

§ 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.—

(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

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
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

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
300108	36:13. 36:15.	Feb. 7, 1930, ch. 42, §§ 1, 5, 46 Stat. 66. 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. 1 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.

"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

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
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

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
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 ap-