

## **US Code**

*(Unofficial compilation from the Legal Information Institute)*

### **TITLE 36 - PATRIOTIC AND NATIONAL OBSERVANCES, CEREMONIES, AND ORGANIZATIONS Subtitle III - Treaty Obligation Organizations CHAPTER 3001—THE AMERICAN NATIONAL RED CROSS**

*Please Note: This compilation of the US Code, current as of Feb.1, 2010 , has been prepared by the Legal Information Institute using data from the U.S. House of Representatives, Office of the Law Revision Counsel. It is not an official U.S. government publication. For more details please see: <http://www.law.cornell.edu/uscode/uscprint.html>.*

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**TITLE 36—PATRIOTIC AND NATIONAL OBSERVANCES, CEREMONIES, AND ORGANIZATIONS**

This title was enacted by Pub. L. 105–225, § 1, Aug. 12, 1998, 112 Stat. 1253

Subtitle ...Sec.

I. PATRIOTIC AND NATIONAL OBSERVANCES AND CEREMONIES ...101

II. PATRIOTIC AND NATIONAL ORGANIZATIONS ...10101

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34 (1st–7th sentences)	80303
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207	40307
208	10102
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231 (words after 2d comma)	190112
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236 (1st sentence)	190108
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253 (words after 1st comma)	150303
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349	Rep.
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373	220501
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392(a)(5)–(9)	220524
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395(a)	220527
395(b)(1)–(4)	220528
395(b)(5)	220521
395(c)	220529
396	220526
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406, 407	150505
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419	150511
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421	10102
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475	Rep.
476	152512
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479	10102
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492	Rep.
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836	140505
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891	30111
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897	30112
898	10102
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913	110302
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920	110309
921	110305
922	110307
923	Rep.
924	110310
925	110304
926	10102
941, 942	30502
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944(1)	30502
944(2)–(10)	30506
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974(1)	20101
974(2)–(9)	20105
975(a)	20107
975(b)	20109
976	20103
977, 978	20104
979, 980	20106
981	20110
982	20106
983	20108
984	Rep.
985	20111
986	20101
987	20105
988	10102
1001, 1002	153701
1003	153702
1004(1)	153701
1004(2)–(8)	153705
1005	153703
1006–1008	153704
1009(a)	153708
1009(b)	153710
1010, 1011	153707
1012	153711
1013	153707
1014	153709
1015	Rep.
1016	153712
1017	153706
1018	153705
1019	153713
1020	10102
1041	154101
1042	154102
1043	154105
1044(1)	154101
1044(2)–(9)	154105
1045(a)	154108
1045(b)	154110
1046	154103
1047, 1048	154104
1049, 1050	154107
1051	154111
1052	154107
1053	154109
1054	Rep.
1055	154113

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<b>Title 36 Former Sections</b>	<b>Title 36 New Sections</b>
1056	154106
1057	154105
1058	154112
1059	10102
1071, 1072	130501
1073	130502
1074	130505
1075(a)	130508
1075(b)	130511
1076	130503
1077, 1078	130504
1079, 1080	130507
1081	130512
1082	130507
1083	130509
1084 (less (b) (2d sentence cl. (2)))	10101
1084(b) (2d sentence cl. (2))	130510
1085	130513
1086	130506
1087	130505
1088	10102
1101(1)–(76), (77) (related to Fleet Reserve Association), (79), (80)	10101
1101(77) (related to NNRCF)	Rep.
1102, 1103	10101
1151, 1152	170101
1153	170102
1154 (less perpetual succession)	170104
1154 (related to perpetual succession)	170101
1155, 1156	170106
1157	170103
1158	170107
1159	170111
1160	170105
1161	170108
1162	170109
1163	170104
1164	170106
1165	170110
1166	10101
1167	10102
1201, 1202	220301
1203	220302
1204	220305
1205(a)	220310
1205(b)	220312
1206	220303
1207, 1208	220304
1209	220308

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<b>Title 36 Former Sections</b>	<b>Title 36 New Sections</b>
1210	220313
1211	220308
1212	220311
1213(a)	10101
1213(b)	220314
1214	220315
1215	220306
1216 (1st sentence)	220305
1216 (last sentence)	220309
1217	220314
1218	10102
1219	220307
1301	220101
1302	220102
1303	220105
1304(a), (b)	220108
1304(c)	220114
1304(d), (e)	220108
1305(a)	220103
1305(b)–(d)	220104
1306 (1st sentence)	220105
1306 (last sentence)	220109
1307	220106
1308	220107
1309(a)	220110
1309(b), (c)	220112
1309(d)	220111
1309(e), (f)	220113
1309(g)	(See 36:1101)
1309(h)	10102
1401	2301
1402, 1403	2302
1404	2307
1404 (notes)	2302, 2307
1405	2303
1406	2305
1407	2304
1408	2309
1409	2308
1410	2306
1411	Rep.
1501	152702
1502	152706
1503	152703
1504	152710
1505	152704
1506, 1507	152705
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<b>Title 36 Former Sections</b>	<b>Title 36 New Sections</b>
1509	152711
1510	152709
1511	152712
1512	10102
1513	152701
1514 (1st sentence)	152708
1514 (last sentence)	152702
1601	80502
1602	80506
1603 (less discrimination)	80503
1603 (related to discrimination in membership)	80504
1603 (related to discrimination in holding office)	80505
1604	80510
1605	80504
1606, 1607	80505
1608	80507
1609	80511
1610	80509
1611	80512
1612	10102
1613	80501
1614 (1st sentence)	80508
1614 (last sentence)	80502
1701	100102
1702	100106
1703	100103
1704	100110
1705	100104
1706, 1707	100105
1708	100107
1709	100111
1710	100109
1711	100112
1712	10102
1713	100101
1714 (1st sentence)	100108
1714 (last sentence), 1715	100102
1801	220702
1802	220706
1803	220703
1804	220710
1805	220704
1806, 1807	220705
1808	220707
1809	220711
1810	220709
1811	220712

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<b>Title 36 Former Sections</b>	<b>Title 36 New Sections</b>
1812	10102
1813	220701
1814 (1st sentence)	220708
1814 (last sentence), 1815	220702
1901	20702
1902	20706
1903	20703
1904	20710
1905	20704
1906, 1907	20705
1908	20707
1909	20711
1910	20709
1911	20712
1912	10102
1913	20701
1914	20708
2001	151502
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2003	151503
2004	151510
2005	151504
2006, 2007	151505
2008(a)–(e)	151507
2008(f)	151508
2009	151511
2010	151509
2011	151512
2012	10102
2013	151501
2014 (1st sentence)	151508
2014 (last sentence), 2015	151502
2101	20902
2102	20906
2103	20903
2104	20911
2105	20904
2106, 2107	20905
2108(a)–(e)	20908
2108(f)	20909
2109	20912
2110	20910
2111	20913
2112	10102
2113	20901
2114 (1st sentence)	20909
2114 (last sentence)	20902
2115	20907

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<b>Title 36 Former Sections</b>	<b>Title 36 New Sections</b>
2116	20902
2201	70302
2202	70306
2203	70303
2204	70310
2205	70304
2206, 2207	70305
2208	70307
2209	70311
2210	70309
2211	70312
2212	10102
2213	70301
2214 (1st sentence)	70308
2214 (last sentence), 2215	70302
2301	150102
2302	150107
2303	150103
2304	150111
2305	150105
2306, 2307	150106
2308(a)–(e)	150108
2308(f)	150109
2309	150112
2310	150110
2311	150113
2312	10102
2313	150101
2314 (1st sentence)	150109
2314 (last sentence), 2315	150102
2316	150104
2401	21102
2402	21106
2403	21103
2404	21110
2405 (words before 3d comma, words after 3d comma related to discrimination in membership)	21104
2405 (words after 3d comma related to discrimination in holding office), 2406, 2407	21105
2408(a)–(d)	21107
2408(e)	21108
2409	21111
2410	21109
2411	21112
2412	10102
2413	21101
2414 (1st sentence)	21108
2414 (last sentence), 2415	21102

