

**APPROVED**  
**OCT 1 - 1976**

810/1/76

THE WHITE HOUSE  
WASHINGTON  
October 1, 1976

ACTION  
Last Day: October 5

*Posted*  
*10/2/76*  
*archives*  
*10/4/76*

MEMORANDUM FOR  
FROM:  
SUBJECT:

THE PRESIDENT  
JIM CANNON *J. Cannon*  
H.R. 11149-National Society  
of the Daughters of the American  
Revolution

Attached for your consideration is H.R. 11149, sponsored by Representative Wilson.

The enrolled bill would amend the existing charter of the National Society of the Daughters of the American Revolution to remove a \$10 million limit on real and personal property owned by the organization and to grant the organization exclusive use of the name of the Society and its emblems.

Additional information is provided in OMB's enrolled bill report at Tab A.

OMB, Max Friedersdorf, Counsel's Office (Kilberg), Jeanne Holm, and I recommend approval of the enrolled bill.

RECOMMENDATION

That you sign H.R. 11149 at Tab B.





EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

SEP 28 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 11149 - National Society  
of the Daughters of the American Revolution  
Sponsor - Rep. Bob Wilson (R) California

Last Day for Action

October 5, 1976 - Tuesday

Purpose

To amend the existing charter of the National Society of the Daughters of the American Revolution to remove a \$10 million limit on real and personal property owned by the organization and to grant the organization exclusive use of the name of the Society and its emblems.

Agency Recommendations

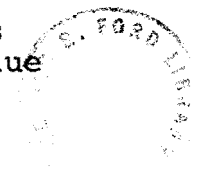
Office of Management and Budget	Approval
Department of Commerce	No objection
Department of Justice	No objection

Discussion

The National Society of the Daughters of the American Revolution (DAR) was incorporated by an 1896 Act of Congress. As originally passed, the incorporating Act authorized the DAR to hold real and personal property for which the aggregate value did not exceed \$500,000. Since then, however, the charter has been amended three times, increasing the present level of allowable property to \$10 million.

The enrolled bill would amend the incorporation statute by removing the \$10 million limitation, and in its place authorize the DAR "to acquire by purchase, gift, devise or bequest and to hold, convey, or otherwise dispose of such property, real or personal, as may be convenient or necessary for its lawful purpose."

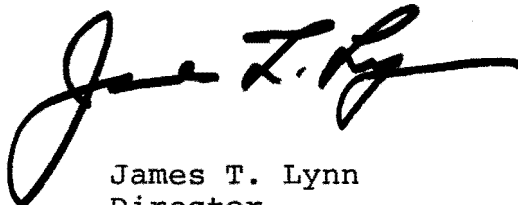
According to the House Judiciary Committee report, this amendment is necessary because the current limit on value



of property no longer reflects the reasonable value of the property held by the DAR due to inflation and increases in land values. The Committee report also notes that removal of the value limit would allow an accurate reflection of the real value of historical documents and artifacts and other personal property currently owned by the DAR.

H.R. 11149 would also give the DAR the exclusive right to the use of its name and emblem. This would eliminate the need for periodic congressional renewal of DAR's design patent on the emblem in order to prevent confusing or deceptive use of the emblems by others.

The House Judiciary Committee report states that these amendments would conform the DAR's charter to the incorporation statutes of other organizations chartered by Act of Congress.

A handwritten signature in black ink, appearing to read "James T. Lynn". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

James T. Lynn  
Director

Enclosures



**GENERAL COUNSEL OF THE  
UNITED STATES DEPARTMENT OF COMMERCE**  
Washington, D.C. 20230

Honorable James T. Lynn  
Director, Office of Management  
and Budget  
Washington, D.C. 20503

Attention: Assistant Director for Legislative Reference

Dear Mr. Lynn:

This is in response to your request for the views of this Department on H.R. 11149, an enrolled enactment

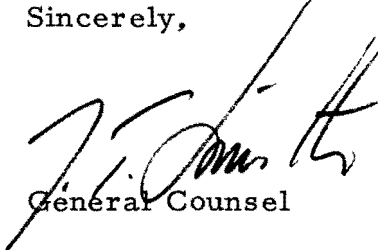
"To amend section 2 of the Act entitled 'An Act to incorporate the National Society of the Daughters of the American Revolution'".

