

114TH CONGRESS
1ST SESSION

H. R. 3517

To amend title 36, United States Code to enhance oversight of the American National Red Cross by the Government Accountability Office and Inspectors General at the Departments of Homeland Security, Treasury, and State, and require the Department of Homeland Security to conduct a pilot program with the American National Red Cross to research and develop mechanisms for the Department to better leverage social media to improve preparedness and response capabilities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 16, 2015

Mr. THOMPSON of Mississippi introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committees on Transportation and Infrastructure and Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title 36, United States Code to enhance oversight of the American National Red Cross by the Government Accountability Office and Inspectors General at the Departments of Homeland Security, Treasury, and State, and require the Department of Homeland Security to conduct a pilot program with the American National Red Cross to research and develop mechanisms for the Department to better leverage social media to improve

preparedness and response capabilities, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “American Red Cross
5 Sunshine Act”.

6 **SEC. 2. GOVERNMENT ACCOUNTABILITY OFFICE OVER-**
7 **SIGHT.**

8 Section 300111 of title 36, United States Code, is
9 amended to read as follows:

10 **“§ 300111. Authority of the Comptroller General of**
11 **the United States**

12 “(a) IN GENERAL.—The Comptroller General of the
13 United States is authorized to review the corporation’s in-
14 volvement in any Federal program or activity the Govern-
15 ment carries out under law, including any program or ac-
16 tivity that the corporation carries out in connection with
17 events for which the Government provides leadership or
18 support under the national preparedness system estab-
19 lished under section 644 of the Department of Homeland
20 Security Appropriations Act, 2007 (6 U.S.C. 744), or any
21 successor system.

22 “(b) ACCESS.—For purposes of carrying out this sec-
23 tion, the Comptroller General of the United States shall
24 have access to and the right to examine and copy all

1 records and other recorded information, electronic or oth-
2 erwise, within the possession or control of the corporation
3 that the Comptroller General determines relevant to a re-
4 view authorized under subsection (a), including such
5 records and other recorded information pertaining to the
6 corporation's financial transactions and internal govern-
7 ance. The Comptroller General shall be provided access,
8 and be permitted to interview, any employee or volunteer
9 of the corporation who the Comptroller General believes
10 to have knowledge relevant to such a review.

11 “(c) ENFORCEMENT.—

12 “(1) IN GENERAL.—The Comptroller General of
13 the United States may subpoena a record of the
14 American National Red Cross or subpoena an em-
15 ployee of the American National Red Cross to ap-
16 pear for an interview when the record or employee
17 is not made available to the Comptroller General
18 upon request under this section. A subpoena shall
19 identify the record or employee, and may be issued
20 by the Comptroller General. The Comptroller Gen-
21 eral may have an individual serve a subpoena under
22 this subsection by delivering a copy to the chief exec-
23 utive officer of the American National Red Cross or
24 by mailing a copy of the subpoena by certified or
25 registered mail, return receipt requested, to its prin-

1 ciproal place of business. Proof of service is shown by
2 a verified return by the individual serving the sub-
3 poena that states how the subpoena was served or
4 by the return receipt signed by the person served.

5 “(2) ACTION.—If the American National Red
6 Cross does not comply with a subpoena issued under
7 paragraph (1), the Comptroller General of the
8 United States, acting through an attorney the
9 Comptroller General designates in writing, may
10 bring a civil action in the district court of the
11 United States for the District of Columbia to require
12 it to produce the record or employee that is the sub-
13 ject of such subpoena. The court shall have jurisdic-
14 tion of such action and may punish a failure to obey
15 an order of the court under this subsection as a con-
16 tempt of court.”.

17 **SEC. 3. INTERNAL REPORTING AND DISPUTE RESOLUTION.**

18 Subsection (a) of section 300112 of title 36, United
19 States Code, is amended to read as follows:

20 “(a) ESTABLISHMENT.—The corporation shall estab-
21 lish an Office of the Ombudsman to enhance dispute reso-
22 lution regarding concerns raised to the Office of the Om-
23 budsman by internal and external stakeholders regarding
24 the corporation, regularly report to the board of governors
25 information on trends and patterns on concerns commu-

1 nicated to the Office of the Ombudsman regarding the cor-
2 poration, and carry out such other duties and responsibil-
3 ities as may be provided in the bylaws or a resolution of
4 the board of governors.”.