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<b>Title 36 Former Sections</b>	<b>Title 36 New Sections</b>
2501	170502
2502	170506
2503	170503
2504	170510
2505 (words before 3d comma, words after 3d comma related to discrimination in membership)	170504
2505 (words after 3d comma related to discrimination in holding office), 2506, 2507	170505
2508	170507
2509	170511
2510	170509
2511	170512
2512	10102
2513	170501
2514 (1st sentence)	170508
2514 (last sentence), 2515	170502
2601	40102
2602	40106
2603	40103
2604	40110
2605	40104
2606, 2607	40105
2608	40107
2609	40111
2610	40109
2611	40112
2612	10102
2613	40101
2614 (1st sentence)	40108
2614 (last sentence), 2615	40102
2701(a)	110102
2701(b)	110108
2702	110106
2703	110103
2704	110110
2705	110104
2706, 2707	110105
2708	110107
2709	110111
2710	110109
2711	110112
2712	10102
2713	110101
2714 (1st sentence)	110108
2714 (last sentence), 2715	110102
2801	154502
2802	154506
2803	154503

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Title 36 Former Sections	Title 36 New Sections
2804	154510
2805	154504
2806, 2807	154505
2808(a)–(e)	154507
2808(f)	154508
2809	154511
2810	154509
2811	154512
2812	10102
2813	154501
2814 (1st sentence)	154508
2814 (last sentence), 2815	154502
2901	152902
2902	152906
2903	152903
2904	152911
2905 (words before 3d comma, words after 3d comma related to discrimination in membership)	152904
2905 (words after 3d comma related to discrimination in holding office), 2906, 2907	152905
2908(a)–(e)	152908
2908(f)	152909
2909	152907
2910	152912
2911	152910
2912	152913
2913	10102
2914	152901
2915 (1st sentence)	152909
2915 (last sentence), 2916	152902
3001	210302
3002	210306
3003	210303
3004	210311
3005 (words before 3d comma, words after 3d comma related to discrimination in membership)	210304
3005 (words after 3d comma related to discrimination in holding office), 3006, 3007	210305
3008	210308
3009	210312
3010	210310
3011	210313
3012	10102
3013	210301
3014 (1st sentence)	210309
3014 (last sentence)	210302
3015	210307
3016	210302

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<b>Title 36 Former Sections</b>	<b>Title 36 New Sections</b>
3101	240102
3102	240106
3103	240103
3104	240110
3105	240104
3106, 3107	240105
3108	240107
3109	240111
3110	240109
3111	240112
3112	10102
3113	240101
3114 (1st sentence)	240108
3114 (last sentence), 3115	240102
3201	20501
3202	20502
3203 (1st sentence)	20503
3203 (last sentence)	20505
3204	20504
3205	20503
3206	Rep.
3207	20501
3208	20506
3209	10102
3301	21901
3302 (1st sentence)	21905
3302 (last sentence)	21902
3303 (less perpetual succession)	21903
3303 (related to perpetual succession)	21901
3304	21905
3305	21904
3306	21906
3307	21903
3308	21908
3309	21907
3310	10102
3401, 3402	22301
3403	22302
3404(1)	22301
3404(2)-(9)	22305
3405(a)	22308
3405(b)	22310
3406	22303
3407, 3408	22304
3409, 3410	22307
3411	22311
3412	22307
3413	22309

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<b>Title 36 Former Sections</b>	<b>Title 36 New Sections</b>
3414	Rep.
3415	22312
3416	22306
3417	22305
3418	10102
3501(a)	80101
3501(b)	80102
3501(c)	80106
3502	80104
3503 (1st sentence)	80103
3503 (last sentence), 3504	80105
3601	170302
3602	170306
3603	170303
3604	170311
3605 (words before 1st comma, words after 1st comma related to discrimination in membership)	170304
3605 (words after 1st comma related to discrimination in holding office), 3606, 3607	170305
3608	170308
3609	170312
3610	170310
3611	170313
3612	10102
3613	170301
3614	170309
3615	170307
3616	170302
3701	50102
3702	50106
3703	50103
3704	50110
3705	50104
3706, 3707	50105
3708	50107
3709	50111
3710	50109
3711	50112
3712	10102
3713	50101
3714	50108
3715	50102
3801	230502
3802	230506
3803	230503
3804	230511
3805	230504
3806, 3807, 3808 (related to directors and officers)	230505

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3808 (related to membership)	230504
3809	230508
3810	230512
3811	230510
3812	230513
3813	10102
3814	230501
3815	230509
3816	230507
3817	230502
3901	22902
3902	22906
3903	22903
3904	22910
3905	22904
3906, 3907	22905
3908(a)–(e)	22907
3908(f)	22908
3909	22911
3910	22909
3911	22912
3912	10102
3913	22901
3914 (1st sentence)	22908
3914 (last sentence), 3915	22902
4001	154702
4002	154706
4003	154703
4004	154711
4005	154704
4006, 4007, 4008 (related to directors and officers)	154705
4008 (related to membership)	154704
4009	154708
4010	154712
4011	154710
4012	154713
4013	10102
4014	154701
4015 (1st sentence)	154709
4015 (last sentence)	154702
4016	154707
4017	154702
4101	152102
4102	152106
4103	152103
4104	152104
4105, 4106	152105
4107(a)–(e)	152107

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4107(f)	152108
4108	152111
4109	152110
4110	152109
4111	152112
4112	10102
4113	152101
4114	152108
4115	152102
4201	20301
4202	20302
4203 (words before 1st comma)	20303
4203 (words after 1st comma)	20304
4204 (related to meeting)	20305
4204 (related to report)	20306
4205	20304
4206	10102
4301, 4302	23101
4303(1) (1st sentence words before 8th comma)	23102
4303(1) (1st sentence words after 8th comma)	23106
4303(1) (last sentence), (2)–(7)	23102
4304(1)	23101
4304(2)–(9)	23105
4305(a)	23107
4305(b)	23110
4306	23103
4307–4309	23104
4310, 4311	23106
4312	23111
4313	23106
4314	23108
4315 (less (b) (2d sentence cl. (2)))	10101
4315(b) (2d sentence cl. (2))	23109
4316	23112
4317	23105
4318	10102
4401 (words before “for the following objects and purposes”)	70701
4401 (words beginning with “for the following objects and purposes”)	70702
4402 (words before last semicolon)	70704
4402 (words after last semicolon)	70705
4403	70701
4404 (1st–3d sentences)	70703
4404 (4th sentence related to adopting and altering seal)	70704
4404 (4th sentence less adopting and altering seal)	70703

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<b>Title 36 Former Sections</b>	<b>Title 36 New Sections</b>
4404 (5th sentence related to establishing bylaws)	70704
4404 (5th sentence less establishing bylaws)	70703
4404 (last sentence related to employment authority)	70704
4404 (last sentence less employment authority)	70703
4405	70707
4406	70705
4407	70706
4408	10102
4501	150901
4502	150905
4503	150902
4504	150905
4505(a)	150907
4505(b)	150910
4506	150903
4507, 4508	150904
4509, 4510	150906
4511	150911
4512	150906
4513	150908
4514 (less (b) (2d sentence cl. (2)))	10101
4514(b) (2d sentence cl. (2))	150909
4515	150912
4516	150905
4517	10102
4601, 4602	153501
4603	153502
4604	153505
4605, 4606	153504
4607(a)	153508
4607(b)	153511
4608	153503
4609	153512
4610 (less (b) (2d sentence cl. (2)))	10101
4610(b) (2d sentence cl. (2))	153510
4611	153509
4612, 4613	153507
4614	153513
4615	153507
4616	153506
4617	10102
4701, 4702 (words before 2d comma)	210101
4702 (words after 2d comma)	210105
4703	210102
4704 (1st par.)	210104

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4704 (last par. related to regulations for membership)	210103
4704 (last par. less regulations for membership)	210104
4705	210106
4706	10102
4707	210105
4801	60102
4802	60106
4803	60103
4804	60110
4805(a), (b) (related to discrimination in membership)	60104
4805(b) (related to discrimination in holding office), 4806, 4807	60105
4808	60107
4809	60111
4810	60109
4811	60112
4812	10102
4813	60101
4814	60108
4815	60102
4901	21501
4902	21504
4903 (words before 8th comma less "gratuitously or otherwise")	21502
4903 ("gratuitously or otherwise" and words after 8th comma)	21505
4904 (1st sentence)	21503
4904 (last sentence)	21506
4905–4908	21503
4909	21501
4910	10102
5001	140702
5002	140706
5003	140703
5004	140710
5005	140704
5006, 5007, 5008 (related to directors and officers)	140705
5008 (related to membership)	140704
5009	140707
5010	140711
5011	140709
5012	140712
5013	10102
5014 (1st sentence)	140708
5014 (last sentence), 5015	140702
5016	140701

