

REFERENCES IN TEXT

The Trademark Act of 1946, referred to in subsec. (c), 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.

AMENDMENTS

2006—Subsec. (d)(3)(A). Pub. L. 109-284 substituted “subsection” for “subsections”.

1998—Subsec. (a)(2). Pub. L. 105-277, §142(g)(1), substituted “rings, the symbol of the International Paralympic Committee, consisting of 3 TaiGeuks, or the symbol of the Pan-American Sports Organization, consisting of a torch surrounded by concentric rings;” for “rings;”.

Subsec. (a)(4). Pub. L. 105-277, §142(g)(2), inserted “‘Paralympic’, ‘Paralympiad’, ‘Pan-American’, ‘America Espirito Sport Fraternalite’,” before “or any combination”.

Subsec. (b). Pub. L. 105-277, §142(g)(3), (4), inserted “, International Paralympic Committee, the Pan-American Sports Organization,” after “International Olympic Committee” and “the Paralympic team,” before “the Pan-American team”.

Subsec. (c)(3). Pub. L. 105-277, §142(g)(5), inserted “, Paralympic, or Pan-American Games” after “any Olympic”.

Subsec. (c)(4). Pub. L. 105-277, §142(g)(6), inserted “, the International Paralympic Committee, the Pan-American Sport Organization,” after “International Olympic Committee”.

Subsec. (d). Pub. L. 105-277, §142(g)(7), inserted “AND GEOGRAPHIC REFERENCE” after “PRE-EXISTING” in heading.

Subsec. (d)(3). Pub. L. 105-277, §142(g)(8), added par. (3).

§ 220507. Restrictions

(a) PROFIT AND STOCK.—The corporation may not engage in business for profit or issue stock.

(b) POLITICAL ACTIVITIES.—The corporation shall be nonpolitical and may not promote the candidacy of an individual seeking public office.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1470.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
220507(a)	36:378.	Sept. 21, 1950, ch. 975, title I, §§107, 108, as added Nov. 8, 1978, Pub. L. 95-606, §1(b), 92 Stat. 3048.
220507(b)	36:377.	

In subsection (a), the words “may not” are substituted for “shall have no power to” for consistency in the revised title. The words “capital”, “pecuniary”, and “or gain” are omitted as unnecessary.

In subsection (b), the words “as an organization” are omitted as unnecessary.

§ 220508. Headquarters, principal office, and meetings

The corporation shall maintain its principal office and national headquarters in a place in the United States decided by the corporation. The corporation may hold its annual and special meetings in the places decided by the corporation.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1470.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
220508	36:371 (last sentence).	Sept. 21, 1950, ch. 975, title I, §101 (last sentence), formerly §1 (last sentence), 64 Stat. 899; Nov. 8, 1978, Pub. L. 95-606, §1(a)(3), 92 Stat. 3045.

The word “decided” is substituted for “as is determined” and for “shall determine” for consistency in the revised title.

§ 220509. Resolution of disputes

(a) GENERAL.—The corporation shall establish and maintain provisions in its constitution and bylaws 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 Paralympic Games, the Pan-American Games, world championship competition, or other protected competition as defined in the constitution and bylaws of the corporation. In any lawsuit relating to the resolution of a dispute involving the opportunity of an amateur athlete to participate in the Olympic Games, the Paralympic Games, or the Pan-American Games, a court shall not grant injunctive relief against the corporation within 21 days before the beginning of such games if the corporation, after consultation with the chair of the Athletes’ Advisory Council, has provided a sworn statement in writing executed by an officer of the corporation to such court that its constitution and bylaws cannot provide for the resolution of such dispute prior to the beginning of such games.

(b) OMBUDSMAN.—

(1) The corporation shall hire and provide salary, benefits, and administrative expenses for an ombudsman for athletes, who shall—

(A) provide independent advice to athletes at no cost about the applicable provisions of this chapter and the constitution and bylaws of the corporation, national governing bodies, paralympic sports organizations, international sports federations, the International Olympic Committee, the International Paralympic Committee, and the Pan-American Sports Organization, and with respect to the resolution of any dispute involving the opportunity of an amateur athlete to participate in the Olympic Games, the Paralympic Games, the Pan-American Games, world championship competition or other protected competition as defined in the constitution and bylaws of the corporation;

(B) assist in mediating any such disputes; and

(C) report to the Athletes’ Advisory Council on a regular basis.

(2)(A) The procedure for hiring the ombudsman for athletes shall be as follows:

(i) The Athletes’ Advisory Council shall provide the corporation’s executive director with the name of one qualified person to serve as ombudsman for athletes.

(ii) The corporation’s executive director shall immediately transmit the name of

such person to the corporation's executive committee.

