H. R. 114TH CONGRESS 1ST SESSION 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 Mr. THOMPSON of Mississippi introduced the following bill; which was referred to the Committee on __________________________ 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
Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.
This Act may be cited as the “American Red Cross
Sunshine Act”.

SEC. 2. GOVERNMENT ACCOUNTABILITY OFFICE OVER-
sight.
Section 300111 of title 36, United States Code, is
amended to read as follows:

“§ 300111. Authority of the Comptroller General of
the United States
“(a) IN GENERAL.—The Comptroller General of the
United States is authorized to review the corporation’s in-
volvement in any Federal program or activity the Govern-
ment carries out under law, including any program or ac-
tivity that the corporation carries out in connection with
events for which the Government provides leadership or
support under the national preparedness system estab-
lished under section 644 of the Department of Homeland
Security Appropriations Act, 2007 (6 U.S.C. 744), or any
successor system.
“(b) ACCESS.—For purposes of carrying out this sec-
tion, the Comptroller General of the United States shall
have access to and the right to examine and copy all
records and other recorded information, electronic or oth-
erwise, within the possession or control of the corporation that the Comptroller General determines relevant to a review authorized under subsection (a), including such records and other recorded information pertaining to the corporation’s financial transactions and internal governance. The Comptroller General shall be provided access, and be permitted to interview, any employee or volunteer of the corporation who the Comptroller General believes to have knowledge relevant to such a review.

“(c) ENFORCEMENT.—

“(1) IN GENERAL.—The Comptroller General of the United States may subpoena a record of the American National Red Cross or subpoena an employee of the American National Red Cross to appear for an interview when the record or employee is not made available to the Comptroller General upon request under this section. A subpoena shall identify the record or employee, and may be issued by the Comptroller General. The Comptroller General may have an individual serve a subpoena under this subsection by delivering a copy to the chief executive officer of the American National Red Cross or by mailing a copy of the subpoena by certified or registered mail, return receipt requested, to its principal place of business. Proof of service is shown by
a verified return by the individual serving the sub-
poena that states how the subpoena was served or
by the return receipt signed by the person served.

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

SEC. 3. INTERNAL REPORTING AND DISPUTE RESOLUTION.

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

“(a) ESTABLISHMENT.—The corporation shall estab-
lish an Office of the Ombudsman to enhance dispute reso-
lution regarding concerns raised to the Office of the Om-
budsman by internal and external stakeholders regarding
the corporation, regularly report to the board of governors
information on trends and patterns on concerns commu-
nicated to the Office of the Ombudsman regarding the cor-
poration, and carry out such other duties and responsibilities as may be provided in the bylaws or a resolution of the board of governors.”.

SEC. 4. INSPECTORS GENERAL OVERSIGHT.

(a) IN GENERAL.—Chapter 3001 of title 36, United States Code, is amended by adding at the end the following new sections:

“§ 300114. Treasury Inspector General for Tax Administration audit

“Not later than one year after the date of the enactment of this section, the Treasury Inspector General for Tax Administration shall conduct an audit of the corporation’s revenues, expenditures, and governance not less often than once every three years. Such audit shall be posted on the website of the Treasury Inspector General for Tax Administration. In carrying out this section, the Treasury Inspector General for Tax Administration shall coordinate activities to maximize the effectiveness of oversight activities, avoid unnecessary duplication of efforts, and minimize administrative burdens on the corporation.

“§ 300115. Department of Homeland Security Inspector General audit

“Not later than two years after the date of the enactment of this section, the Inspector General of the Department of Homeland Security shall evaluate the performance
of the corporation’s disaster assistance services pursuant
to paragraph (4) of section 300102, including services pro-
vided in connection with the national preparedness system
established under section 644 of the Department of Home-
or any successor system, not less often than once every
three years. Such audit shall be posted on the website of
the Inspector General. In carrying out this section, the
Inspector General shall coordinate activities to maximize
the effectiveness of oversight activities, avoid unnecessary
duplication of efforts, and minimize administrative bur-
dens on the corporation.

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

“Not later than three years after the date of the en-
actment of this section, the Inspector General of the
United States Agency for International Development shall
evaluate the performance of the corporation’s inter-
national activities not less often than once every three
years. Such audit shall be posted on the website of the
Inspector General. In carrying out this section, the Inspect-
tor General shall coordinate activities to maximize the ef-
fectiveness of oversight activities, avoid unnecessary duplic-
cation of efforts, and minimize administrative burdens on
the corporation.”.
(b) CLERICAL AMENDMENT.—The table of contents of chapter 3001 of title 36 is amended by adding at the end the following new items:

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

SEC. 5. ACCESSING THE OMBUDSMAN.

Not later than 60 days after the date of the enactment of this Act, the American National Red Cross shall make prominent on its website information on how to submit to the Office of the Ombudsman of the American National Red Cross concerns about the organization, including concerns related to the administration of its programs, policies, fundraising activities, advertising messages, and employment practices.

SEC. 6. DEPARTMENT OF HOMELAND SECURITY PILOT PROGRAM.

(a) IN GENERAL.—The Secretary of Homeland Security, acting through the Under Secretary for Science and Technology of the Department of Homeland Security, shall conduct a one year 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, including the following;
(1) The timely dissemination of public preparedness information for terrorist attacks and other disasters.

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

(b) REPORT.—Not later than 90 days after completion of the pilot program required under subsection (a), the Secretary of Homeland Security shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the lessons learned from such pilot program and any plan to integrate such lessons into operations of the Department of Homeland Security.

SEC. 7. ANNUAL REPORT.

On an annual basis, together with the President’s submission of a budget request under section 1105 of title 31, United States Code, the Secretary of Homeland Security shall submit to Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the extent to which the Department of Homeland Security partnered with the American National Red Cross in furtherance of preparedness and response capabilities in the previous year.
SEC. 8. RULE OF CONSTRUCTION.

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