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Title 36 Former Sections	Title 36 New Sections
5101	190302
5102	190306
5103	190303
5104	190311
5105	190304
5106, 5107, 5108 (related to directors and officers)	190305
5108 (related to membership)	190304
5109	190308
5110	190312
5111	190310
5112	190313
5113	10102
5114 (1st sentence)	190309
5114 (last sentence)	190302
5115	190307
5116	190302
5117	190301
5201(a)	151301
5201(b)	151302
5202(a)–(f)	151303
5202(g)(1)(A)	151304
5202(g)(1)(B), (C)	151305
5202(g)(2), (h)	151304
5203(a)(1)	151301
5203(a)(2), (3)	151306
5203(a)(4)	151308
5203(b), (c)(1), (2) (words before 2d comma)	151305
5203(c)(2) (words after 2d comma)	151303
5203(c)(3)–(5)	151305
5204, 5205	151307
5206(a)	10101
5206(b)	151311
5206(c)	151309
5207	151310
5301	151101
5302 (1st sentence)	151102
5302 (last sentence)	151104
5303	151105
5304	151106
5305	151103
5306	151104
5307	Rep.
5308	151107
5309	151105
5310	151101
5311	10102

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<b>Title 36 Former Sections</b>	<b>Title 36 New Sections</b>
5401 (1st sentence words before "for the education of the general public")	200101
5401 (1st sentence words beginning with "for the education of the general public")	200102
5401 (2d sentence words before proviso)	200103
5401 (2d sentence proviso, 3d sentence)	200104
5401 (last sentence words before proviso)	200105
5401 (last sentence proviso)	200104
5402	10102
5501(a) (less "nonprofit")	40701
5501(a) (related to nonprofit)	40704
5501(b)(1)	40701
5501(b)(2)	40705
5501(c)(1)–(4)	40702
5501(c)(5)	Elim.
5501(d)	40702
5502(a) (words before cl. (1))	40721
5502(a) (less words before cl. (1))	40722
5502(b)	40724
5502(c)	40730
5502(d)	Rep.
5503	40723
5504(a)	40731
5504(b), (c)	40732
5504(d)	40731
5504(e)(1)	40732
5504(e)(2)	40733
5505	40728
5506(a)	40729
5506(b), (c)	40728
5506(d)	40729
5507	40727
5508(a)(1), (2)	40703
5508(a)(3)	40704
5508(b)–(e)	40703
5509	40706
5521	Rep.
5522	Elim.
5523	Rep.
5601	70102
5602	70106
5603	70103
5604	70110
5605	70104
5606, 5607	70105
5608(a)–(d)	70107
5608(e)	70108
5608(f)	70103
5608(g) (related to membership)	70104

**TITLE 36 PATRIOTIC AND NATIONAL  
OBSERVANCES, CEREMONIES, AND ORGANIZATIONS**

*NB: This unofficial compilation of the U.S. Code is current as of Feb. 1, 2010 (see <http://www.law.cornell.edu/uscode/uscpri.html>).*

Title 36 Former Sections	Title 36 New Sections
5608(g) (related to directors and officers)	70105
5609	70111
5610	70109
5611	70112
5612	10102
5613 (related to termination of charter)	70102
5613 (related to duty to maintain status)	70108
5614	70102
5615	70101
5701(a)	151701
5701(b)	151702
5702(a)–(f)	151703
5702(g)(1)(A)	151704
5702(g)(1)(B), (C)	151705
5702(g)(2)(A) (1st, 2d sentences, last sentence related to employees)	151704
5702(g)(2)(A) (last sentence related to board of directors)	151703
5702(g)(2)(B), (C)	151704
5703(a)(1)	151701
5703(a)(2), (3)	151706
5703(a)(4), (a) (last par.)	151708
5703(b), (c)(1)–(4), (5) (words before 2d comma)	151705
5703(c)(5) (words after 2d comma)	151703
5703(c)(6), (7), (last par.)	151705
5704, 5705	151707
5706(a)	10101
5706(b)	151712
5706(c)	151709
5707	151710
5708	151711
5801	20202
5802	20206
5803	20203
5804	20210
5805	20204
5806, 5807	20205
5808(a)–(d)	20207
5808(e)	20208
5808(f)	20203
5808(g) (related to directors and officers)	20205
5808(g) (related to membership)	20204
5809	20211
5810	20209
5811	20212
5812	10102
5813 (related to termination of charter)	20202
5813 (related to duty to maintain status)	20208

**TITLE 36 PATRIOTIC AND NATIONAL  
OBSERVANCES, CEREMONIES, AND ORGANIZATIONS**

NB: This unofficial compilation of the U.S. Code is current as of Feb.1, 2010 (see <http://www.law.cornell.edu/uscode/uscprint.html>).

Title 36 Former Sections	Title 36 New Sections
5814	20202
5815	20201
5901	21002
5902	21006
5903	21003
5904	21010
5905	21004
5906, 5907	21005
5908(a)–(d)	21007
5908(e)	21008
5908(f)	21003
5908(g) (related to membership)	21004
5908(g) (related to directors and officers)	21005
5909	21011
5910	21009
5911	21012
5912	10102
5913 (related to termination of charter)	21002
5913 (related to duty to maintain status)	21008
5914	21002
5915	21001

### Enacting Clause

Pub. L. 105–225, § 1, Aug. 12, 1998, 112 Stat. 1253, provided in part that: “Certain general and permanent laws of the United States, related to patriotic and national observances, ceremonies, and organizations, are revised, codified, and enacted as title 36, United States Code, ‘Patriotic and National Observances, Ceremonies, and Organizations’ ”.

### Legislative Purpose and Construction

Pub. L. 105–354, § 4, Nov. 3, 1998, 112 Stat. 3245, provided that:

“(a) No Substantive Change.—(1) Section 1 of this Act restates, without substantive change, laws enacted before September 5, 1998, that were replaced by section 1. Section 1 may not be construed as making a substantive change in the laws replaced.

“(2) Laws enacted after September 4, 1998, that are inconsistent with this Act supersede this Act to the extent of the inconsistency.

“(b) References.—A reference to a law replaced by this Act, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding provision enacted by this Act.

“(c) Continuing Effect.—An order, rule, or regulation in effect under a law replaced by this Act continues in effect under the corresponding provision enacted by this Act until repealed, amended, or superseded.

“(d) Actions and Offenses Under Prior Law.—An action taken or an offense committed under a law replaced by this Act is deemed to have been taken or committed under the corresponding provision enacted by this Act.

“(e) Inferences.—An inference of a legislative construction is not to be drawn by reason of the location in the United States Code of a provision enacted by this Act or by reason of a heading of the provision.

“(f) Severability.—If a provision enacted by this Act is held invalid, all valid provisions that are severable from the invalid provision remain in effect. If a provision enacted by this Act is held invalid in any of its applications, the provision remains valid for all valid applications that are severable from any of the invalid applications.”

Pub. L. 105–225, § 5, Aug. 12, 1998, 112 Stat. 1499, provided that:

“(a) No Substantive Change.—Sections 1 and 2 of this Act restate, without substantive change, laws enacted before August 16, 1997, that were replaced by those sections. Those sections may not be construed as making a substantive change in the laws replaced. Laws enacted after August 15, 1997, that are inconsistent with this Act supersede this Act to the extent of the inconsistency.

## *TITLE 36 - Subtitle III Treaty Obligation Organizations*

*NB: This unofficial compilation of the U.S. Code is current as of Feb.1, 2010 (see <http://www.law.cornell.edu/uscode/uscpri.html>).*

“(b) References.—A reference to a law replaced by section 1 or 2 of this Act, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding provision enacted by this Act.

“(c) Continuing Effect.—An order, rule, or regulation in effect under a law replaced by section 1 or 2 of this Act continues in effect under the corresponding provision enacted by this Act until repealed, amended, or superseded.

“(d) Actions and Offenses Under Prior Law.—An action taken or an offense committed under a law replaced by section 1 or 2 of this Act is deemed to have been taken or committed under the corresponding provision enacted by this Act.

“(e) Inferences.—An inference of a legislative construction is not to be drawn by reason of the location in the United States Code of a provision enacted by this Act or by reason of a caption or catch line of the provision.

“(f) Severability.—If a provision enacted by this Act is held invalid, all valid provisions that are severable from the invalid provision remain in effect. If a provision enacted by this Act is held invalid in any of its applications, the provision remains valid for all valid applications that are severable from any of the invalid applications.”

### **Repeals and Savings Provisions**

Pub. L. 105–354, § 5(a), Nov. 3, 1998, 112 Stat. 3245, provided that: “The repeal of a law by this Act may not be construed as a legislative inference that the provision was or was not in effect before its repeal.”

