

Sec.

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CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in section 384 of this title; title 18 section 2320.

SUBCHAPTER I—CORPORATION

§ 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. Fetzer, 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, Pennsylvania; 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. Frierhood, 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 Committee" (hereinafter referred to as the "Corporation"). The Cor-

poration shall maintain its principal offices and national headquarters in such place in the United States as is determined by the Corporation, and may hold its annual and special meetings in such places as the Corporation shall determine.

(Sept. 21, 1950, ch. 975, title I, §101, formerly §1, 64 Stat. 899; Aug. 10, 1964, Pub. L. 88-407, 78 Stat. 383; renumbered title I, §101, and amended Nov. 8, 1978, Pub. L. 95-606, §1(a), 92 Stat. 3045.)

AMENDMENTS

1978—Pub. L. 95-606 substituted “Corporation” for “corporation”, “such place in the United States as is determined by the Corporation” for “the city of Washington, District of Columbia” and “the Corporation” for “the said incorporators”.

CHANGE OF NAME

“United States Olympic Committee” substituted in text for “United States Olympic Association” on authority of Pub. L. 88-407, which is set out as section 383 of this title.

SHORT TITLE OF 1978 AMENDMENT

Provision preceding section 1 of Pub. L. 95-606 provided: “That this Act [enacting sections 372 to 382b and 391 to 396 of this title, amending this section, and repealing former sections 372 to 382 of this title] may be cited as the ‘Amateur Sports Act of 1978’.”

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 372 of this title.

§ 372. Completion of organization

A majority of the persons named in section 371 of this title, or their successors, are hereby 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, title I, §102, as added Nov. 8, 1978, Pub. L. 95-606, §1(b), 92 Stat. 3045.)

PRIOR PROVISIONS

A prior section 372, act Sept. 21, 1950, ch. 975, §2, 64 Stat. 900, related to the procedure for the completion of the organization of the corporation, prior to repeal by Pub. L. 95-606, §1(b).

§ 373. Definitions

As used in this chapter, the term—

(1) “amateur athlete” means any athlete who meets the eligibility standards established by the national governing body for the sport in which the athlete competes;

(2) “amateur athletic competition” means a contest, game, meet, match, tournament, regatta, or other event in which amateur athletes compete;

(3) “amateur sports organization” means a not-for-profit corporation, club, federation, union, association, or other group organized in the United States which sponsors or arranges any amateur athletic competition;

(4) “Corporation” means the United States Olympic Committee;

(5) “international amateur athletic competition” means any amateur athletic competition between any athlete or athletes representing the United States, either individ-

ually or as part of a team, and any athletic or athletes representing any foreign country;

(6) “national governing body” means an amateur sports organization which is recognized by the Corporation in accordance with section 391 of this title; and

(7) “sanction” means a certificate of approval issued by a national governing body.

(Sept. 21, 1950, ch. 975, title I, §103, as added Nov. 8, 1978, Pub. L. 95-606, §1(b), 92 Stat. 3045.)

PRIOR PROVISIONS

A prior section 373, act Sept. 21, 1950, ch. 975, §3, 64 Stat. 900, related to objects and purposes of corporation, prior to repeal by Pub. L. 95-606, §1(b). See section 374 of this title.

§ 374. Objects and purposes of Corporation

The objects and purposes of the Corporation shall be to—

(1) establish national goals for amateur athletic activities and encourage the attainment of those goals;

(2) coordinate and develop amateur athletic activity in the United States directly relating to international amateur athletic competition, so as to foster productive working relationships among sports-related organizations;

(3) exercise exclusive jurisdiction, either directly or through its constituent members of 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 held in the United States;

(4) obtain for the United States, either directly or by delegation to the appropriate national governing body, the most competent amateur representation possible in each competition and event of the Olympic Games and of the Pan-American Games;

(5) promote and support amateur athletic activities involving the United States and foreign nations;

(6) promote and encourage physical fitness and public participation in amateur athletic activities;