5 **SEC. 4. INSPECTORS GENERAL OVERSIGHT.**

6 (a) IN GENERAL.—Chapter 3001 of title 36, United
7 States Code, is amended by adding at the end the fol-
8 lowing new sections:

9 **“§ 300114. Treasury Inspector General for Tax Admin-
10 istration audit**

11 “Not later than one year after the date of the enact-
12 ment of this section, the Treasury Inspector General for
13 Tax Administration shall conduct an audit of the corpora-
14 tion’s revenues, expenditures, and governance not less
15 often than once every three years. Such audit shall be
16 posted on the website of the Treasury Inspector General
17 for Tax Administration. In carrying out this section, the
18 Treasury Inspector General for Tax Administration shall
19 coordinate activities to maximize the effectiveness of over-
20 sight activities, avoid unnecessary duplication of efforts,
21 and minimize administrative burdens on the corporation.

22 **“§ 300115. Department of Homeland Security Inspec-
23 tor General audit**

24 “Not later than two years after the date of the enact-
25 ment of this section, the Inspector General of the Depart-

1 ment of Homeland Security shall evaluate the performance
2 of the corporation's disaster assistance services pursuant
3 to paragraph (4) of section 300102, including services pro-
4 vided in connection with the national preparedness system
5 established under section 644 of the Department of Home-
6 land Security Appropriations Act, 2007 (6 U.S.C. 744),
7 or any successor system, not less often than once every
8 three years. Such audit shall be posted on the website of
9 the Inspector General. In carrying out this section, the
10 Inspector General shall coordinate activities to maximize
11 the effectiveness of oversight activities, avoid unnecessary
12 duplication of efforts, and minimize administrative bur-
13 dens on the corporation.

14 **“§ 300116. United States Agency for International De-**
15 **velopment Inspector General audit**

16 “Not later than three years after the date of the en-
17 actment of this section, the Inspector General of the
18 United States Agency for International Development shall
19 evaluate the performance of the corporation's inter-
20 national activities not less often than once every three
21 years. Such audit shall be posted on the website of the
22 Inspector General. In carrying out this section, the Inspec-
23 tor General shall coordinate activities to maximize the ef-
24 fectiveness of oversight activities, avoid unnecessary dupli-

1 cation of efforts, and minimize administrative burdens on
2 the corporation.”.

3 (b) CLERICAL AMENDMENT.—The table of contents
4 of chapter 3001 of title 36 is amended by adding at the
5 end the following new items:

“300114. Treasury Inspector General for Tax Administration.

“300115. Department of Homeland Security Inspector General audit.

“300116. United States Agency for International Development Inspector General audit.”.

6 **SEC. 5. ACCESSING THE OMBUDSMAN.**

7 Not later than 60 days after the date of the enact-
8 ment of this Act, the American National Red Cross shall
9 make prominent on its website information on how to sub-
10 mit to the Office of the Ombudsman of the American Na-
11 tional Red Cross concerns about the organization, includ-
12 ing concerns related to the administration of its programs,
13 policies, fundraising activities, advertising messages, and
14 employment practices.

15 **SEC. 6. DEPARTMENT OF HOMELAND SECURITY PILOT**
16 **PROGRAM.**

17 (a) IN GENERAL.—The Secretary of Homeland Secu-
18 rity, acting through the Under Secretary for Science and
19 Technology of the Department of Homeland Security,
20 shall conduct a one-year pilot program with the American
21 National Red Cross to research and develop mechanisms
22 for the Department to better leverage social media to im-

1 prove preparedness and response capabilities, including
2 the following:

3 (1) The timely dissemination of public pre-
4 paredness information for terrorist attacks and other
5 disasters.

6 (2) The delivery of response supplies to affected
7 areas.

8 (b) REPORT.—Not later than 90 days after comple-
9 tion of the pilot program required under subsection (a),
10 the Secretary of Homeland Security shall submit to the
11 Committee on Homeland Security of the House of Rep-
12 resentatives and the Committee on Homeland Security
13 and Governmental Affairs of the Senate a report on the
14 lessons learned from such pilot program and any plan to
15 integrate such lessons into operations of the Department
16 of Homeland Security.

17 **SEC. 7. ANNUAL REPORT.**

18 On an annual basis, together with the President's
19 submission of a budget request under section 1105 of title
20 31, United States Code, the Secretary of Homeland Secu-
21 rity shall submit to the Committee on Homeland Security
22 of the House of Representatives and the Committee on
23 Homeland Security and Governmental Affairs of the Sen-
24 ate a report on the extent to which the Department of
25 Homeland Security partnered with the American National

1 Red Cross in furtherance of preparedness and response
2 capabilities in the previous year.

3 **SEC. 8. RULE OF CONSTRUCTION.**

4 Nothing in this Act or the amendments made by this
5 Act may be construed as hindering, reducing, impeding,
6 or otherwise impacting the ability of a State to conduct
7 oversight or investigations of the American National Red
8 Cross.

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