Pub. L. 105–354, § 5(b), Nov. 3, 1998, 112 Stat. 3245, repealed specified laws, except for rights and duties that matured, penalties that were incurred, and proceedings that were begun before Nov. 3, 1998.

Pub. L. 105–225, § 6(a), Aug. 12, 1998, 112 Stat. 1499, provided that: “The repeal of a law by this Act may not be construed as a legislative inference that the provision was or was not in effect before its repeal.”

Pub. L. 105–225, § 6(b), Aug. 12, 1998, 112 Stat. 1499, repealed specified laws, except for rights and duties that matured, penalties that were incurred, and proceedings that were begun before Aug. 12, 1998.

**Subtitle III—Treaty Obligation Organizations**

Chapter ...Sec.

3001. The American National Red Cross ...300101

NB: This unofficial compilation of the U.S. Code is current as of Feb.1, 2010 (see <http://www.law.cornell.edu/uscode/uscript.html>).

## CHAPTER 3001—THE AMERICAN NATIONAL RED CROSS

Sec.

- 300101. Organization.
- 300102. Purposes.
- 300103. Membership and chapters.
- 300104. Board of governors.
- 300105. Powers.
- 300106. Emblem, badge, and brassard.
- 300107. Annual meeting.
- 300108. Buildings.
- 300109. Endowment fund.
- 300110. Annual report and audit.
- 300111. Authority of the Comptroller General of the United States.
- 300112. Office of the Ombudsman.
- 300113. Reservation of right to amend or repeal.

### Amendments

2007—Pub. L. 110–26, § 11(b), May 11, 2007, 121 Stat. 110, added items 300111 to 300113 and struck out former item 300111 “Reservation of right to amend or repeal”.

.....

### § 300101. Organization

(a) **Federal Charter.**— The American National Red Cross (in this chapter, the “corporation”) is a Federally chartered instrumentality of the United States and a body corporate and politic in the District of Columbia.

(b) **Name.**— The name of the corporation is “The American National Red Cross”. The corporation may conduct its business and affairs, and otherwise hold itself out, as the “American Red Cross” in any jurisdiction.

(c) **Perpetual Existence.**— Except as otherwise provided, the corporation has perpetual existence.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1490; Pub. L. 110–26, § 3, May 11, 2007, 121 Stat. 105.)

### Historical and Revision Notes

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
300101		
36:1.		
Jan. 5, 1905, ch. 23, § 1, 33 Stat. 599.		
	36:1a.	
May 8, 1947, ch. 50, § 8, 61 Stat. 83.		
	36:2 (1st sentence words before 2d comma).	
Jan. 5, 1905, ch. 23, § 2 (1st sentence words before 2d comma), 33 Stat. 600; May 8, 1947, ch. 50, § 3, 61 Stat. 81.		

This section is substituted for the source provisions to eliminate unnecessary and obsolete language.

### Amendments

2007—Subsec. (a). Pub. L. 110–26, § 3(1), inserted “a Federally chartered instrumentality of the United States and” before “a body corporate and politic”.

Subsec. (b). Pub. L. 110–26, § 3(2), inserted at end “The corporation may conduct its business and affairs, and otherwise hold itself out, as the ‘American Red Cross’ in any jurisdiction.”

### **Findings; Sense of Congress**

Pub. L. 110–26, § 2, May 11, 2007, 121 Stat. 103, provided that:

“(a) Findings.—Congress makes the following findings:

“(1) Substantive changes to the Congressional Charter of The American National Red Cross have not been made since 1947.

“(2) In February 2006, the board of governors of The American National Red Cross (the ‘Board of Governors’) commissioned an independent review and analysis of the Board of Governors’ role, composition, size, relationship with management, governance relationship with chartered units of The American National Red Cross, and whistle blower and audit functions.

“(3) In an October 2006 report of the Board of Governors, entitled ‘American Red Cross Governance for the 21st Century’ (the ‘Governance Report’), the Board of Governors recommended changes to the Congressional Charter, bylaws, and other governing documents of The American National Red Cross to modernize and enhance the effectiveness of the Board of Governors and governance structure of The American National Red Cross.

“(4) It is in the national interest to create a more efficient governance structure of The American National Red Cross and to enhance the Board of Governors’ ability to support the critical mission of The American National Red Cross in the 21st century.

“(5) It is in the national interest to clarify the role of the Board of Governors as a governance and strategic oversight board and for The American National Red Cross to amend its bylaws, consistent with the recommendations described in the Governance Report, to clarify the role of the Board of Governors and to outline the areas of its responsibility, including—

“(A) reviewing and approving the mission statement for The American National Red Cross;

“(B) approving and overseeing the corporation’s strategic plan and maintaining strategic oversight of operational matters;

“(C) selecting, evaluating, and determining the level of compensation of the corporation’s chief executive officer;

“(D) evaluating the performance and establishing the compensation of the senior leadership team and providing for management succession;

“(E) overseeing the financial reporting and audit process, internal controls, and legal compliance;

“(F) holding management accountable for performance;

“(G) providing oversight of the financial stability of the corporation;

“(H) ensuring the inclusiveness and diversity of the corporation;

“(I) ensuring the chapters of the corporation are geographically and regionally diverse;

“(J) providing oversight of the protection of the brand of the corporation; and

“(K) assisting with fundraising on behalf of the corporation.

“(6)(A) The selection of members of the Board of Governors is a critical component of effective governance for The American National Red Cross, and, as such, it is in the national interest that The American National Red Cross amend its bylaws to provide a method of selection consistent with that described in the Governance Report.

“(B) The new method of selection should replace the current process by which—

“(i) 30 chartered unit-elected members of the Board of Governors are selected by a non-Board committee which includes 2 members of the Board of Governors and other individuals elected by the chartered units themselves;

“(ii) 12 at-large members of the Board of Governors are nominated by a Board committee and elected by the Board of Governors; and

“(iii) 8 members of the Board of Governors are appointed by the President of the United States.

“(C) The new method of selection described in the Governance Report reflects the single category of members of the Board of Governors that will result from the implementation of this Act [see Short Title of 2007 Amendment note set out under section 101 of this title];

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“(i) All Board members (except for the chairman of the Board of Governors) would be nominated by a single committee of the Board of Governors taking into account the criteria outlined in the Governance Report to assure the expertise, skills, and experience of a governing board.

“(ii) The nominated members would be considered for approval by the full Board of Governors and then submitted to The American National Red Cross annual meeting of delegates for election, in keeping with the standard corporate practice whereby shareholders of a corporation elect members of a board of directors at its annual meeting.

“(7) The United States Supreme Court held The American National Red Cross to be an instrumentality of the United States, and it is in the national interest that the Congressional Charter confirm that status and that any changes to the Congressional Charter do not affect the rights and obligations of The American National Red Cross to carry out its purposes.

“(8) Given the role of The American National Red Cross in carrying out its services, programs, and activities, and meeting its various obligations, the effectiveness of The American National Red Cross will be promoted by the creation of an organizational ombudsman who—

“(A) will be a neutral or impartial dispute resolution practitioner whose major function will be to provide confidential and informal assistance to the many internal and external stakeholders of The American National Red Cross;

“(B) will report to the chief executive officer and the audit committee of the Board of Governors; and

“(C) will have access to anyone and any documents in The American National Red Cross.

“(b) Sense of Congress.—It is the sense of Congress that—

“(1) charitable organizations are an indispensable part of American society, but these organizations can only fulfill their important roles by maintaining the trust of the American public;

“(2) trust is fostered by effective governance and transparency, which are the principal goals of the recommendations of the Board of Governors in the Governance Report and this Act;

“(3) Federal and State action play an important role in ensuring effective governance and transparency by setting standards, rooting out violations, and informing the public;

“(4) while The American National Red Cross is and will remain a Federally chartered instrumentality of the United States, and it has the rights and obligations consistent with that status, The American National Red Cross nevertheless should maintain appropriate communications with State regulators of charitable organizations and should cooperate with them as appropriate in specific matters as they arise from time to time; and

“(5) while The American National Red Cross is and will remain a Federally chartered instrumentality of the United States, and it has the rights and obligations consistent with that status, The American National Red Cross nevertheless should maintain appropriate communications and collaborations with local, community, and faith-based non-profit organizations, including those organizations that work within minority communities.”

.....

