

“(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;

(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 “Comité 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.).	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, $\frac{1}{3}$ of the entire board (or as near to $\frac{1}{3}$ 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