This bill would amend section 2 of the Act incorporating the National Society of the Daughters of the American Revolution (36 U.S.C. 18) by removing the \$10 million limit on the amount of real and personal property which the Society is permitted to own in the United States. The bill would also add a new section 4 to the Society's charter granting it the exclusive right to the use of its name and emblems.

The Department of Commerce would have no objection to approval by the President of H.R. 11149.

Enactment of this legislation would not involve the expenditures of any funds by this Department.

Sincerely,



General Counsel



**Department of Justice**  
**Washington, D.C. 20530**

September 28, 1976

Honorable James T. Lynn  
Director, Office of Management  
and Budget  
Washington, D.C. 20503

Dear Mr. Lynn:

In compliance with your request, I have examined a facsimile of the enrolled bill H.R. 11149, "To amend section 2 of the Act entitled 'An Act to incorporate the National Society of the Daughters of the American Revolution,'" enacted on February 20, 1896.

This bill has two effects. First, it would amend section 2 of the Act to remove the present dollar-value limit of \$500,000 on the Society's right to hold property, and would allow the Society to hold property which is "convenient" for its statutory purposes rather than restricting it solely to property "necessary" for such purposes as does the existing section 2. Second, it grants the Society sole right to its own name and to use various emblems and devices which the Society has adopted or used. The bill would forestall any other group from using the Society's name or its emblems.

The Department of Justice has no objection to Executive approval of this bill.

Sincerely,



Michael M. Uhlmann  
Assistant Attorney General  
Office of Legislative Affairs

THE WHITE HOUSE  
WASHINGTON

signing ceremony  
requested by Jeanne  
Holm.

JT

10/1/76

No signing ceremony -  
per Mr. Nicholson to  
Mr. Linder

## ACTION MEMORANDUM

Date: September 29

Time: 500pm

## FOR ACTION:

Paul Leach *ml*  
 Max Friedersdorf *ml*  
 Bobbie Kilberg *ml*  
 Jeanne Holm *ml*

cc (for information):

Jack Marsh  
 Jim Connor  
 Ed Schmults

FROM THE STAFF SECRETARY

DUE: Date: September 30

Time: 530pm

## SUBJECT:

H.R. 11149-National Society of the Daughters of the  
 American Revolution

## ACTION REQUESTED:

 For Necessary Action For Your Recommendations Prepare Agenda and Brief Draft Reply For Your Comments Draft Remarks

## REMARKS:

please return to judy johnston, ground floor west wing

*Ceremony requested  
 see file*

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

K. R. COLE, JR.  
 For the President

EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503



To: J. Johnston  
9-29-76  
4:30 p.m.

SEP 28 1976

MEMORANDUM FOR THE PRESIDENT

Subject: Enrolled Bill H.R. 11149 - National Society  
of the Daughters of the American Revolution  
Sponsor - Rep. Bob Wilson (R) California

Last Day for Action

October 5, 1976 - Tuesday

Purpose

To amend the existing charter of the National Society of the Daughters of the American Revolution to remove a \$10 million limit on real and personal property owned by the organization and to grant the organization exclusive use of the name of the Society and its emblems.

Agency Recommendations

Office of Management and Budget	Approval
Department of Commerce	No objection
Department of Justice	No objection

Discussion

The National Society of the Daughters of the American Revolution (DAR) was incorporated by an 1896 Act of Congress. As originally passed, the incorporating Act authorized the DAR to hold real and personal property for which the aggregate value did not exceed \$500,000. Since then, however, the charter has been amended three times, increasing the present level of allowable property to \$10 million.

