings.**

The following persons, to wit:

Avery Brundage, New York City, New York; Kenneth L. Wilson, Chicago, Illinois; Asa S. Bushnell, Princeton, New Jersey; Owen V. Van Camp, Chicago, Illinois; Gustavus T. Kirby, Bedford Hills, New York; John T. McGovern, New York City, New York; J. Lyman Bingham, Chicago, Illinois; Daniel J. Ferris, New York City, New York; Thomas J. Hamilton, Pittsburgh, Pennsylvania; Thomas W. Herren, Washington, District of Columbia; Willis O. Hunter, Los Angeles, California; Jeremiah T. Mahoney, New York City, New York; T. Nelson Metcalf, Chicago, Illinois; Charles L. Ornstein, New York City, New York; James A. Rhodes, Columbus, Ohio; Albert Sigal, Atherton, California; H. Jamison Swarts, Philadelphia, Pennsylvania; Albert F. Wheltle, Baltimore, Maryland; Robert A. Fetzler, Chapel Hill, North Carolina; Karl E. Leib, Iowa City, Iowa; Frank G. McCormick, Minneapolis, Minnesota; Alfred R. Masters, Stanford University, California; E. L. Romney, Salt Lake City, Utah; E. Joseph Aronoff, Washington, District of Columbia; Richard E. Cross, Detroit, Michigan; Charles L. Diehm, New York City, New York; Ralph Furey, New York City, New York; Harry D. Henshel, New York City, New York; John B. Kelly, Senior, Philadelphia, Pennsylvania; Richard C. Larkins, Columbus, Ohio; Fred C. Matthaei, Detroit, Michigan; Colonel Frederick R. Weber, West Point, New York; Hugh C. Willett, Los Angeles, California; Lawrence J. Johnson, Boston, Massachusetts; Patrick J. Kelly, New York City, New York; R. Max Ritter, Jenkintown, Pennsyl-

vania; Fred L. Steers, Chicago, Illinois; Williard N. Greim, Denver, Colorado; General Douglas MacArthur, Tokyo, Japan; Joseph E. Raycroft, Princeton, New Jersey; Frederick W. Rubien, Manhasset, New York; John J. Raskob, New York City, New York; Frank P. Callahan, Schenectady, New York; William S. Haddock, Pittsburgh, Pennsylvania; J. W. Mitchell, Little Rock, Arkansas; William F. Bailey, High Point, North Carolina; Herman J. Fischer, Chicago, Illinois; R. J. H. Kiphuth, New Haven, Connecticut; Edward Rosenblum, Washington, District of Columbia; Ben York, West Palm Beach, Florida; Seymour Leiberman, Houston, Texas; Paul Jordan, Indianapolis, Indiana; Mrs. Lillian Y. Whiting, Des Moines, Iowa; A. Wood Hardin, New Albany, Indiana; Douglas F. Roby, Detroit, Michigan; Marion H. Miller, Kansas City, Missouri; Edwin F. Schaefer, Buffalo, New York; James A. Lee, Cleveland, Ohio; Robert C. Greenwade, Blackwell, Oklahoma; Charles Gevecker, St. Louis, Missouri; Roscoe C. Torrance, Seattle, Washington; Louis G. Wilke, Denver, Colorado; Doctor Barry J. Barrodale, Houma, Louisiana; Larry Houston, Los Angeles, California; C. W. Striet, Junior, Birmingham, Alabama; Norton G. Pritchett, Charlottesville, Virginia; Dernel Every, New York City, New York; Vaughn S. Blanchard, Detroit, Michigan; Major General Guy V. Henry, Chevy Chase, Maryland; George Edwards, Columbia, Missouri; John J. Fox, Larchmont, New York; Harold R. Gilbert, State College, Pennsylvania; Frank Small, Bayside, Long Island, New York; Colonel John T. Cole, Bell Haven, Alexandria, Virginia; Miguel de Capriles, Pleasantville, New York; Alexis Thompson, New York City, New York; Henry M. Beatty, Cleveland, Ohio; Roy E. Moore, New York City, New York; Mrs. Roberta Bonniwell, Philadelphia, Pennsylvania; Harry Hainsworth, Buffalo, New York; Major General William C. Rose, Washington, District of Columbia; Major General M. A. Edson, Montpelier, Vermont; Clifford Goes, New York City, New York; Joseph J. Barriskill, New York City, New York; Senator Peter J. Miller, Chicago, Illinois; Charles O. Roeser, Lansdowne, Pennsylvania; Mrs. Elsie Veits Jennings, New York City, New York; William C. Ackerman, Los Angeles, California; Robert J. Kane, Ithaca, New York; Mrs. Irvin Van Blarcom, Wichita, Kansas; Jay Ehret Mahoney, New York City, New York; John Terpak, York, Pennsylvania; Eric F. Pohl, San Antonio, Texas; Thomas F. Lennon, New York City, New York; Dietrich Wortmann, New York City, New York; Reaves E. Peters, Kansas City, Missouri; John M. Harmon, Boston, Massachusetts; George E. Little, New Brunswick, New Jersey; Arthur E. Eilers, St. Louis, Missouri; James H. Stewart, Dallas, Texas; Harry N. Keighley, Evanston, Illinois; Doctor G. Randolph Manning, New York City, New York; Harold T. Frierwood, New York City, New York; Earl R. Yeomans, Philadelphia, Pennsylvania; and their associates and successors, are created a body corporate by the name of "United States Olympic Association" (hereinafter referred to as the "corporation"). The corporation shall