## § 300102. Purposes

The purposes of the corporation are—

(1) to provide volunteer aid in time of war to the sick and wounded of the Armed Forces, in accordance with the spirit and conditions of—

(A) the conference of Geneva of October 1863;

(B) the treaties of the Red Cross, or the treaties of Geneva, August 22, 1864, July 27, 1929, and August 12, 1949, to which the United States of America has given its adhesion; and

(C) any other treaty, convention, or protocol similar in purpose to which the United States of America has given or may give its adhesion;

(2) in carrying out the purposes described in paragraph (1) of this section, to perform all the duties devolved on a national society by each nation that has acceded to any of those treaties, conventions, or protocols;

(3) to act in matters of voluntary relief and in accordance with the military authorities as a medium of communication between the people of the United States and the Armed Forces of the United States and to act in those matters between similar national societies of governments of other countries through the International Committee of the Red Cross and the Government, the people, and the Armed Forces of the United States;

*TITLE 36 - Section 300103 - Membership and chapters*

*NB: This unofficial compilation of the U.S. Code is current as of Feb.1, 2010 (see <http://www.law.cornell.edu/uscode/uscprint.html>).*

- (4) to carry out a system of national and international relief in time of peace, and to apply that system in mitigating the suffering caused by pestilence, famine, fire, floods, and other great national calamities, and to devise and carry out measures for preventing those calamities; and
- (5) to conduct other activities consistent with the foregoing purposes.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1490; Pub. L. 110–26, § 4, May 11, 2007, 121 Stat. 105.)

**Historical and Revision Notes**

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
300102		
36:3.		
	Jan. 5, 1905, ch. 23, § 3, 33 Stat. 600; May 8, 1947, ch. 50, § 4, 61 Stat. 81; July 17, 1953, ch. 222, § 4(a), (b), 67 Stat. 179.	

In this section, the text of 36:3 (“Third” par.) is omitted as executed.

In clause (1)(B), the date “August 12, 1949” is added to include the reference to a subsequent treaty.

In clause (2), the words “in carrying out the purposes described in clause (1) of this section” are substituted for “And for said purposes” for clarity.

In clause (3), the words “International Committee of the Red Cross” are substituted for “Comite International de Secours” because the name has been changed.

In clause (4), the word “continue” is omitted as included in “carry out”.

**Amendments**

2007—Par. (5). Pub. L. 110–26 added par. (5).

.....

**§ 300103. Membership and chapters**

(a) **Membership.**— Membership in the corporation is open to all the people of the United States and its territories and possessions, on payment of an amount specified, or as otherwise provided, in the bylaws.

(b) **Chapters.**—

(1) The chapters of the corporation are the local units of the corporation. The corporation shall prescribe policies and regulations related to—

- (A) granting charters to the chapters and revoking those charters;
- (B) the territorial jurisdiction of the chapters;
- (C) the relationship of the chapters to the corporation; and
- (D) compliance by the chapters with the policies and regulations of the corporation.

(2) The policies and regulations shall require that each chapter adhere to the democratic principles of election specified in the bylaws in electing the governing body of the chapter and selecting delegates to the annual meeting of the corporation.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1491; Pub. L. 110–26, § 5, May 11, 2007, 121 Stat. 106.)

**Historical and Revision Notes**

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
300103(a)		
36:4a (1st par.).		

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
Jan. 5, 1905, ch. 23, § 4a, as added May 8, 1947, ch. 50, § 5, 61 Stat. 81.		
300103(b)		
36:4a (last par.).		

In subsection (a), the word “possessions” is substituted for “dependencies” for clarity and consistency in the revised title. The words “from time to time” are omitted as unnecessary.

In subsection (b)(1), before clause (A), the words “within the States and Territories of the United States” are omitted as unnecessary. The words “The board of governors shall prescribe regulations related to” are substituted for “The regulations with respect to . . . shall be as determined from time to time by the Board of Governors” for consistency in the revised title. In clause (D), the word “regulations” is substituted for “rules” for clarity and consistency in the revised title and with other titles of the United States Code.

**Amendments**

2007—Subsec. (a). Pub. L. 110–26, § 5(1), inserted “, or as otherwise provided,” before “in the bylaws”.

Subsec. (b)(1). Pub. L. 110–26, § 5(2), in introductory provisions, substituted “corporation shall” for “board of governors shall” and inserted “policies and” before “regulations related”.

Subsec. (b)(2). Pub. L. 110–26, § 5(3), inserted “policies and” before “regulations shall require” and substituted “annual meeting” for “national convention”.

.....

**§ 300104. Board of governors**

**(a) Board of Governors.—**

**(1) In general.—** The board of governors is the governing body of the corporation with all powers of governing and directing, and of overseeing the management of the business and affairs of, the corporation.

**(2) Number.—** The board of governors shall fix by resolution, from time to time, the number of members constituting the entire board of governors, provided that—

**(A)** as of March 31, 2009, and thereafter, there shall be no fewer than 12 and no more than 25 members; and

**(B)** as of March 31, 2012, and thereafter, there shall be no fewer than 12 and no more than 20 members constituting the entire board.

Procedures to implement the preceding sentence shall be provided in the bylaws.

**(3) Appointment.—** The governors shall be appointed or elected in the following manner:

**(A) Chairman.—**

**(i) In general.—** The board of governors, in accordance with procedures provided in the bylaws, shall recommend to the President an individual to serve as chairman of the board of governors. If such recommendation is approved by the President, the President shall appoint such individual to serve as chairman of the board of governors.

**(ii) Vacancies.—** Vacancies in the office of the chairman, including vacancies resulting from the resignation, death, or removal by the President of the chairman, shall be filled in the same manner described in clause (i).

**(iii) Duties.—** The chairman shall be a member of the board of governors and, when present, shall preside at meetings of the board of governors and shall have such other duties and responsibilities as may be provided in the bylaws or a resolution of the board of governors.

**(B) Other members.—**

- (i) **In general.**— Members of the board of governors other than the chairman shall be elected at the annual meeting of the corporation in accordance with such procedures as may be provided in the bylaws.
- (ii) **Vacancies.**— Vacancies in any such elected board position and in any newly created board position may be filled by a vote of the remaining members of the board of governors in accordance with such procedures as may be provided in the bylaws.
- (b) **Terms of Office.**—
- (1) **In general.**— The term of office of each member of the board of governors shall be 3 years, except that—
- (A) the board of governors may provide under the bylaws that the terms of office of members of the board of governors elected to the board of governors before March 31, 2012, may be less than 3 years in order to implement the provisions of subparagraphs (A) and (B) of subsection (a)(2); and
- (B) any member of the board of governors elected by the board to fill a vacancy in a board position arising before the expiration of its term may, as determined by the board, serve for the remainder of that term or until the next annual meeting of the corporation.
- (2) **Staggered terms.**— The terms of office of members of the board of governors (other than the chairman) shall be staggered such that, by March 31, 2012, and thereafter, 1/3 of the entire board (or as near to 1/3 as practicable) shall be elected at each successive annual meeting of the corporation with the term of office of each member of the board of governors elected at an annual meeting expiring at the third annual meeting following the annual meeting at which such member was elected.
- (3) **Term limits.**— No person may serve as a member of the board of governors for more than such number of terms of office or years as may be provided in the bylaws.
- (c) **Committees and Officers.**— The board—
- (1) may appoint, from its own members, an executive committee to exercise such powers of the board when the board is not in session as may be provided in the bylaws;
- (2) may appoint such other committees or advisory councils with such powers as may be provided in the bylaws or a resolution of the board of governors;
- (3) shall appoint such officers of the corporation, including a chief executive officer, with such duties, responsibilities, and terms of office as may be provided in the bylaws or a resolution of the board of governors; and
- (4) may remove members of the board of governors (other than the chairman), officers, and employees under such procedures as may be provided in the bylaws or a resolution of the board of governors.
- (d) **Advisory Council.**—
- (1) **Establishment.**— There shall be an advisory council to the board of governors.
- (2) **Membership; appointment by president.**—
- (A) **In general.**— The advisory council shall be composed of no fewer than 8 and no more than 10 members, each of whom shall be appointed by the President from principal officers of the executive departments and senior officers of the Armed Forces whose positions and interests qualify them to contribute to carrying out the programs and purposes of the corporation.
- (B) **Members from the armed forces.**— At least 1, but not more than 3, of the members of the advisory council shall be selected from the Armed Forces.
- (3) **Duties.**— The advisory council shall advise, report directly to, and meet, at least 1 time per year with the board of governors, and shall have such name, functions and be subject to such procedures as may be provided in the bylaws.

