

§ 23109. Statement required in audit report

The corporation shall include in the audit report statement required under section 10101(b)(1)(B) of this title a schedule of all contracts requiring payments greater than \$10,000 and all payments of compensation or fees at a rate greater than \$10,000 a year.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1314.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
23109	36:4315(b) (2d sentence cl. (2)).	July 14, 1964, Pub. L. 88-372, § 15(b) (2d sentence cl. (2)), 78 Stat. 318.

The word “salaries” is omitted as unnecessary.

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of reporting provisions in this section, see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and page 197 of House Document No. 103-7.

§ 23110. Service of process

The corporation shall have a designated agent in the District of Columbia to receive service of process for the corporation. Notice to or service on the agent is notice to or service on the corporation.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1314.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
23110	36:4305(b).	July 14, 1964, Pub. L. 88-372, § 5(b), 78 Stat. 316.

The words “at all times” and “authorized” are omitted as unnecessary.

§ 23111. Liability for acts of officers and agents

The corporation is liable for the acts of its officers and agents acting within the scope of their authority.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1314.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
23111	36:4312.	July 14, 1964, Pub. L. 88-372, § 12, 78 Stat. 317.

§ 23112. Distribution of assets on dissolution or final liquidation

On dissolution or final liquidation of the corporation, any assets remaining after the discharge of all liabilities shall be distributed as provided by the board of trustees, but consistent with the purposes of the corporation and in compliance with the charter and bylaws.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1314.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
23112	36:4316.	July 14, 1964, Pub. L. 88-372, § 16, 78 Stat. 318.

The word “satisfaction” is omitted as included in “discharge”, and the word “obligations” is omitted as included in “liabilities”. The words “outstanding” and “all Federal and State laws applicable thereto” are omitted as unnecessary.

CHAPTERS 233 THROUGH 299—RESERVED

AMENDMENTS

2014—Pub. L. 113-237, § 3(b)(1), Dec. 18, 2014, 128 Stat. 2836, added placeholder for chapters 233 to 299.

CHAPTER 301—BIG BROTHERS—BIG SISTERS OF AMERICA

- Sec.
- 30101. Organization.
- 30102. Purposes.
- 30103. Membership.
- 30104. Governing body.
- 30105. Powers.
- 30106. Exclusive right to names, seals, emblems, and badges.
- 30107. Restrictions.
- 30108. Principal office.
- 30109. Records and inspection.
- 30110. Service of process.
- 30111. Liability for acts of officers and agents.
- 30112. Distribution of assets on dissolution or final liquidation.

§ 30101. Organization

(a) FEDERAL CHARTER.—Big Brothers—Big Sisters of America (in this chapter, the “corporation”) is a federally chartered corporation.

(b) PLACE OF INCORPORATION AND DOMICILE.—The corporation is declared to be incorporated and domiciled in the District of Columbia.

(c) PERPETUAL EXISTENCE.—Except as otherwise provided, the corporation has perpetual existence.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1314.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
30101	36:881.	Sept. 2, 1958, Pub. L. 85-870, § 1, 72 Stat. 1691; Nov. 11, 1977, Pub. L. 95-167, § 1(a), 91 Stat. 1347.
	36:882.	Sept. 2, 1958, Pub. L. 85-870, § 2, 4(1), 72 Stat. 1691.
	36:884(1).	

This section is substituted for the source provisions for consistency in the revised title and to eliminate executed and unnecessary words. The text of 36:881(b) is omitted as unnecessary because of the restatement.

The text of 36:882 is omitted as executed and obsolete.

§ 30102. Purposes

The purposes of the corporation are—

(1) to assist individuals throughout the United States in solving their social and economic problems and in their health and educational and character development;

(2) to promote the use, by other lay and professional agencies and workers, of the techniques of that assistance developed by the corporation; and

(3) to receive, invest, and disburse funds and hold property for the purposes of the corporation.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1314.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
30102	36:883.	Sept. 2, 1958, Pub. L. 85-870, §3, 72 Stat. 1691; Nov. 11, 1977, Pub. L. 95-167, §1(b), 91 Stat. 1347.

In clause (1), the words “aid” and “of America” are omitted as unnecessary.

Clause (2) is substituted for “to promote the use of the techniques of such assistance developed by the corporation, by other lay and professional agencies and workers” for clarity.

