Public Law 88-376

July 14, 1964
[H. R. 10437]

AN ACT

To incorporate the National Committee on Radiation Protection and Measurements.

National Council on Radiation Protection and Measurements, incorporation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That—

C. M. Barnes, Rockville, Maryland;
E. C. Barnes, Edgewood, Pennsylvania;
V. P. Bond, Setauket, Long Island, New York;
C. B. Braestrup, New York, New York;
J. T. Brennan, Bethesda, Maryland;
L. T. Brown, Bethesda, Maryland;
R. F. Brown, San Francisco, California;
F. R. Bruce, Oak Ridge, Tennessee;
J. C. Bugher, Rio Piedras, Puerto Rico;
D. R. Chadwick, Upper Marlboro, Maryland;
R. H. Chamberlain, Philadelphia, Pennsylvania;
J. F. Crow, Madison, Wisconsin;
R. L. Doan, Idaho Falls, Idaho;
C. L. Dunham, Washington, District of Columbia;
T. C. Evans, Iowa City, Iowa;
E. G. Fuller, Bethesda, Maryland;
R. O. Gorson, Philadelphia, Pennsylvania;
J. W. Healy, Chappaqua, New York;
P. C. Hodges, Chicago, Illinois;
A. R. Keene, Richland, Washington;
M. Kleinfeld, Brooklyn, New York;
H. W. Koch, Silver Spring, Maryland;
D. I. Livermore, Washington, District of Columbia;
G. V. LeRoy, Chicago, Illinois;
W. B. Mann, Chevy Chase, Maryland;
W. A. McAdams, Schenectady, New York;
G. W. Morgan, Kensington, Maryland;
K. Z. Morgan, Oak Ridge, Tennessee;
H. J. Muller, Bloomington, Indiana;
R. J. Nelsen, Rockville, Maryland;
R. R. Newell, San Francisco, California;
W. D. Norwood, Richland, Washington;
H. M. Parker, Richland, Washington;
C. Powell, Bethesda, Maryland;
E. H. Quimby, New York, New York;
J. C. Reeves, Gainesville, Florida;
R. Robbins, Philadelphia, Pennsylvania;
H. H. Rossi, Nyack, New York;
E. L. Saenger, Cincinnati, Ohio;
T. L. Shipman, Los Alamos, New Mexico;
P. J. Shore, Patchogue, New York;
J. H. Sterner, Rochester, New York;
R. S. Stone, San Francisco, California;
L. S. Taylor, Bethesda, Maryland;
E. D. Trout, Corvallis, Oregon;
B. F. Trum, Boston, Massachusetts;
Shields Warren, Boston, Massachusetts;
E. G. Williams, Jacksonville, Florida;
H. O. Wyckoff, Silver Spring, Maryland;

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and their successors, are hereby created and declared to be a body corporate, by name of the National Council on Radiation Protection and Measurements (hereinafter called the corporation), and by such name shall be known, and have perpetual succession and the powers, limitations, and restrictions contained in this Act.

COMPLETION OF ORGANIZATION

SEC. 2. The persons named in the first section of this Act are authorized to complete the organization of the corporation by the selection of officers and employees, the adoption of bylaws, not inconsistent with this Act, and the doing of such other acts as may be necessary for such purpose.

OBJECTS AND PURPOSES OF CORPORATION

SEC. 3. The objects and purposes of the corporation shall be—

(1) to collect, analyze, develop, and disseminate in the public interest information and recommendations about (a) protection against radiation (referred to herein as "radiation protection"), and (b) radiation measurements, quantities, and units, particularly those concerned with radiation protection;

(2) to provide a means by which organizations concerned with the scientific and related aspects of radiation protection and of radiation quantities, units, and measurements may cooperate for effective utilization of their combined resources, and to stimulate the work of such organizations;

(3) to develop basic concepts about radiation quantities, units, and measurements, about the application of these concepts, and about radiation protection;

(4) to cooperate with the International Commission on Radiological Protection, the Federal Radiation Council, the International Commission on Radiological Units and Measurements, and other national and international organizations, governmental and private, concerned with radiation quantities, units, and measurements and with radiation protection.

POWERS OF CORPORATION

SEC. 4. The corporation shall have power—

(1) To sue and be sued, complain and defend in any court of competent jurisdiction.

(2) To adopt, alter, and use a corporate seal.

(3) To choose such officers, directors, trustees, managers, agents, and employees as the business of the corporation may require.

(4) To adopt, amend, and alter bylaws not inconsistent with the laws of the United States of America or of any State in which the corporation is to operate, for the management of its property and the regulation of its affairs.

(5) To make contracts.

(6) To take and hold by lease, gift, purchase, grant, devise, or bequest, or by any other method, any property, real or personal, necessary or proper for attaining the objects and carrying into effect the purposes of the corporation, subject, however, to applicable provisions of law of any State or the District of Columbia (a) governing the amount or kind of such property which may be held by, or (b) otherwise limiting or controlling the ownership of any such property by a corporation operating in such State or the District of Columbia.

(7) To transfer and convey real or personal property, and to mortgage, pledge, encumber, lease, and sublease the same.

(8) To borrow money for its corporate purposes and issue bonds or other evidences of indebtedness therefor, and to secure the same by mortgage, pledge, or lien, subject in every case to all applicable provisions of Federal or State law, or of the laws of the District of Columbia.

(9) To do any and all such acts and things necessary and proper to carry out the purposes of the corporation.

PRINCIPAL OFFICE; SCOPE OF ACTIVITIES; DISTRICT OF COLUMBIA AGENT

SEC. 5. (a) The principal office of the corporation shall be located in the District of Columbia, or in such other place as may later be determined by the board of directors, but the activities of the corporation shall not be confined to that place and may be conducted throughout the various States, the Commonwealth of Puerto Rico, and the possessions of the United States, and in other areas throughout the world.