The enrolled bill would amend the incorporation statute by removing the \$10 million limitation, and in its place authorize the DAR "to acquire by purchase, gift, devise or bequest and to hold, convey, or otherwise dispose of such property, real or personal, as may be convenient or necessary for its lawful purpose."

According to the House Judiciary Committee report, this amendment is necessary because the current limit on value



THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

Date: September 29

Time: 500pm

FOR ACTION: Paul Leach  
Max Friedersdorf  
Bobbie Kilberg  
Jeanne Holm

cc (for information): Jack Marsh  
Jim Connor  
Ed Schmults

FROM THE STAFF SECRETARY

JRH

DUE: Date: September 30

Time: 530pm

SUBJECT:

H.R. 11149-National Society of the Daughters of the American Revolution

ACTION REQUESTED:

For Necessary Action

For Your Recommendations

Prepare Agenda and Brief

Draft Reply

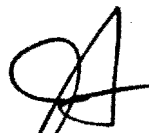
For Your Comments

Draft Remarks

REMARKS:

please return to judy johnston, ground floor west wing

Recommend signature. Attached is a copy of a schedule proposal for a signing ceremony.



Jeanne M. Holm  
9-30-76

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

James M. Cannon  
For the President

THE WHITE HOUSE

WASHINGTON

SCHEDULE PROPOSAL FOR THE PRESIDENT

DATE: September 30, 1976

FROM: Jeanne Holm

THRU: Bill Baroody

VIA: Bill Nicholson

MEETING: Signing ceremony for H.R. 11149 - National Society of the Daughters of the American Revolution

DATE: Before Tuesday, October 5, 1976

PURPOSE: To highlight the achievements of the National Society of the Daughters of the American Revolution particularly.

To reiterate your strong defense policy.

FORMAT: - DAR National Headquarters at 1776 D Street, N.W. Washington, D. C. or the Oval Office.

- DAR officers and staff

- 5 - 10 minutes

CABINET PARTICIPATION: None

SPEECH MATERIAL: Statement to be provided

PRESS COVERAGE: Full coverage

STAFF: Bill Baroody  
Jeanne Holm

RECOMMEND: Bill Baroody  
Jeanne Holm

PREVIOUS PARTICIPATION: You addressed the DAR 85th Continental Congress on April 21, 1976, and the 84th Continental Congress on April 15, 1975.

BACKGROUND:

The purpose of H.R. 11149 is to amend the existing charter of the DAR to remove a \$10 million limit on real and personal property owned by the organization and to grant the organization exclusive use of the name of the Society and its emblems.

The National Society of the Daughters of the American Revolution is an organization of women directly descended from persons who aided in the achievement of American independence. The Society was founded in 1890 in Washington, D.C., for historic, educational and patriotic services. Over one-half million women have joined the NSDAR since it was founded. Today, there are more than 197,000 members -- in 3,000 chapters located in the 50 states, the District of Columbia, England, France and Mexico.

The three headquarters buildings of the DAR occupy an entire block a short distance from the White House and were built from funds contributed by members and friends. They are Memorial Continental Hall built in 1905, the Administration Building built in 1923 and enlarged in 1950, and Constitution Hall built in 1929. This is the largest group of buildings in the world owned and maintained exclusively by women.

APPROVE \_\_\_\_\_

DISAPPROVE \_\_\_\_\_

## THE WHITE HOUSE

ACT. MEMORANDUM

WASHINGTON

Date: September 29

Time: 500pm

FOR ACTION: Paul Leach  
 Max Friedersdorf  
 Bobbie Kilberg  
 Jeanne Holm

cc (for information): Jack Marsh  
 Jim Connor  
 Ed Schmults

FROM THE STAFF SECRETARY

DUE: Date: September 30

Time: 530pm

SUBJECT:

H.R. 11149-National Society of the Daughters of the  
 American Revolution

## ACTION REQUESTED:

 For Necessary Action For Your Recommendations Prepare Agenda and Brief Draft Reply For Your Comments Draft Remarks

## REMARKS:

please return to judy johnston, ground floor west wing

*approved Kilberg 9/30/76*

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.