(7) assist organizations and persons concerned with sports in the development of amateur athletic programs for amateur athletes;

(8) provide for the swift resolution of conflicts and disputes involving amateur athletes, national governing bodies, and amateur sports organizations, and protect the opportunity of any amateur athlete, coach, trainer, manager, administrator, or official to participate in amateur athletic competition;

(9) foster the development of amateur athletic facilities for use by amateur athletes and assist in making existing amateur athletic facilities available for use by amateur athletes;

(10) provide and coordinate technical information on physical training, equipment design, coaching, and performance analysis;

(11) encourage and support research, development, and dissemination of information in the areas of sports medicine and sports safety;

(12) encourage and provide assistance to amateur athletic activities for women;

(13) encourage and provide assistance to amateur athletic programs and competition for handicapped individuals, including, where feasible, the expansion of opportunities for meaningful participation by handicapped individuals in programs of athletic competition for able-bodied individuals; and

(14) encourage and provide assistance to amateur athletes of racial and ethnic minorities for the purpose of eliciting the participation of such minorities in amateur athletic activities in which they are underrepresented.

(Sept. 21, 1950, ch. 975, title I, § 104, as added Nov. 8, 1978, Pub. L. 95-606, § 1(b), 92 Stat. 3046.)

PRIOR PROVISIONS

A prior section 374, act Sept. 21, 1950, ch. 975, § 4, 64 Stat. 900, related to powers of corporation, prior to repeal by Pub. L. 95-606, § 1(b). See section 375 of this title.

Provisions similar to those comprising this section were contained in former section 373 of this title prior to repeal by Pub. L. 95-606.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 384 of this title.

§ 375. Powers of Corporation

(a) The Corporation shall have perpetual succession and power to—

(1) serve as the coordinating body for amateur athletic activity in the United States directly relating to international amateur athletic competition;

(2) represent the United States as its national Olympic committee in relations with the International Olympic Committee and the Pan-American Sports Organization;

(3) organize, 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 obtain, either directly or by delegation to the appropriate national governing body, amateur representation for such games;

(4) recognize eligible amateur sports organizations as national governing bodies for any sport which is included on the program of the Olympic Games or the Pan-American Games;

(5) facilitate, through orderly and effective administrative procedures, the resolution of conflicts or disputes which involve any of its members and any amateur athlete, coach, trainer, manager, administrator, official, national governing body, or amateur sports organization and which arise in connection with their eligibility for and participation in the Olympic Games, the Pan-American world championship competition, or other protected competition as defined in the constitution and bylaws of the Corporation;

(6) sue and be sued;

(7) make contracts;

(8) acquire, hold, and dispose of real and personal property as may be necessary for its corporate purposes;

(9) accept gifts, legacies, and devices in furtherance of its corporate purposes;

(10) 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;

(11) provide financial assistance to any organization or association, other than a corporation organized for profit, in furtherance of the purposes of the Corporation;

(12) approve and revoke membership in the Corporation;

(13) adopt and alter a corporate seal;

(14) establish and maintain offices for the conduct of the affairs of the Corporation;

(15) publish a newspaper, magazine, or other publication consistent with its corporate purposes; and

(16) do any and all acts and things necessary and proper to carry out the purposes of the Corporation.

(b) The Corporation shall adopt and may amend a constitution and bylaws not inconsistent with the laws of the United States or of any State, except that the Corporation may amend its constitution only if it—

(1) publishes in its principal publication a general notice of the proposed alteration of the constitution, including the substantive terms of the alteration, the time and place of the Corporation's regular meeting at which the alteration is to be decided, and a provision informing interested persons that they may submit materials as authorized in paragraph (2); and

(2) gives to all interested persons, prior to the adoption of any amendment, an opportunity to submit written data, views, or arguments concerning the proposed amendment for a period of at least 60 days after the date of publication of the notice.

(Sept. 21, 1950, ch. 975, title I, § 105, as added Nov. 8, 1978, Pub. L. 95-606, § 1(b), 92 Stat. 3047.)