**TITLE 36 - Section 300104 - Board of governors**

*NB: This unofficial compilation of the U.S. Code is current as of Feb.1, 2010 (see <http://www.law.cornell.edu/uscode/uscript.html>).*

**(e) Action Without Meeting.**— Any action required or permitted to be taken at any meeting of the board of governors or of any committee thereof may be taken without a meeting if all members of the board or committee, as the case may be, consent thereto in writing, or by electronic transmission and the writing or writings or electronic transmission or transmissions are filed with the minutes of proceedings of the board or committee. Such filing shall be in paper form if the minutes are maintained in paper form and shall be in electronic form if the minutes are maintained in electronic form.

**(f) Voting by Proxy.**—

**(1) In general.**— Voting by proxy is not allowed at any meeting of the board, at the annual meeting, or at any meeting of a chapter.

**(2) Exception.**— The board may allow the election of governors by proxy during any emergency.

**(g) Bylaws.**—

**(1) In general.**— The board of governors may—

**(A)** at any time adopt bylaws; and

**(B)** at any time adopt bylaws to be effective only in an emergency.

**(2) Emergency bylaws.**— Any bylaws adopted pursuant to paragraph (1)(B) may provide special procedures necessary for managing the corporation during the emergency. All provisions of the regular bylaws consistent with the emergency bylaws remain effective during the emergency.

**(h) Definitions.**— For purposes of this section—

**(1)** the term “entire board” means the total number of members of the board of governors that the corporation would have if there were no vacancies; and

**(2)** the term “emergency” shall have such meaning as may be provided in the bylaws.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1491; Pub. L. 110–26, § 6, May 11, 2007, 121 Stat. 106.)

**Historical and Revision Notes**

<b>Revised Section</b>	<b>Source (U.S. Code)</b>	<b>Source (Statutes at Large)</b>
300104(a)		
36:5 (matter before (a)), (a), (b), (c) (1st, 3d pars.).		
Jan. 5, 1905, ch. 23, § 5 (matter before (a)), (a), (b), (c) (1st–5th pars., last par.), 33 Stat. 601; Dec. 10, 1912, ch. 1, § 1, 37 Stat. 647; Mar. 3, 1921, ch. 131, § 1, 41 Stat. 1354; May 8, 1947, ch. 50, § 6, 61 Stat. 82, 83.		
300104(b)		
36:5(c) (2d, 4th pars.).		
300104(c)		
36:5(c) (5th par.).		
300104(d)		
36:5(c) (last par.).		

In subsection (a)(1), before clause (A), the word “direction” is omitted as included in “governing and managing”. In clause (A), the words “of the United States” and “as may from time to time be” are omitted as unnecessary.

In subsection (a)(2), the words “One-third of the members elected to the board shall be elected at each national convention, and take office at that time or as soon as practicable after the convention” are substituted for 36:5(c) (3d par.) to eliminate unnecessary words.

NB: This unofficial compilation of the U.S. Code is current as of Feb.1, 2010 (see <http://www.law.cornell.edu/uscode/uscpri.html>).

In subsection (b)(1), the words “if, before the end of the 3-year term, the governor retires from the official position held at the time of appointment as a governor” are substituted for “if and when such Governor shall retire, prior to the date on which his term as Governor would otherwise expire, from the official position held at the time of his appointment as Governor” for clarity and to eliminate unnecessary words.

In subsection (b)(2), the words “as soon as practicable” are substituted for “as soon as may be” for clarity. The words “that may occur by death, resignation, or otherwise” are omitted as unnecessary. The words “a vacancy occurring in an elected position on the board” are substituted for “Any vacancy that may occur in the Governors elected by the chapters pursuant to subsection (b) of this section or in the Governors-at-large elected by the Board of Governors pursuant to subsection (c) of this section” to eliminate unnecessary words. The words “An individual appointed by the board to fill a vacancy serves” are substituted for “such appointees to serve” for clarity.

In subsection (c)(2), the words “of the corporation” are substituted for “designated by the President of the United States” for consistency in the revised section.

### Amendments

2007—Pub. L. 110–26 reenacted section catchline without change and amended section generally. Prior to amendment, section consisted of subsecs. (a) to (d) relating to the board of governors, its terms of office and filling of vacancies, the executive committee, and voting by proxy.

.....

## § 300105. Powers

(a) **General.**— The corporation may—

- (1) adopt policies and regulations;
- (2) adopt, alter, and destroy a seal;
- (3) own and dispose of property to carry out the purposes of the corporation;
- (4) accept gifts, devises, and bequests of property to carry out the purposes of the corporation;
- (5) sue and be sued in courts of law and equity, State or Federal, within the jurisdiction of the United States; and
- (6) do any other act necessary to carry out this chapter and promote the purposes of the corporation.

(b) **Designation.**— The corporation is designated as the organization authorized to act in matters of relief under the treaties of Geneva, August 22, 1864, July 27, 1929, and August 12, 1949.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1492; Pub. L. 110–26, § 7, May 11, 2007, 121 Stat. 108.)

### Historical and Revision Notes

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
300105		
36:2 (1st sentence words between 2d comma and 3d semicolon and after 4th semicolon).		
Jan. 5, 1905, ch. 23, § 2 (1st sentence words between 2d comma and 3d semicolon and after 4th semicolon), 33 Stat. 600; May 8, 1947, ch. 50, § 3, 61 Stat. 81.		

In subsection (a)(1), the word “adopt” is substituted for “ordain and establish” for consistency in the revised title. The words “not inconsistent with the laws of the United States of America or any State thereof” are omitted as unnecessary.

In subsection (a)(2), the words “adopt, alter, and destroy a seal” are substituted for “adopt a seal and the same to alter and destroy at pleasure” for consistency in the revised title and to eliminate unnecessary words.

TITLE 36 - Section 300106 - Emblem, badge, and brassard

NB: This unofficial compilation of the U.S. Code is current as of Feb.1, 2010 (see http://www.law.cornell.edu/uscode/uscp.html).

In subsection (a)(3), the words “own and dispose of property” are substituted for “to have and to hold such real and personal estate as shall be deemed advisable and to dispose of the same” for consistency in the revised title and to eliminate unnecessary words.

In subsection (a)(4), the word “property” is substituted for “real and personal estate” for clarity and consistency in the revised title.

In subsection (a)(6), the word “things” is omitted as included in “act”. The words “carry out this chapter” are substituted for “carry into effect the provisions of sections 1, 2 to 6, 8, and 9 of this title” for clarity and because under 36:1a the corporation existing under those sections continued under the source provisions restated in the revised chapter.

In subsection (b), the words “treaties of Geneva, August 22, 1864, July 27, 1929, and August 12, 1949” are substituted for “said treaties” for clarity and consistency in the chapter.

Amendments

2007—Subsec. (a)(1). Pub. L. 110–26 substituted “policies” for “bylaws”.

.....

§ 300106. Emblem, badge, and brassard

(a) Emblem and Badge.— In carrying out its purposes under this chapter, the corporation may have and use, as an emblem and badge, a Greek red cross on a white ground, as described in the treaties of Geneva, August 22, 1864, July 27, 1929, and August 12, 1949, and adopted by the nations acceding to those treaties.

(b) Delivery of Brassard.— In accordance with those treaties, the delivery of the brassard allowed for individuals neutralized in time of war shall be left to military authority.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1492.)

Historical and Revision Notes

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Rows include 300106(a) and 300106(b) with their respective legislative sources.

In subsection (a), the words “under this chapter” are substituted for “hereinafter designated” for clarity. The date “August 12, 1949” is added to include the reference to a subsequent treaty.

.....

§ 300107. Annual meeting

(a) In General.— The annual meeting of the corporation is the annual meeting of delegates of the chapters.

(b) Time of Meeting.— The annual meeting shall be held as determined by the board of governors.

(c) Place of Meeting.— The board of governors is authorized to determine that the annual meeting shall not be held at any place, but may instead be held solely by means of remote communication subject to such procedures as are provided in the bylaws.

(d) Voting.—

*NB: This unofficial compilation of the U.S. Code is current as of Feb.1, 2010 (see <http://www.law.cornell.edu/uscode/uscprint.html>).*

**(1) In general.**— In matters requiring a vote at the annual meeting, each chapter is entitled to at least 1 vote, and voting on all matters may be conducted by mail, telephone, telegram, cablegram, electronic mail, or any other means of electronic or telephone transmission, provided that the person voting shall state, or submit information from which it can be determined, that the method of voting chosen was authorized by such person.