James M. Cannon  
 For the President

THE WHITE HOUSE

WASHINGTON

September 30, 1976

MEMORANDUM FOR: JIM CAVANAUGH  
FROM: MAX L. FRIEDERSDORF *M.L.F.*  
SUBJECT: HR 11149 - National Society of the  
Daughters of the American Revolution

The Office of Legislative Affairs concurs with the agencies  
that the subject bill be approved.

Attachments

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NATIONAL SOCIETY OF THE DAUGHTERS OF THE  
AMERICAN REVOLUTION

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JUNE 22, 1976.—Committed to the Committee of the Whole House on the State  
of the Union and ordered to be printed

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Mr. FLOWERS, from the Committee on the Judiciary,  
submitted the following

**REPORT**

[To accompany H.R. 11149]

The Committee on the Judiciary, to whom was referred the bill (H.R. 11149) to amend section 2 of the Act entitled "An Act to Incorporate the National Society of the Daughters of the American Revolution," having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

**PURPOSE**

The purpose of the proposed legislation is to amend the second section of the existing charter of the Daughters of the American Revolution to remove a \$10 million limit on the real and personal property owned by the organization. The bill would further add a new section 4 to its charter granting it exclusive use of the name of the Society and of its emblems.

**STATEMENT**

The National Society of the Daughters of the American Revolution was incorporated by an Act of Congress passed February 20, 1896 (29 Stat. 9; 36 USC 18, 18a, 18b). As originally passed in 1896, the Act incorporating the organization authorized it to hold real and personal property in an amount not exceeding \$500,000. Since that time the Act has been amended on three occasions in order to increase the amount of the authorized property holdings. In 1915, the amount was increased to \$1 million; in 1926, to \$5 million; and in 1951 to its present level of \$10 million. This bill would amend the basic incorporation statute by deleting the \$10 million limit and in its stead authorize the National Society of the Daughters of the American Revolution to acquire by purchase, gift, devise or bequest and to hold,

convey, or otherwise dispose of such property, real or personal, as may be convenient or necessary for its lawful purposes.

This committee recently considered a similar problem concerning the charter of the General Federation of Women's Clubs in connection with the bill S. 240. This bill which was enacted into law as Public Law 94-151 deleted the monetary limit on the value of corporate property in the incorporation statute of the General Federation of Women's Clubs so that its property would not be subject to such a limit. In its report accompanying that bill, House Report 94-555, 94th Congress, 1st session, this committee noted that the requirement for that organization to petition Congress periodically for an amendment of the provision limiting the amount of property resulted from the inflationary spiral and the increase of land values. It was noted that this has been a recurring problem involving the same properties. It is obvious that the same situation is faced by the National Society of the Daughters of the American Revolution. The committee has also been advised that of the 50 private corporations presently listed in title 36 of the United States Code, the DAR is presently the only one that is restricted to a dollar limit on the amount of its property holdings. Three organizations incorporated some 70 years ago had dollar limits of this kind but in each of these cases Congress removed the limits. The American Historical Association's limit was removed in 1957 (Public Law 85-83, sec. 1, 71 Stat. 276); the Sons of the American Revolution's limit was removed in 1961 (Public Law 87-214, 75 Stat. 489); and the General Federation of Women's Clubs limit was removed last December.

The limit on the value of the property of the Society was last fixed in 1951 and that limit no longer reflects the reasonable value of the property due to continuing inflation and the increase in land values. It can also be noted that the historical documents and artifacts and other personal property of the organization are presently covered by the limit and the removal of the limit would permit an appropriate recognition of the value to be attributed to such property.