(iii) The corporation's executive committee shall hire or not hire such person after fully considering the advice and counsel of the Athletes' Advisory Council.

If there is a vacancy in the position of the ombudsman for athletes, the nomination and hiring procedure set forth in this paragraph shall be followed in a timely manner.

(B) The corporation may terminate the employment of an individual serving as ombudsman for athletes only if—

(i) the termination is carried out in accordance with the applicable policies and procedures of the corporation;

(ii) the termination is initially recommended to the corporation's executive committee by either the corporation's executive director or by the Athletes' Advisory Council; and

(iii) the corporation's executive committee fully considers the advice and counsel of the Athletes' Advisory Council prior to deciding whether or not to terminate the employment of such individual.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1470; Pub. L. 105-277, div. C, title I, §142(h), 112 Stat. 2681-605; Pub. L. 109-284, §5(17), Sept. 27, 2006, 120 Stat. 1212.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
220509	36:382b.	Sept. 21, 1950, ch. 975, title I, §114, as added Nov. 8, 1978, Pub. L. 95-606, §1(b), 92 Stat. 3049.

AMENDMENTS

2006—Subsec. (b)(1)(A). Pub. L. 109-284 struck out “a” before “paralympic sports organizations”.

1998—Subsec. (a). Pub. L. 105-277, §142(h)(1), designated existing provisions as subsec. (a), and inserted heading.

Pub. L. 105-277, §142(h)(2), inserted “the Paralympic Games,” before “the Pan-American Games”.

Pub. L. 105-277, §142(h)(3), inserted at end “In any lawsuit relating to the resolution of a dispute involving the opportunity of an amateur athlete to participate in the Olympic Games, the Paralympic Games, or the Pan-American Games, a court shall not grant injunctive relief against the corporation within 21 days before the beginning of such games if the corporation, after consultation with the chair of the Athletes' Advisory Council, has provided a sworn statement in writing executed by an officer of the corporation to such court that its constitution and bylaws cannot provide for the resolution of such dispute prior to the beginning of such games.”

Subsec. (b). Pub. L. 105-277, §142(h)(4), added subsec. (b).

§ 220510. Service of process

As a condition to the exercise of any power or privilege granted by this chapter, the corporation shall have a designated agent in the State of Colorado to receive service of process for the corporation. Notice to or service on the agent, or mailed to the business address of the agent, is notice to or service on the corporation.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1470; Pub. L. 105-277, div. C, title I, §142(i), 112 Stat. 2681-606.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
220510	36:381.	Sept. 21, 1950, ch. 975, title I, §111, as added Nov. 8, 1978, Pub. L. 95-606, §1(b), 92 Stat. 3049.

The words “precedent” and “or conferred” are omitted as unnecessary. The words “with the secretary of state or other designated official” are substituted for “in the office of the secretary of state, or similar office” for consistency in the revised title. The words “post-office” and “authorized” are omitted as unnecessary. The words “legal process” are substituted for “local process” for consistency in the revised title.

AMENDMENTS

1998—Pub. L. 105-277 amended text generally. Prior to amendment, text read as follows: “As a condition to the exercise of any power or privilege granted by this chapter, the corporation shall file, with the secretary of state or other designated official of each State, the name and address of an agent in that State on whom legal process or demands against the corporation may be served.”

§ 220511. Report

(a) SUBMISSION TO PRESIDENT AND CONGRESS.—The corporation shall, on or before the first day of June, 2001, and every fourth year thereafter, transmit simultaneously to the President and to each House of Congress a detailed report of its operations for the preceding 4 years, including—

(1) a complete statement of its receipts and expenditures;

(2) a comprehensive description of the activities and accomplishments of the corporation during such 4-year period;

(3) data concerning the participation of women, disabled individuals, and racial and ethnic minorities in the amateur athletic activities and administration of the corporation and national governing bodies; and

(4) a description of the steps taken to encourage the participation of women, disabled individuals, and racial minorities in amateur athletic activities.

(b) AVAILABILITY TO PUBLIC.—The corporation shall make copies of the report available to interested persons at a reasonable cost.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1471; Pub. L. 105-277, div. C, title I, §142(j)(1), 112 Stat. 2681-606; Pub. L. 109-284, §5(18), Sept. 27, 2006, 120 Stat. 1212.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
220511	36:382a(a).	Sept. 21, 1950, ch. 975, title I, §113(a), as added Nov. 8, 1978, Pub. L. 95-606, §1(b), 92 Stat. 3049.

In subsection (a)(1), the words “full and” are omitted as unnecessary.

AMENDMENTS

2006—Pub. L. 109-284 substituted “Report” for “Annual report” in section catchline.