**(2) Establishment of number of votes.**—

**(A) In general.**— The board of governors shall determine on an equitable basis the number of votes that each chapter is entitled to cast, taking into consideration the size of the membership of the chapters, the populations served by the chapters, and such other factors as may be determined by the board.

**(B) Periodic review.**— The board of governors shall review the allocation of votes at least every 5 years.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1493; Pub. L. 110–26, § 8, May 11, 2007, 121 Stat. 108.)

### Historical and Revision Notes

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
300107 36:5(c) (6th par.).	Jan. 5, 1905, ch. 23, § 5(c) (6th par.), 33 Stat. 601; Dec. 10, 1912, ch. 1, § 1, 37 Stat. 647; Mar. 3, 1921, ch. 131, § 1, 41 Stat. 1354; May 8, 1947, ch. 50, § 6, 61 Stat. 83.)	

The words “The board shall determine on an equitable basis the number of votes” are substituted for “shall be determined according to allocation by the Board of Governors, which shall be established on an equitable basis” for clarity and to eliminate unnecessary words. The words “the populations served” are substituted for “the populations in the territories served” for clarity and to eliminate unnecessary words.

#### Amendments

2007—Pub. L. 110–26 reenacted section catchline without change and amended text generally. Prior to amendment, text read as follows: “The annual meeting of the corporation is the national convention of delegates of the chapters. The national convention shall be held annually on a date and at a place specified by the board of governors. In matters requiring a vote at the national convention, each chapter is entitled to at least one vote. The board shall determine on an equitable basis the number of votes that each chapter is entitled to cast, taking into consideration the size of the membership of the chapters and of the populations served by the chapters. The board shall review the allocation of votes at least every 5 years.”

.....

### § 300108. Buildings

**(a) Ownership.**— The United States Government shall retain ownership of the corporation’s permanent headquarters, comprised of buildings erected on square 172 in the District of Columbia, including—

- (1)** the memorial building to commemorate the service and sacrifice of the women of the United States, North and South, during the Civil War, erected for the use of the corporation;
- (2)** the memorial building to commemorate the service and sacrifice of the patriotic women of the United States, its territories and possessions, and the District of Columbia during World War I, erected for the use of the corporation; and
- (3)** the permanent building erected for the use of the corporation in connection with its work in cooperation with the Government.

**(b) Maintenance and Expenses.**— Those buildings shall remain under the supervision of the Administrator of General Services. However, the corporation shall care for and maintain the buildings without expense to the Government.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1493.)

### Historical and Revision Notes

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
300108		
36:13.		
Feb. 7, 1930, ch. 42, §§ 1, 5, 46 Stat. 66.		
	36:15.	
June 7, 1924, ch. 369, §§ 1, 2, 4, 43 Stat. 665, 666.		

Subsection (a)(1) is substituted for “land occupied in part on June 7, 1924, by the Memorial to the Women of the Civil War, the permanent headquarters of the American Red Cross” in 36:15 because the words in the source refer to the building, provided for by the Act of October 22, 1913 (ch. 32 (par. under heading “Monument to Commemorate the Women of the Civil War”), 38 Stat. 233), that was built as the permanent headquarters of the American Red Cross, the predecessor organization to the corporation.

In subsection (a)(2), the words “That there is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated the sum of \$150,000 as a part contribution to the erection of . . . with equipment” in section 1 of the Act June 7, 1924 (ch. 369, 43 Stat. 665), are omitted as executed. The words “That said memorial shall be a building monumental in design and character . . . and shall cost not less than \$300,000: Provided, That this expenditure shall include complete equipment” in section 2 of that Act are omitted as executed. The words “The expenditures for said memorial building shall be made under the direction of a commission consisting of the chairman of the Senate Committee on the Library and the chairman of the House Committee on the Library” in section 4 (last par.) of that Act are omitted as executed. The text of section 4 (1st par.) of that Act is omitted as executed. The words “of America” are omitted as unnecessary. The words “its territories and possessions” are substituted for “its insular possessions” for clarity and consistency in the revised title and with other titles of the United States Code. The words “World War I” are substituted for “the World War” for clarity.

In subsection (a)(3), the words “That authority be, and is hereby, given to the American National Red Cross to erect . . . in replacement of the temporary building or buildings erected on such lot under Public Resolution Numbered 3, Sixty–fifth Congress (S.J. Res. 61)” in section 1 of the Act of February 7, 1930 (ch. 42, 46 Stat. 66) are omitted as executed.

In subsection (b), the words “Administrator of General Services” are substituted for “Superintendent of Public Buildings and Grounds” in section 4 (last par.) of the Act June 7, 1924 (ch. 369, 43 Stat. 666) and “Director of Public Buildings and Public Parks of the National Capital” in section 5 of the Act of February 7, 1930 (ch. 42, 46 Stat. 66) to reflect subsequent transfers of functions. The office of Public Buildings and Grounds under the Chief of Engineers was abolished and the functions of the Chief of Engineers, United States Army, were transferred to the Director of Public Buildings and Public Parks of the National Capital by section 3 of the Act of February 26, 1925 (ch. 339, 43 Stat. 983). The office of Public Buildings and Public Parks of the National Capital was abolished and its functions transferred to the Office of National Parks, Buildings and Reservations of the Department of the Interior by section 2 of Executive Order No. 6166, effective June 10, 1933. The name of the latter office was changed to “National Park Service” by section 1 of the Act of March 2, 1934 (ch. 38, 48 Stat. 389). The functions of the Director of the National Park Service related to public buildings were transferred to the Federal Works Administrator by section 303(b) of Reorganization Plan No. I of 1939 (5 App. U.S.C.). The functions of the Federal Works Administrator were transferred to the Administrator of General Services by section 103(a) of the Act of June 30, 1949 (ch.

288, 63 Stat. 380). The words “the corporation shall care for and maintain the buildings” are substituted for “the American National Red Cross shall at all times be charged with the responsibility, the care, keeping, and maintenance of said building” in 36:13, and “the American Red Cross shall at all times be charged with the responsibility, the care, keeping, and maintenance of the said memorial building” in 36:15, for clarity and to eliminate unnecessary words.

### **Permanent Building for District of Columbia Chapter**

Act July 1, 1947, ch. 195, 61 Stat. 241, as amended by Pub. L. 100–637, § 1, Nov. 8, 1988, 102 Stat. 3325, provided: “That authority be, and is hereby, given to the American National Red Cross to erect upon the south half of square 104 in the city of Washington, District of Columbia, a permanent building for the use of the District of Columbia Chapter, American National Red Cross, in connection with its work, in cooperation with the Government of the United States and its responsibilities under its charter granted by the Congress of the United States.

“Sec. 2. That the plans of the proposed building shall first be approved by the American National Red Cross, the Commission of Fine Arts and the National Capital Park and Planning Commission and the erection and design thereof shall be under the supervision of the Administrator of the Federal Works Agency [now the Administrator of General Services] in accordance with the provisions of the Public Buildings Act of May 25, 1926, as amended [enacting sections 341, 342, 343 to 345a, 346, and 347 of former Title 40, Public Buildings, Property, and Works] and as hereby further amended.

“Sec. 3. That the cost of the removal of the buildings on this site shall be borne by the American National Red Cross, District of Columbia Chapter, without expense to the United States.

“Sec. 4. That said permanent building shall remain the property of the United States but under the supervision of the Administrator of the Federal Works Agency [now the Administrator of General Services] and the American National Red Cross, District of Columbia Chapter, shall, at all times be charged with the responsibility, care, keeping, and maintenance of said building without expense to the United States.

“Sec. 5. That moneys of the American National Red Cross, District of Columbia Chapter, available for the construction of the aforesaid building, including any amount administratively determined necessary for the payment of salaries and expenses of personnel engaged upon the preparation of plans and specifications, field supervision, and general office expenses, may be transferred to and expended by the Public Buildings Administration of the Federal Works Agency [now the Administrator of General Services], and such funds may be consolidated in the books of the Treasury Department into a special account for direct expenditure in the prosecution of said work, and the Commissioner of Public Buildings is authorized to prepare drawings and specifications for this building prior to the approval by the Attorney General of the title to such acquisition.

“Sec. 6. That said building shall be appropriate in design and character and shall be used by the American National Red Cross, District of Columbia Chapter, and shall cost not less than \$1,000,000: Provided, That this expenditure shall include complete equipment.

“Sec. 7. That the person, firm, or corporation which the Commissioner of Public Buildings shall select to furnish professional architectural and engineering services required for the project shall be chosen from nominations made by the American National Red Cross, District of Columbia Chapter.