Section 2 of the bill adds language similar to that found in a number of charters in title 36 of the United States Code and gives the organization the exclusive right to the use of its name and emblems. Previously, the DAR held a design patent on its emblems and this had been renewed by Congress, the last time in 1960. In 1975, the Department of Commerce suggested in a report to the Committee on a bill, H.R. 1652, proposing an extension for the design patent that the Charter be amended in a manner similar to that provided in the bill H.R. 11149. This bill would therefore obviate the need for a design patent by protecting the emblem of the National Society of the Daughters of the American Revolution as provided in the amendment. This amendment will provide the organization with more tangible protection than that available in connection with a design patent particularly when, as observed by the Department of Commerce, renewal of the design patent may not be possible. It has the additional advantage that it would avoid the requirement of periodic requests to Congress for renewal as are required in connection with the design patent. Finally, as has been observed in connection with the discussion of the

removal of the limitation relating to property holdings, the amendment would conform the charter of this organization to the incorporation statutes of other organizations chartered by Congress.

In view of the considerations outlined above, it is recommended that the bill be considered favorably.

Statements under clause 2(1)(2)(B), clause 2(1)(3) and clause 2(1)(4) of rule XI and clause 7(a)(1) of rule XIII of the House of Representatives.

COMMITTEE VOTE

(Rule XI 2(1)(2)(B))

On June 22, 1976, the Full Committee on the Judiciary approved the bill H.R. 11149 by voice vote.

COST

(Rule XIII (7)(a)(1))

The bill amends the Act incorporating the National Society of the Daughters of the American Revolution, and its enactment would result in no added cost. It does not provide for any new specific programs.

OVERSIGHT STATEMENT

(Rule XI (2)(1)(3)(A))

The Subcommittee on Administrative Law and Governmental Relations of this committee exercises the committee's oversight responsibility in accordance with rule VI(b) of the Rules of the Committee on the Judiciary with reference to the incorporation private corporations established under Federal Law including those listed in section 1101 of title 36 United States Code. The favorable consideration of this bill was recommended by that subcommittee and the committee has determined that legislation should be enacted as set forth in this bill.

BUDGET STATEMENT

(Rule XI 2(1)(3)(B))

As has been indicated in the committee statement as to cost made pursuant to Rule XIII (7)(a)(1), the bill merely provides for the amendment of an existing charter. The bill does not involve new budget authority nor does it require new or increased tax expenditures as contemplated by clause 2(1)(3)(B) of rule XI.

ESTIMATE OF THE CONGRESSIONAL BUDGET OFFICE

(Rule XI 2(1)(3)(C))

No estimate or comparison was received from the Director of the Congressional Budget Office.

OVERSIGHT FINDINGS AND RECOMMENDATIONS OF THE COMMITTEE ON  
GOVERNMENT OPERATIONS

Rule XI 2(1)(3)(D))

No findings or recommendations of the Committee on Government Operations were received as referred to in subdivision (D) of clause 2(1)(3) of House rule XI.

INFLATIONARY IMPACT

(Rule XI 2(1)(3))

In compliance with clause 2(1)(4) of House rule XI it is stated that this legislation will have no inflationary impact on prices and costs in the operation of the national economy.

[The report of the Department of Commerce on the bill H.R. 1652, a bill concerning a design patent, commented upon in this report is included below. That report details the situation concerning the design patent and the position of that department in that connection:]

GENERAL COUNSEL OF THE DEPARTMENT OF COMMERCE,  
*Washington, D.C., September 9, 1975.*

HON. PETER W. RODINO, JR.,  
*Chairman, Committee on the Judiciary, House of Representatives,*  
*Washington, D.C.*

DEAR MR. CHAIRMAN: This is in reply to your request for the views of the Department of Commerce on H.R. 1652, a bill: "To extend the term of design patent numbered 21,053, dated September 22, 1891, for a badge, granted to George Brown Goode, and assigned to the National Society, Daughters of the American Revolution."