maintain its principal offices and national headquarters in the city of Washington, District of Columbia, and may hold its annual and special meetings in such places as the said incorporators shall determine. (Sept. 21, 1950, ch. 975, § 1, 64 Stat. 899.)

#### § 372. Organization of corporation.

A majority of the persons named in section 371 of this title, or their successors, are authorized to meet to complete the organization of the corporation by the adoption of a constitution and bylaws, the election of officers, and by doing all things necessary to carry into effect the provisions of this chapter. (Sept. 21, 1950, ch. 975, § 2, 64 Stat. 900.)

#### § 373. Objects and purposes.

The objects and purposes of the corporation shall be—

(1) to arouse and maintain the interest of the people of the United States in, and to obtain their support of, creditable and sportsmanlike participation and representation of the United States in the Olympic Games and the Pan-American Games;

(2) to stimulate the interest of the people, particularly of the youth, of the United States, in healthful, physical, moral and cultural education through sportsmanlike participation in competitions in accordance with amateur rules;

(3) to exercise exclusive jurisdiction, either directly or through its constituent members or committees, over all matters pertaining to the participation of the United States in the Olympic Games and in the Pan-American Games, including the representation of the United States in such games, and over the organization of the Olympic Games and the Pan-American Games when celebrated in the United States;

(4) to select and obtain for the United States the most competent amateur representation possible in the competitions and events of the Olympic Games and of the Pan-American Games;

(5) to maintain the highest ideals of amateurism and to promote general interest therein, particularly in connection with the Olympic Games and the Pan-American Games;

(6) to instill and develop in the youth of America the qualities of courage, self-reliance, honesty, tolerance, and like virtues; and

(7) to promote and encourage the physical, moral, and cultural education of the youth of the United States to the end that their health, patriotism, character, and good citizenship may be fully developed. (Sept. 21, 1950, ch. 975, § 3, 64 Stat. 900.)

#### § 374. Powers of corporation.

The corporation shall have perpetual succession and power—

(1) to organize, select, finance, and control the representation of the United States in the competitions and events of the Olympic Games and of the Pan-American Games and to appoint committees or other governing bodies in connection with such representation;

- (2) to sue and be sued;
- (3) to make contracts;
- (4) to acquire, hold, and dispose of such real and personal property as may be necessary for its corporate purposes;
- (5) to accept gifts, legacies, and devises in furtherance of its corporate purposes;
- (6) to borrow money to carry out its corporate purposes, issue notes, bonds, or other evidences of indebtedness therefor, and secure the same by mortgage, subject in each case to the laws of the United States or of any State;
- (7) to establish, regulate, and discontinue subordinate organizations, and to receive and expel as members of the corporation such existing organizations of a patriotic, educational, civic, or athletic character, as may be deemed desirable and proper to carry out the corporate purposes;
- (8) to adopt and alter a corporate seal;
- (9) to adopt and alter a constitution and bylaws not inconsistent with the laws of the United States or of any State;
- (10) to establish and maintain offices for the conduct of the affairs of the corporation;
- (11) to publish a newspaper, magazine, or other publication consistent with its corporate purposes; and
- (12) to do any and all acts and things necessary and proper to carry out the purposes of the corporation. (Sept. 21, 1950, ch. 975, § 4, 64 Stat. 901.)