PRIOR PROVISIONS

A prior section 375, act Sept. 21, 1950, ch. 975, § 5, 64 Stat. 901, related to membership in the corporation, prior to repeal by Pub. L. 95-606, § 1(b). See section 376 of this title.

Provisions similar to those comprising this section were contained in former section 374 of this title prior to repeal by Pub. L. 95-606.

§ 376. Membership

(a) Eligibility for membership in the Corporation shall be determined in accordance with the constitution and bylaws of the Corporation.

(b) In its constitution and bylaws, the Corporation shall establish and maintain provisions with respect to its governance and the conduct of its affairs for reasonable representation of—

(1) amateur sports organizations recognized as national governing bodies in accordance with section 391 of this title;

(2) amateur athletes who are actively engaged in amateur athletic competition or who have represented the United States in international amateur athletic competition within the preceding 10 years;

(3) amateur sports organizations which conduct a national program or regular national amateur athletic competition in two or more sports which are included on the program of the Olympic Games or the Pan-American Games on a level of proficiency appropriate for

the selection of amateur athletes to represent the United States in international amateur athletic competition; and

(4) individuals not affiliated or associated with any amateur sports organization who in the Corporation's judgment represent the interests of the American public in the activities of the Corporation.

(Sept. 21, 1950, ch. 975, title I, § 106, as added Nov. 8, 1978, Pub. L. 95-606, § 1(b), 92 Stat. 3048.)

PRIOR PROVISIONS

A prior section 376, act Sept. 21, 1950, ch. 975, § 6, 64 Stat. 901, related to nonpolitical nature of Corporation, prior to repeal by Pub. L. 95-606, § 1(b). See section 377 of this title.

Provisions similar to those comprising this section were contained in former section 375 of this title prior to repeal by Pub. L. 95-606.

§ 377. Nonpolitical nature of Corporation

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, title I, § 107, as added Nov. 8, 1978, Pub. L. 95-606, § 1(b), 92 Stat. 3048.)

PRIOR PROVISIONS

A prior section 377, act Sept. 21, 1950, ch. 975, § 7, 64 Stat. 901, related to prohibition against issuance of stock or business activities, prior to repeal by Pub. L. 95-606, § 1(b). See section 378 of this title.

Provisions similar to those comprising this section were contained in former section 376 of this title prior to repeal by Pub. L. 95-606.

§ 378. Prohibition against issuance of stock or business activities

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, title I, § 108, as added Nov. 8, 1978, Pub. L. 95-606, § 1(b), 92 Stat. 3048.)

PRIOR PROVISIONS

A prior section 378, act Sept. 21, 1950, ch. 975, § 8, 64 Stat. 901, authorized Corporation to acquire assets and liabilities of unincorporated association known as the United States Olympic Association, prior to repeal by Pub. L. 95-606, § 1(b). See section 379 of this title.

Provisions similar to those comprising this section were contained in former section 377 of this title prior to repeal by Pub. L. 95-606.

§ 379. Acquisition of assets and liabilities 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, title I, § 109, as added Nov. 8, 1978, Pub. L. 95-606, § 1(b), 92 Stat. 3048.)

PRIOR PROVISIONS

A prior section 379, acts Sept. 21, 1950, ch. 975, § 9, 64 Stat. 901; Aug. 10, 1964, Pub. L. 88-407, 78 Stat. 383, related to penalty for fraudulent pretense of membership or use of insignia, prior to repeal by Pub. L. 95-606, § 1(b). See section 380 of this title.

Provisions similar to those comprising this section were contained in former section 378 of this title prior to repeal by Pub. L. 95-606.