The above identified design patent has been subject to numerous extensions by Congress and was last extended by the act of Congress, approved July 12, 1960, Private Law 412, 86th Congress (74 Stat. A 70).

A bill identical to H.R. 1652 (except for one technical point) was introduced in the 93rd Congress (H.R. 7584, May 7, 1973) and this department recommended its enactment. Our recommendation was largely based on reasons recited in House Report No. 1973, 86th Congress, a photocopy of which is attached.

However, the design patent subject of that bill, and of the present bill, expired on July 12, 1974, 14 years from the date of approval of the last extension by the Congress. With the expiration of that term it is our view that there is no right existing under the patent law which is capable of extension because of the well established principle that expiration of the term of a patent is tantamount to a dedication of the subject matter of the patent to the public.

It appears that the principal reason for the continuing legislation enacted on behalf of this and other similar institutions, extending the terms of design patents in respect of their emblems, is to prevent confusing or deceptive use of these emblems by others. This kind of protection is more properly achieved under the unfair competition law and trademark statutes rather than under the patent law. We recog-

nize that the concern which gives rise to the extension bill results from certain federal court decisions holding that all proprietary rights are dedicated to the public upon expiration of a design patent. (E.g. *Kellogg Co. v. National Biscuit Co.*, 305 U.S. 111 (1938), involving a design patent on the well known "pillow" shape of the SHREDDED WHEAT product.)

Thus, as a result of these decisions, certain rights in the design of the DAR badge may already have been adversely affected by the expiration of the extended term of the design patent on July 12, 1974. For example, should anyone have imitated and used the DAR emblem after the expiration of the design patent, enactment of this bill could raise serious questions regarding the intervening rights of that user who may have begun his activities in reliance on the termination of patent protection with respect to the design in question.

More important, the ruling of the court in the *Kellogg* case is not necessarily the prevailing authority on this question. The most current interpretation is that expiration of a design patent is not inconsistent with enforcement of trademark rights in the subject matter of the design patent or the bringing of an unfair competition action to prevent the confusing or deceptive use of features of the patented article which are non-functional and have acquired a secondary meaning as an indication of source of origin. *In re Honeywell, Inc.*, 181 U.S.P.Q. 821 (CCPA 1974), cert. denied 184 U.S.P.Q. 129 (1974). In view of this decision, and others, it seems to us appropriate that the National Society, Daughters of the American Revolution should seek to secure protection of its badge under the trademark and unfair competition laws. Thus, we do not believe that enactment of legislation following expiration of the subject design patent is a recommended course of action.

We would not object to the enactment of appropriately drafted legislation along the lines of that which protects emblems of associations without reference to the patent laws, e.g. the federal statute relating to improper use of the emblem of the United States Olympic Association. Such legislation has the advantage of not being subject to periodic extension bills referenced to the patent statute and the further advantage of not being subject to the deficiencies peculiar to the patent laws as indicated above.

We have been advised by the Office of Management and Budget that there would be no objection to the submission of this report from the standpoint of the Administration's program.

Sincerely,

B. PARRETTE,  
*General Counsel.*

Enclosure.



EXTENSION OF PATENT ASSIGNED TO THE NATIONAL  
SOCIETY, DAUGHTERS OF THE AMERICAN REVOLU-  
TION

JUNE 23, 1960.—Committed to the Committee of the Whole House and ordered to be printed

Mr. WILLIS, from the Committee on the Judiciary,  
submitted the following

REPORT

[To accompany S. 2744]

The Committee on the Judiciary, to whom was referred the bill (S. 2744) to extend the term of design patent numbered 21,053, dated September 22, 1891, for a badge, granted to George Brown Goode, and assigned to the National Society, Daughters of the American Revolution, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE

The purpose of the bill is to extend for a period of 14 years the term of design patent No. 21,053, dated September 22, 1891, for a badge, granted to George Brown Goode, and assigned to the National Society, Daughters of the American Revolution.

