

(d) LOANS.—The corporation may not make a loan to a director, officer, or employee.

(e) CLAIM OF GOVERNMENTAL APPROVAL OR AUTHORITY.—The corporation may not claim the approval or the authority of the United States Government for any of its activities.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1489.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
240107(a)	36:3108(d).	Oct. 30, 1984, Pub. L. 98–584, § 8, 98 Stat. 3098.
240107(b)	36:3108(c).	
240107(c)	36:3108(a).	
240107(d)	36:3108(b).	
240107(e)	36:3108(e).	

In subsection (a), the words “any shares of” are omitted as unnecessary.

In subsection (b), the words “as such” are substituted for “thereof” for consistency in the revised title.

In subsection (c), the words “inure to the benefit of” are substituted for “inure” for consistency in the revised title. The words “This subsection does not prevent” are substituted for “Nothing in this subsection shall be construed to prevent” for consistency in the revised title and to eliminate unnecessary words.

§ 240108. Duty to maintain tax-exempt status

The corporation shall maintain its status as an organization exempt from taxation under the Internal Revenue Code of 1986 (26 U.S.C. 1 et seq.).

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1489.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
240108	36:3114 (1st sentence).	Oct. 30, 1984, Pub. L. 98–584, § 15 (1st sentence), 98 Stat. 3099.

§ 240109. Records and inspection

(a) RECORDS.—The corporation shall keep—

- (1) correct and complete records of account;
- (2) minutes of the proceedings of its members, board of directors, and committees having any of the authority of its board of directors; and
- (3) at its principal office, a record of the names and addresses of its members entitled to vote.

(b) INSPECTION.—A member entitled to vote, or an agent or attorney of the member, may inspect the records of the corporation for any proper purpose, at any reasonable time.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1489.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
240109	36:3110.	Oct. 30, 1984, Pub. L. 98–584, § 10, 98 Stat. 3098.

In this section, the word “records” is substituted for “books and records” for consistency in the revised title and with other titles of the United States Code. The words “Nothing in this section shall be construed to contravene any applicable State law” are omitted as unnecessary.

In subsection (a)(3), the words “in any proceeding of the corporation” are omitted as unnecessary.

In subsection (b), the words “in any corporation proceeding” are omitted as unnecessary.

§ 240110. Service of process

The corporation shall comply with the law on service of process of each State in which it is incorporated and each State in which it carries on activities.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1490.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
240110	36:3104.	Oct. 30, 1984, Pub. L. 98–584, § 4, 98 Stat. 3097.

The words “in furtherance of its corporate purposes” are omitted as unnecessary.

§ 240111. Liability for acts of officers and agents

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

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1490.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
240111	36:3109.	Oct. 30, 1984, Pub. L. 98–584, § 9, 98 Stat. 3098.

§ 240112. Annual report

The corporation shall submit an annual report to Congress on the activities of the corporation during the prior fiscal year. The report shall be submitted at the same time as the report of the audit required by section 10101 of this title. The report may not be printed as a public document.

(Pub. L. 105–225, Aug. 12, 1998, 112 Stat. 1490.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
240112	36:3111.	Oct. 30, 1984, Pub. L. 98–584, § 12, 98 Stat. 3099.

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 208 of House Document No. 103–7.

CHAPTERS 2403 THROUGH 2499—RESERVED

AMENDMENTS

2014—Pub. L. 113–237, § 3(b)(21), Dec. 18, 2014, 128 Stat. 2839, substituted “CHAPTERS 2403 THROUGH 2499—RESERVED” for “CHAPTER 2501—[RESERVED]”.

CHAPTERS 2501 THROUGH 2599—RESERVED

AMENDMENTS

2014—Pub. L. 113–237, § 3(b)(21), Dec. 18, 2014, 128 Stat. 2839, substituted “CHAPTERS 2501 THROUGH 2599—RESERVED” for “CHAPTER 2601—[RESERVED]”.

CHAPTERS 2601 THROUGH 2699—RESERVED

AMENDMENTS

2014—Pub. L. 113–237, §3(b)(21), Dec. 18, 2014, 128 Stat. 2839, substituted “CHAPTERS 2601 THROUGH 2699—RESERVED” for “CHAPTER 2701—[RESERVED]”.

CHAPTERS 2701 THROUGH 2799—RESERVED

AMENDMENTS

2014—Pub. L. 113–237, §3(b)(21), Dec. 18, 2014, 128 Stat. 2839, added placeholder for chapters 2701 to 2799.

Subtitle III—Treaty Obligation Organizations

AMENDMENTS

2014—Pub. L. 113–237, §3(a)(2)(C), Dec. 18, 2014, 128 Stat. 2836, struck out item for chapter 3001 “The American National Red Cross”.

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