§ 380. Use of Olympic symbols, emblems, trademarks and names

(a) Unauthorized use; civil action; lawful use prior to September 21, 1950

Without the consent of the Corporation, any person who uses for the purpose of trade, to induce the sale of any goods or services, or to promote any theatrical exhibition, athletic performance, or competition—

(1) the symbol of the International Olympic Committee, consisting of 5 interlocking rings;

(2) the emblem of the Corporation, consisting of an escutcheon having a blue chief and vertically extending red and white bars on the base with 5 interlocking rings displayed on the chief;

(3) any trademark, trade name, sign, symbol, or insignia falsely representing association with, or authorization by, the International Olympic Committee or the Corporation; or

(4) the words "Olympic", "Olympiad", "Citius Altius Fortius", or any combination or simulation thereof tending to cause confusion, to cause mistake, to deceive, or to falsely suggest a connection with the Corporation or any Olympic activity;

shall be subject to suit in a civil action by the Corporation for the remedies provided in the Act of July 5, 1946 (60 Stat. 427; popularly known as the Trademark Act of 1946) [15 U.S.C. 1051 et seq.]. However, any person who actually used the emblem in subsection (a)(2) of this section, or the words, or any combination thereof, in subsection (a)(4) of this section for any lawful purpose prior to September 21, 1950, shall not be prohibited by this section from continuing such lawful use for the same purpose and for the same goods or services. In addition, any person who actually used, or whose assignor actually used, any other trademark, trade name, sign, symbol, or insignia described in subsections (a)(3) and (4) of this section for any lawful purpose prior to September 21, 1950 shall not be prohibited by this section from continuing such lawful use for the same purpose and for the same goods or services.

(b) Contributors and suppliers

The Corporation may authorize contributors and suppliers of goods or services to use the trade name of the Corporation as well as any trademark, symbol, insignia, or emblem of the International Olympic Committee or of the Corporation in advertising that the contributions, goods, or services were donated, supplied, or furnished to or for the use of, approved, selected, or used by the Corporation or United States Olympic or Pan-American team or team members.

(c) Exclusive right of Corporation

The Corporation shall have exclusive right to use the name "United States Olympic Committee"; the symbol described in subsection (a)(1) of this section; the emblem described in subsection (a)(2) of this section; and the words "Olympic", "Olympiad", "Citius Altius Fortius" or any combination thereof subject to the preexisting rights described in subsection (a) of this section.

(Sept. 21, 1950, ch. 975, title I, § 110, as added Nov. 8, 1978, Pub. L. 95-606, § 1(b), 92 Stat. 3048.)

REFERENCES IN TEXT

Act of July 5, 1946 (60 Stat. 427; popularly known as the Trademark Act of 1946), referred to in subsec. (a), is act July 5, 1946, ch. 540, 60 Stat. 427, as amended, also popularly known as the Lanham Act, which is classified generally to chapter 22 (§1051 et seq.) of Title 15, Commerce and Trade. For complete classification of this Act to the Code, see Short Title note set out under section 1051 of Title 15 and Tables.

PRIOR PROVISIONS

A prior section 380, act Sept. 21, 1950, ch. 975, § 10, 64 Stat. 902, related to agents for service of process, prior to repeal by Pub. L. 95-606, § 1(b). See section 381 of this title.

Provisions similar to those comprising this section were contained in former section 379 of this title prior to repeal by Pub. L. 95-606.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 15 sections 1116, 1117; title 18 section 2320.

§ 381. 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 office, 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, title I, § 111, as added Nov. 8, 1978, Pub. L. 95-606, § 1(b), 92 Stat. 3049.)

PRIOR PROVISIONS

A prior section 381, act Sept. 21, 1950, ch. 975, § 11, 64 Stat. 902, related to reservation of right to amend or repeal act Sept. 21, 1950, ch. 975, 64 Stat. 899, which comprises this chapter, prior to repeal by Pub. L. 95-606, § 1(b). See section 382 of this title.

Provisions similar to those comprising this section were contained in former section 380 of this title prior to repeal by Pub. L. 95-606.

§ 382. Reservation of right to amend or repeal chapter

The right to alter, amend, or repeal this chapter at any time is hereby expressly reserved.