§ 30103. Membership

(a) ELIGIBILITY.—Except as provided in this chapter, eligibility for membership in the corporation and the rights, privileges, and designation of classes of members are as provided in the constitution and bylaws of the corporation.

(b) VOTING.—Each member has one vote on each matter submitted to a vote at a meeting of the members.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1315.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
30103	36:886.	Sept. 2, 1958, Pub. L. 85-870, §6, 72 Stat. 1692.

In subsection (a), the words “are as provided in the constitution and bylaws of the corporation” are substituted for “shall . . . be determined as the constitution and bylaws of the corporation may provide” for consistency in the revised title and to eliminate unnecessary words.

In subsection (b), the words “the right to” are omitted as unnecessary.

§ 30104. Governing body

(a) BOARD OF DIRECTORS.—(1) The board of directors is the governing body of the corporation. The powers, duties, and responsibilities of the board are as provided in the constitution and bylaws of the corporation.

(2) The number of directors is as provided in the constitution. Their manner of selection (including the filling of vacancies) and their term of office are as provided in the constitution and bylaws.

(b) OFFICERS.—(1) The officers of the corporation are a chairman of the board of directors, a president, one or more vice presidents as provided in the constitution and bylaws, a secretary, and a treasurer.

(2) The manner of election, term of office, and duties of the officers are as provided in the constitution and bylaws.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1315.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
30104(a)	36:887.	Sept. 2, 1958, Pub. L. 85-870, §7, 72 Stat. 1692; Nov. 11, 1977, Pub. L. 95-167, §1(d), 91 Stat. 1347.
30104(b)	36:888.	Sept. 2, 1958, Pub. L. 85-870, §8, 72 Stat. 1693.

In subsection (a), the text of 36:887(a) is omitted as executed and obsolete. In paragraph (1), the word “gov-

erning” is substituted for “managing” for consistency in the revised title.

§ 30105. Powers

The corporation may—

(1) adopt and amend a constitution and bylaws for the management of its property and the regulation of its affairs;

(2) adopt and alter a corporate seal;

(3) choose officers, managers, agents, and employees as the activities of the corporation require;

(4) make contracts;

(5) acquire, own, lease, encumber, and transfer property as necessary or convenient to carry out the purposes of the corporation;

(6) borrow money, issue instruments of indebtedness, and secure its obligations by granting security interests in its property; and

(7) sue and be sued.

(Pub. L. 105-225, Aug. 12, 1998, 112 Stat. 1315.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
30105	36:884(2)-(9). 36:896.	Sept. 2, 1958, Pub. L. 85-870, §4(2)-(9), 72 Stat. 1691. Sept. 2, 1958, Pub. L. 85-870, §16, 72 Stat. 1695; Nov. 11, 1977, Pub. L. 95-167, §1(f), 91 Stat. 1347.

In this section, the text of 36:896 is omitted as executed and obsolete.

In clause (1), the words “and alter” and “not inconsistent with the laws of the United States or any State in which the corporation is to operate” are omitted as unnecessary.

In clause (2), the word “use” is omitted as unnecessary.

In clause (3), the word “activities” is substituted for “business” for consistency in the revised title.

In clause (4), the words “make contracts” are substituted for “contract and be contracted with” to eliminate unnecessary words.

Clause (5) is substituted for “take by lease, gift, purchase, grant, devise, or bequest from any private corporation, association, partnership, firm, or individual and to hold any property, real, personal, or mixed, necessary or convenient for attaining the objects and carrying into effect the purposes of the corporation” and “transfer, convey, lease, sublease, encumber, and otherwise alienate real, personal, or mixed property” for consistency in the revised title and to eliminate unnecessary words. The words “subject, however, to applicable provisions of law of any State (A) governing the amount or kind of property which may be held by, or (B) otherwise limiting or controlling the ownership of property by, a corporation operating in such State” are omitted as unnecessary.

In clause (6), the words “instruments of indebtedness” are substituted for “bonds” for consistency in the revised title. The words “secure its obligations by granting security interests in its property” are substituted for “secure the same by mortgage, deed of trust, pledge, or otherwise” to eliminate unnecessary words. The words “for the purposes of the corporation”, “therefor”, and “subject in every case to all applicable provisions of Federal and State laws” are omitted as unnecessary.

In clause (7), the words “complain, and defend in any court of competent jurisdiction” are omitted as unnecessary.