(b) The corporation shall maintain at all times in the District of Columbia 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.

MEMBERSHIP; VOTING RIGHTS

SEC. 6. (a) Eligibility for membership in the corporation and the rights and privileges of members shall, except as provided in this Act, be determined as the bylaws of the corporation may provide.

(b) Each member of the corporation, other than honorary and associate members, shall have the right to one vote on each matter submitted to a vote at all meetings of the members of the corporation.

BOARD OF DIRECTORS; COMPOSITION; RESPONSIBILITIES

SEC. 7. (a) Upon enactment of this Act the membership of the initial board of directors of the corporation shall be those persons whose names are listed in section 1 of this Act.

(b) Thereafter, the board of directors of the corporation shall be selected in such manner and shall serve for such term as may be prescribed in the bylaws of the corporation.

(c) The board of directors shall be the governing board of the corporation and shall, during the intervals between corporation meetings, be responsible for the general policies and program of the corporation. The board shall be responsible for the control of all funds of the corporation.

OFFICERS; ELECTION OF OFFICERS

SEC. 8. (a) The officers of the corporation shall be a president, one or more vice presidents, a secretary, a treasurer, and such other officers as may be prescribed in the bylaws. The duties of the officers shall be as prescribed in the bylaws of the corporation.

(b) Officers shall be elected annually at the annual meeting of the corporation.

USE OF INCOME; LOANS TO OFFICERS, DIRECTORS, OR EMPLOYEES

SEC. 9. (a) No part of the income or assets of the corporation shall inure to any member, officer, or director, or be distributable to

any such person during the life of the corporation or upon dissolution or final liquidation. Nothing in this subsection, however, shall be construed to prevent the payment of reasonable compensation to officers of the corporation in amounts approved by the board of directors of the corporation.

(b) The corporation shall not make loans to its officers, directors, or employees. Any director who votes for or assents to the making of a loan to an officer, director, or employee of the corporation, and any officer who participates in the making of such loan, shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

NONPOLITICAL NATURE OF CORPORATION

SEC. 10. The corporation, and its officers, directors, and duly appointed agents as such, shall not contribute to or otherwise support or assist any political party or candidate for office.

LIABILITY FOR ACTS OF OFFICERS AND AGENTS

SEC. 11. The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

PROHIBITION AGAINST ISSUANCE OF STOCK OR PAYMENT OF DIVIDENDS

SEC. 12. The corporation shall have no power to issue any shares of stock nor to declare nor pay any dividends.

BOOKS AND RECORDS; INSPECTION

SEC. 13. The corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its members, board of directors, and committees having authority under the board of directors, and it shall also keep at its principal office a record of the names and addresses of its members entitled to vote. All books and records of the corporation may be inspected by any member entitled to vote, or his agent or attorney, for any proper purpose, at any reasonable time.

AUDIT OF FINANCIAL TRANSACTIONS

SEC. 14. (a) The accounts of the corporation shall be audited annually in accordance with generally accepted auditing standards by independent certified public accountants or independent licensed public accountants, certified or licensed by a regulatory authority of a State or other political subdivision of the United States. The audit shall be conducted at the place or places where the accounts of the corporation are normally kept. All books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the corporation and necessary to facilitate the audit shall be made available to the person or persons conducting the audit; and full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians shall be afforded to such person or persons.

(b) A report of such audit shall be made by the corporation to the Congress not later than six months following the close of the fiscal year for which the audit is made. The report shall set forth the scope of the audit and include such statements, together with the independent auditor's opinion of those statements, as are necessary to present fairly the corporation's assets and liabilities, surplus, or deficit, with an analysis of the changes therein during the year, sup- Report to Congress.

plemented in reasonable detail by a statement of the corporation's income and expenses during the year including (1) the results of any trading, manufacturing, publishing, or other commercial-type endeavor carried on by the corporation, and (2) a schedule of all contracts requiring payments in excess of $10,000 and any payments of compensation, salaries, or fees at a rate in excess of $10,000 per annum. The report shall not be printed as a public document.

USE OF ASSETS ON DISSOLUTION OR LIQUIDATION

SEC. 15. Upon final dissolution or liquidation of the corporation, and after discharge or satisfaction of all outstanding obligations and liabilities, the remaining assets of the corporation may be distributed in accordance with the determination of the board of directors of the corporation and in compliance with the bylaws of the corporation and all Federal and State laws applicable thereto. Such distribution shall be consistent with the purposes of the corporation.

ACQUISITION OF ASSETS AND LIABILITIES OF THE EXISTING ASSOCIATION

SEC. 16. The corporation may and shall acquire all of the assets of the existing unincorporated organization known as the National Committee on Radiation Protection and Measurements, subject to any liabilities and obligations of the said organization.

RESERVATION OF RIGHT TO AMEND OR REPEAL CHARTER

SEC. 17. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved July 14, 1964.

Public Law 88-377

July 14, 1964
[H. R. 11235]

AN ACT

To authorize the disposal, without regard to the prescribed six-month waiting period, of approximately eleven million pounds of molybdenum from the national stockpile.

Molybdenum, disposal.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Administrator of General Services is hereby authorized to dispose of approximately eleven million pounds of molybdenum contained in molybdenum disulphide now held in the national stockpile. Such disposal may be made without regard to the provision of section 3(e) of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98b(e)), that no disposition of materials held in the national stockpile shall be made prior to the expiration of six months after the publication in the Federal Register and the transmission to the Congress and to the Armed Services Committee of each House thereof of the notice of the proposed disposition required by said section 3(e).

60 Stat. 597.

Publication in F. R.

Approved July 14, 1964.