(Sept. 21, 1950, ch. 975, title I, § 112, as added Nov. 8, 1978, Pub. L. 95-606, § 1(b), 92 Stat. 3049.)

PRIOR PROVISIONS

A prior section 382, act Sept. 21, 1950, ch. 975, § 12, 64 Stat. 902; Aug. 30, 1964, Pub. L. 88-504, § 4(16), 78 Stat. 637, related to transmission of reports to Congress, prior to repeal by Pub. L. 95-606, § 1(b). See section 382a of this title.

Provisions similar to those comprising this section were contained in former section 381 of this title prior to repeal by Pub. L. 95-606.

§ 382a. Annual report to President and Congress on operations; report to Speaker of House and President of Senate on authorized grants

(a) The Corporation shall, on or before the first day of June in each year, transmit simultaneously to the President and to each House of Congress a detailed report of its operations for

the preceding calendar year, including a full and complete statement of its receipts and expenditures and a comprehensive description of the activities and accomplishments of the Corporation during the preceding year. Copies of the report shall be made available by the Corporation to interested persons at a reasonable cost.

(b) The Corporation shall, on or before the first day of June in each year, transmit simultaneously to the Speaker of the House of Representatives and to the President of the Senate a detailed report of those grants authorized to the Corporation pursuant to the provisions of section 211 of the Act and a full and complete statement of the expenditures of such funds made available. The report shall be referred to the Committee on Appropriations of each House and shall include a detailed and comprehensive description of those programs which the Corporation anticipate¹ it will finance during the next fiscal year out of such funds made available pursuant to the provisions of section 211 of the Act. The Corporation shall continue to transmit the report required under this subsection (b) until the total sums made available under section 211 of the Act have been expended.

(Sept. 21, 1950, ch. 975, title I, § 113, as added Nov. 8, 1978, Pub. L. 95-606, § 1(b), 92 Stat. 3049.)

REFERENCES IN TEXT

Section 211 of the Act, referred to in subsec. (b), probably means section 210 of Senate Bill S. 2727, redesignated section 211 in Senate Report No. 95-770, which was originally proposed by the Senate as part of the legislation that was enacted as Pub. L. 95-606 but was omitted in the final version as enacted by Congress. Similar statutory provisions were enacted in Pub. L. 95-482, § 113, Oct. 18, 1978, 92 Stat. 1605, which is classified to section 384 of this title.

PRIOR PROVISIONS

Provisions similar to those comprising this section were contained in former section 382 of this title prior to repeal by Pub. L. 95-606.

§ 382b. Resolution of disputes

In its constitution and bylaws, the Corporation shall establish and maintain provisions for the swift and equitable resolution of disputes involving any of its members and relating to the opportunity of an amateur athlete, coach, trainer, manager, administrator, or official to participate in the Olympic Games, the Pan-American Games, world championship competition, or other such protected competition as defined in such constitution and bylaws.

(Sept. 21, 1950, ch. 975, title I, § 114, as added Nov. 8, 1978, Pub. L. 95-606, § 1(b), 92 Stat. 3049.)

§ 383. Change in name of United States Olympic Association

The corporation known as the United States Olympic Association, which was incorporated by this chapter, shall be known and designated on and after August 10, 1964, as the United States Olympic Committee and any reference to such corporation under the name of the United States Olympic Association shall be held to refer to such corporation under and by the name of the United States Olympic Committee.

¹ So in original. Probably should be "anticipates".

(Pub. L. 88-407, Aug. 10, 1964, 78 Stat. 383.)

CODIFICATION

Section was not enacted as part of act Sept. 21, 1950, ch. 975, which comprises this chapter.

§ 384. Grants to Corporation

(a) Authorization; development of amateur athletics in United States

The Secretary of Commerce (hereinafter in this section referred to as the "Secretary") is authorized to award grants to the United States Olympic Committee (hereinafter in this section referred to as "the Corporation") to assist in the development of amateur athletics in the United States. The Corporation may apply to the Secretary for funds available under this section, and shall use such funds consistent with the provisions of the Amateur Sports Act of 1978. The Secretary may approve any application which meets the requirements of this section, and award grants to the Corporation in a total sum not exceeding \$16,000,000 to finance the construction, improvement, and maintenance of facilities for programs of amateur athletic activity and to defray direct operating costs of programs of amateur athletic activity, consistent with section 374 of this title.

