

115TH CONGRESS  
1ST SESSION

# S. 494

To improve transparency regarding the activities of the American Red Cross.

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IN THE SENATE OF THE UNITED STATES

MARCH 2, 2017

Mr. GRASSLEY introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To improve transparency regarding the activities of the American Red Cross.

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 Transparency Act of 2017”.

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:

1 **“§ 300111. Authority of the Comptroller General of**  
2 **the United States**

3 “(a) **AUDIT AUTHORITY.**—The Comptroller General  
4 of the United States is authorized to review—

5 “(1) the internal governance of the corporation;  
6 and

7 “(2) any program or activity connected to na-  
8 tional preparedness, including any program or activ-  
9 ity carried out by the corporation in connection with  
10 events for which the Federal Government provides  
11 leadership or support under the national prepared-  
12 ness system established under section 644 of the De-  
13 partment of Homeland Security Appropriations Act,  
14 2007 (6 U.S.C. 744), or any successor system.

15 “(b) **ACCESS AUTHORITY.**—

16 “(1) **IN GENERAL.**—For purposes of carrying  
17 out this section, the Comptroller General of the  
18 United States shall have access to and the right to  
19 examine and copy all records and other recorded in-  
20 formation, electronic or otherwise, within the posses-  
21 sion or control of the corporation that the Comp-  
22 troller General determines relevant to a review au-  
23 thorized under subsection (a), including such records  
24 and other recorded information relating to the finan-  
25 cial transactions and internal governance of the cor-  
26 poration.

1           “(2) INDIVIDUALS.—The Comptroller General  
2 shall be provided access to, and be permitted to  
3 interview, any member of the board of governors,  
4 employee, volunteer, or agent of the corporation  
5 whom the Comptroller General believes to have  
6 knowledge relevant to a review authorized under  
7 subsection (a).

8           “(c) ENFORCEMENT.—

9           “(1) SUBPOENA AUTHORITY.—

10           “(A) IN GENERAL.—If the corporation  
11 does not make available a record, other re-  
12 corded information, or a member of the board  
13 of governors, employee, volunteer, or agent of  
14 the corporation upon a request under sub-  
15 section (b), the Comptroller General of the  
16 United States may issue a subpoena for the  
17 record or other recorded information or to ob-  
18 tain the testimony of the member of the board  
19 of governors, employee, volunteer, or agent.

20           “(B) ISSUANCE.—A subpoena issued under  
21 this paragraph—

22           “(i) shall identify the record, other re-  
23 corded information, or member of the  
24 board of governors, employee, volunteer, or  
25 agent of the corporation sought; and

1                   “(ii) may be issued by the Comptroller  
2                   General.

3                   “(C) SERVICE.—The Comptroller General  
4                   shall have an individual serve a subpoena issued  
5                   under this paragraph by delivering a copy to  
6                   the chief executive officer of the corporation or  
7                   by mailing a copy of the subpoena by certified  
8                   or registered mail, return receipt requested, to  
9                   the principal place of business of the corpora-  
10                  tion. Proof of service is shown by a verified re-  
11                  turn by the individual serving the subpoena  
12                  that states how the subpoena was served or by  
13                  the return receipt signed by the person served.

14                  “(2) ACTION.—If the corporation does not com-  
15                  ply with a subpoena issued under paragraph (1), the  
16                  Comptroller General of the United States, acting  
17                  through an attorney the Comptroller General des-  
18                  ignates in writing, may bring a civil action in the  
19                  United States District Court for the District of Co-  
20                  lumbia to require the corporation to produce the  
21                  record, other recorded information, or member of the  
22                  board of governors, employee, volunteer, or agent  
23                  that is the subject of the subpoena. The court shall  
24                  have jurisdiction of such action and may punish a

1 failure to obey an order of the court under this sub-  
2 section as a contempt of court.”.

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