#### § 375. Eligibility for membership.

Eligibility for membership in the corporation shall be determined in accordance with the constitution and bylaws of the corporation. (Sept. 21, 1950, ch. 975, § 5, 64 Stat. 901.)

#### § 376. Political activities prohibited.

The corporation shall be nonpolitical and, as an organization, shall not promote the candidacy of any person seeking public office. (Sept. 21, 1950, ch. 975, § 6, 64 Stat. 901.)

#### § 377. Issue of stock and business activities prohibited.

The corporation shall have no power to issue capital stock or to engage in business for pecuniary profit or gain. (Sept. 21, 1950, ch. 975, § 7, 64 Stat. 901.)

#### § 378. Acquisition of assets of existing association.

The corporation may acquire any or all of the assets of the existing unincorporated association, known as "The United States Olympic Association", upon discharging or satisfactorily providing for the payment and discharge of all the liabilities of such unincorporated association. (Sept. 21, 1950, ch. 975, § 8, 64 Stat. 901.)

#### § 379. Penalty for fraudulent pretense of membership or use of insignia.

From and after September 21, 1950, it shall be unlawful for any person within the jurisdiction of the United States to falsely or fraudulently hold himself out as or represent or pretend himself to be a member of or an agent for the United States Olympic Association or its subordinate organiza-

tions for the purpose of soliciting, collecting, or receiving money or material; or for any person to wear or display the insignia thereof for the fraudulent purpose of inducing the belief that he is at such time a member of or an agent for the United States Olympic Association or its subordinate organizations. It shall be unlawful for any person, corporation, or association, other than the United States Olympic Association or its subordinate organizations and its duly authorized employees and agents for the purpose of trade, theatrical exhibition, athletic performance, and competition or as an advertisement to induce the sale of any article whatsoever or attendance at any theatrical exhibition, athletic performance, and competition or for any business or charitable purpose to use within the territory of the United States of America and its exterior possessions, the emblems of the United States Olympic Association consisting of an escutcheon having a blue chief and vertically extending alternate red and white bars on the base with five interlocked rings displayed on the chief, or any other sign or insignia made or colored in imitation thereof, or the words "Olympic", "Olympiad", or "Citius Altius Fortius" or any combination of these words: *Provided, however*, That any person, corporation, or association that actually used, or whose assignor actually used, the said emblem, sign, insignia, or words for any lawful purpose prior to September 21, 1950, shall not be deemed forbidden by this chapter to continue the use thereof for the same purpose and for the same class or classes of goods to which said emblem, sign, insignia, or words had been used lawfully prior thereto. If any person violates the provision of this section he shall be deemed guilty of a misdemeanor, and upon conviction in any Federal court shall be liable to fine of not less than \$100 or more than \$500 or imprisonment for a term not exceeding 1 year, or both, for each and every offense. (Sept. 21, 1950, ch. 975, § 9, 64 Stat. 901.)

#### § 380. Appointment of agents for service of process.

As a condition precedent to the exercise of any power or privilege granted or conferred under this chapter, the corporation shall file in the office of the secretary of state, or similar officer, in each State the name and post-office address of an authorized agent of the corporation in such State upon whom local process or demands against the corporation may be served. (Sept. 21, 1950, ch. 975, § 10, 64 Stat. 902.)

#### § 381. Reservation of right to amend or repeal.

The right to alter, amend, or repeal this chapter at any time is expressly reserved. (Sept. 21, 1950, ch. 975, § 11, 64 Stat. 902.)

#### § 382. Reports to Congress.

The corporation shall, on or before the 1st day of September in each year, transmit to Congress a report of its proceedings for the preceding calendar year, including the full and complete statement of its receipts and expenditures. Such reports shall not be printed as public documents. (Sept. 21, 1950, ch. 975, § 12, 64 Stat. 902.)