(b) Annual report

The Corporation shall, on or before the first day of June of each year, transmit to the Congress a report which shall include a detailed accounting of the funds made available to the Corporation by the Secretary pursuant to subsection (a) of this section and a comprehensive description of those projects which the Corporation anticipates it will finance during the next fiscal year with funds authorized by this section.

(c) Application for funds; access to books, documents, etc.

Each application for funds available under this section shall be in such form as the Secretary shall provide and shall contain provisions to assure that such funds are disbursed in accordance with the provisions of this section. For the purpose of review or audit, the Secretary shall have access to any books, documents, papers, and records which are relevant to any grant received under this section.

(d) Authorization of appropriations

There are authorized to be appropriated to the Secretary not to exceed \$16,000,000 in fiscal year 1980, such sums to remain available until expended.

(Pub. L. 95-482, §113, Oct. 18, 1978, 92 Stat. 1605.)

REFERENCES IN TEXT

The Amateur Sports Act of 1978, referred to in subsection (a), is Pub. L. 95-606, Nov. 8, 1978, 92 Stat. 3045, which enacted sections 372 to 382b and 391 to 396 of this title, amended section 371 of this title, repealed former sections 372 to 382 of this title, and enacted a provision set out as a note under section 371 of this title. For complete classification of this Act to the Code, see Short Title of 1978 Amendment note set out under section 371 of this title and Tables.

CODIFICATION

Section was not enacted as part of act Sept. 21, 1950, ch. 975, which comprises this chapter.

SUBCHAPTER II—NATIONAL GOVERNING BODIES

§ 391. Recognition of amateur sports organizations

(a) National governing body; application; notice and hearing

For any sport which is included on the program of the Olympic Games or the Pan-American Games, the Corporation is authorized to recognize as a national governing body an amateur sports organization which files an application and is eligible for such recognition, in accordance with the provisions of subsection (b) of this section. The Corporation shall recognize only one national governing body for each sport for which an application is made and approved. Prior to the recognition of a national governing body under the authority granted under this subchapter and in accordance with the procedures and requirements of this section, the Corporation shall hold a hearing open to the public on the application for such recognition. The Corporation shall publish notice of the time, place, and nature of the hearing. Publication shall be made in a regular issue of the Corporation's principal publication at least 30 days, but not more than 60 days, prior to the date of the hearing.

(b) Eligibility requirements

No amateur sports organization is eligible to be recognized or is eligible to continue to be recognized as a national governing body unless it—

(1) is incorporated under the laws of any of the several States of the United States or the District of Columbia as a not-for-profit corporation having as its purpose the advancement of amateur athletic competition, and has the managerial and financial capability to plan and execute its obligations;

(2) submits an application for recognition, in such form as the Corporation shall require, as a national governing body and, upon application, submits a copy of its corporate charter and bylaws and any additional information as is considered necessary or appropriate by the Corporation;

(3) agrees to submit, upon demand of the Corporation, to binding arbitration conducted in accordance with the commercial rules of the American Arbitration Association in any controversy involving its recognition as a national governing body, as provided for in section 395 of this title, or involving the opportunity of any amateur athlete, coach, trainer, manager, administrator or official to participate in amateur athletic competition, as provided for in the Corporation's constitution and bylaws;

(4) demonstrates that it is autonomous in the governance of its sport, in that it independently determines and controls all matters central to such governance, does not delegate such determination and control, and is free from outside restraint, and demonstrates that it is a member of no more than one international sports federation which governs a sport included on the program of the Olympic Games or the Pan-American Games;

(5) demonstrates that its membership is open to any individual who is an amateur ath-