“Sec. 8. That the National Capital Housing Authority is hereby authorized and directed to transfer to the jurisdiction of the Federal Works Administrator [now the Administrator of General Services] such part of the site for said building as is now under the jurisdiction of said Authority: Provided, That the Treasurer of the United States is authorized and directed to credit said Authority with the fair market value, at the date of transfer, of the property so transferred: Provided further, That the Federal Works Administrator [now the Administrator of General Services] is hereby authorized to utilize the property so transferred, as well as that part of the site already under his jurisdiction, for the purposes of this Act.

“Sec. 9. That the Federal Works Administrator, through the Public Buildings Administration [both now under the Administrator of General Services], is hereby authorized to furnish steam from the central heating plant for the heating of said building, such steam to be paid for by the American National Red Cross, District of Columbia Chapter, at such reasonable rates, not less than cost, as may be determined by the Federal Works Administrator [now Administrator of General Services]: Provided, That the Federal Works Administrator, through the Public Buildings Administration [both now under the Administrator of General Services], is authorized to prepare plans and specifications and to supervise and to contract for the work necessary to connect said building with the Government mains and to pay the cost of such work and services, including administrative expenses, from the funds consolidated into the Treasury pursuant to section 5 thereof.

“Sec. 10. The enactment of this joint resolution shall not be construed as establishing a policy of the United States Government to furnish building sites for Red Cross chapters or any eleemosynary institution at any other place.

**TITLE 36 - Section 300109 - Endowment fund**

*NB: This unofficial compilation of the U.S. Code is current as of Feb.1, 2010 (see <http://www.law.cornell.edu/uscode/uscp rint.html>).*

“Sec. 11. (a) Notwithstanding any other provision of law, the Administrator of the General Services Administration shall enter into a lease of the real property described in the first section of this Act with the American National Red Cross, District of Columbia Chapter. Such lease shall provide that such property shall be used as an office, medical and scientific facility by such Red Cross Chapter and the tenants of such Chapter on such terms and conditions as shall be customary and necessary, including that—

“(1) the lease shall be triple net to the United States and such Red Cross Chapter shall pay all taxes, insurance, and operating costs, and a rent of \$1.00 for the term of the lease;

“(2) the lease term shall be for 99 years, and all improvements on such property shall revert to the ownership of the United States at the conclusion of the term;

“(3) such Red Cross Chapter may (at the expense of such Chapter) demolish the improvements on such property or any improvements constructed on such property after the date of enactment of this section [Nov. 8, 1988], build, own, operate, and maintain new improvements, enter into leases, finance improvements (and mortgage any improvements and the leasehold estate), and in all manner deal with the property subject only to the condition that the ownership interest of the United States in the land shall not be adversely affected;

“(4) any space not needed for the operations of such Red Cross Chapter or the American National Red Cross in any building or improvement constructed on such property shall be first made available for use by Federal agencies at rental rates and other related expenses that are less than fair market value and reflect the value of the property provided to such Red Cross Chapter under the provisions of this Act;

“(5) the United States shall cooperate with such Red Cross Chapter with respect to any zoning or other matters relating to the development or improvement of such property; and

“(6) the plans of any proposed building or improvement for construction after the date of the enactment of this section shall first be approved by the American National Red Cross, the Commission of Fine Arts, and the National Capital Planning Commission.

“(b) The enactment of this section may not be construed as establishing a policy of the United States Government to furnish building sites for Red Cross chapters or any eleemosynary institution at any other place.”

.....

**§ 300109. Endowment fund**

The endowment fund of the corporation shall be kept and invested under the management and control of a board of trustees elected by the board of governors. The corporation shall prescribe policies and regulations on terms and tenure of office, accountability, and expenses of the board of trustees.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1493; Pub. L. 110–26, § 9, May 11, 2007, 121 Stat. 109.)

**Historical and Revision Notes**

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
300109		
36:9.		
	Jan. 5, 1905, ch. 23, § 8, as added June 23, 1910, ch. 372, § 2, 36 Stat. 604; May 8, 1947, ch. 50, § 7, 61 Stat. 83.	

The words “from time to time” are omitted [as] unnecessary.

**Amendments**

2007—Pub. L. 110–26 struck out “nine” before “trustees elected” in first sentence and substituted “The corporation shall prescribe policies and regulations on terms and tenure of office, accountability, and expenses of the board of trustees.” for “The board of governors shall prescribe regulations on terms and tenure of office, accountability, and expenses of the board of trustees.”

.....

**§ 300110. Annual report and audit**

- (a) **Submission of Report.**— As soon as practicable after the end of the corporation’s fiscal year, which may be changed from time to time by the board of governors, the corporation shall submit a report to the Secretary of Defense on the activities of the corporation during such fiscal year, including a complete, itemized report of all receipts and expenditures.
- (b) **Auditing of Report and Submission to Congress.**— The Secretary shall audit the report and submit a copy of the audited report to Congress.
- (c) **Payment of Audit Expenses.**— The corporation shall reimburse the Secretary each year for auditing its accounts. The amount paid shall be deposited in the Treasury of the United States as a miscellaneous receipt.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1493; Pub. L. 110–26, § 10, May 11, 2007, 121 Stat. 109.)

**Historical and Revision Notes**

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
300110(a)–(c)		
36:6.		
	Jan. 5, 1905, ch. 23, § 6, 33 Stat. 602; Feb. 27, 1917, ch. 137, 39 Stat. 946; July 17, 1953, ch. 222, § 4(c), 67 Stat. 179.	
	36:7.	
	May 29, 1920, ch. 214, § 1 (1st complete par. on p. 659), 41 Stat. 659; July 17, 1953, ch. 222, § 5, 67 Stat. 179.	

In subsection (a), the words “make and”, “next preceding”, and “full” are omitted as unnecessary. The word “activities” is substituted for “proceedings” for consistency in the revised title. The words “all receipts and expenditures” are substituted for “receipts and expenditures of whatever kind” to eliminate unnecessary words.

In subsections (b) and (c), the word “Secretary” is substituted for “Department of Defense” for consistency.

**Amendments**

2007—Subsec. (a). Pub. L. 110–26 reenacted heading without change and amended text generally. Prior to amendment, text read as follows: “As soon as practicable after July 1 of each year, the corporation shall submit a report to the Secretary of Defense on the activities of the corporation during the fiscal year ending June 30, including a complete, itemized report of all receipts and expenditures.”

.....

**§ 300111. Authority of the Comptroller General of the United States**

The Comptroller General of the United States is authorized to review the corporation’s involvement in any Federal program or activity the Government carries out under law.

(Added Pub. L. 110–26, § 11(a), May 11, 2007, 121 Stat. 109.)

**Prior Provisions**

A prior section 300111 was renumbered section 300113 of this title.

.....

**§ 300112. Office of the Ombudsman**

(a) **Establishment.**— The corporation shall establish an Office of the Ombudsman with such duties and responsibilities as may be provided in the bylaws or a resolution of the board of governors.

(b) **Report.**—

(1) **In general.**— The Office of the Ombudsman shall submit annually to the appropriate Congressional committees a report concerning any trends and systemic matters that the Office of the Ombudsman has identified as confronting the corporation.

(2) **Appropriate congressional committees.**— For purposes of paragraph (1), the appropriate Congressional committees are the following committees of Congress:

(A) **Senate committees.**— The appropriate Congressional committees of the Senate are—

- (i) the Committee on Finance;
- (ii) the Committee on Foreign Relations;
- (iii) the Committee on Health, Education, Labor, and Pensions;
- (iv) the Committee on Homeland Security and Governmental Affairs; and
- (v) the Committee on the Judiciary.

(B) **House committees.**— The appropriate Congressional committees of the House of Representatives are—

- (i) the Committee on Energy and Commerce;
- (ii) the Committee on Foreign Affairs;
- (iii) the Committee on Homeland Security;
- (iv) the Committee on the Judiciary; and
- (v) the Committee on Ways and Means.

(Added Pub. L. 110–26, § 11(a), May 11, 2007, 121 Stat. 110.)

.....

**§ 300113. Reservation of right to amend or repeal**

Congress reserves the right to amend or repeal the provisions of this chapter.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1494, § 300111; renumbered § 300113, Pub. L. 110–26, § 11(a), May 11, 2007, 121 Stat. 109.)

**Historical and Revision Notes**

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
300111		
36:8		
	Jan. 5, 1905, ch. 23, § 7, 33 Stat. 602.	

**Amendments**

2007—Pub. L. 110–26 renumbered section 300111 of this title as this section.