STATEMENT

In cases where design patents are granted for emblems of military, fraternal, patriotic, and religious organizations, Congress in the past has authorized extensions to preserve intact their use as identifying insignia and to prevent their commercial exploitation after their expiry dates so that no commercial or industrial significance will attach to the names of such organizations. For example, the design patents owned by the following organizations were extended: United Daughters of the Confederacy, Daughters of the American Revolution, American Legion, American Legion Auxiliary, United Daughters of 1812, Disabled American Veterans of the World War, The Holy Name Society, and Girl Scouts. (See Public Law 242, 69th Cong., Private Law 3, 71st Cong.; Public Laws 230, 231, 551, 627, 628, 74th Cong.; Public Law 259, 75th Cong.; Public Law 220, 77th Cong.)

(6)

The action of this committee, therefore, is in accord with previous actions of previous Committees on Patents and of Congress.

EXECUTIVE COMMUNICATION

The Department of Commerce recommends the enactment of S. 2744. The Secretary of Commerce in his report states that the identified design patent of the National Society, Daughters of the American Revolution, was last extended by act of Congress, approved June 24, 1946, Private Law 692, 79th Congress, and it would, in ordinary course, now expire on June 24, 1960, and that, for the reasons recited in House Report No. 1885 of the 79th Congress, the Department of Commerce recommends enactment of S. 2744.

Attached hereto and made a part hereof is the report of the Secretary of Commerce, dated March 21, 1960.

THE SECRETARY OF COMMERCE.  
*Washington, D.C., March 21, 1960.*

HON. JAMES O. EASTLAND,  
*Chairman, Committee on the Judiciary,  
U.S. Senate, Washington, D.C.*

DEAR MR. CHAIRMAN: This letter is in response to your request dated January 20, 1960, for the views of this Department concerning S. 2744, a bill to extend the term of design patent No. 21,053, dated September 22, 1891, for a badge, granted to George Brown Goode, and assigned to the National Society, Daughters of the American Revolution.

A companion bill is H.R. 9424, introduced January 6, 1960.

The identified design patent was last extended by act of Congress, approved June 24, 1946, Private Law 692, 79th Congress (60 Stat. 1241), and it would, in ordinary course, now expire on June 24, 1960. For reasons recited in House Report No. 1885, 79th Congress, a photocopy of which is attached, the Department of Commerce recommends enactment of S. 2744.

We have been advised by the Bureau of the Budget that it would interpose no objection to the submission of this report.

Sincerely yours,

PHILIP A. RAY,  
*Under Secretary of Commerce.*

# Ninety-fourth Congress of the United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Monday, the nineteenth day of January,  
one thousand nine hundred and seventy-six*

## An Act

To amend section 2 of the Act entitled "An Act to incorporate the National Society of the Daughters of the American Revolution".

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2 of the Act entitled "An Act to incorporate the National Society of the Daughters of the American Revolution" approved February 20, 1896, as amended, is amended to read as follows:*

"SEC. 2. The society is authorized to acquire by purchase, gift, devise, or bequest and to hold, convey, or otherwise dispose of such property, real or personal, as may be convenient or necessary for its lawful purposes, and may adopt a constitution and make bylaws not inconsistent with law, and may adopt a seal. Said society shall have its headquarters or principal office at Washington, in the District of Columbia."

SEC. 2. Add a new section to said Act to be numbered section 4 and to read as follows:

"SEC. 4. The society and its subordinate divisions shall have the sole and exclusive right to use the name 'National Society of the Daughters of the American Revolution'. The society shall have the exclusive and sole right to use, or to allow or refuse the use of, such emblems, seals, and badges as have heretofore been adopted or used by the National Society of the Daughters of the American Revolution."

*Speaker of the House of Representatives.*

*Vice President of the United States and  
President of the Senate.*