

115TH CONGRESS
2D SESSION

H. R. 5488

To amend title 36, United States Code, to provide for a Federal charter for Remote Area Medical, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 12, 2018

Mr. DUNCAN of Tennessee (for himself, Mr. ROE of Tennessee, and Mr. DESJARLAIS) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 36, United States Code, to provide for a Federal charter for Remote Area Medical, 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 “Remote Area Medical
5 Charter Act of 2018”.

6 **SEC. 2.**

7 Chapter 1801 of title 36, United States Code, is
8 amended to read as follows:

1 **“CHAPTER 1850—REMOTE AREA MEDICAL**

“185101. Organization.

“185102. Purposes.

“185103. Membership and chapters.

“185104. Board of Directors.

“185105. Powers.

“185106. Annual meeting.

“185107. Endowment fund.

“185108. Annual report and audit.

“185109. Authority of the Comptroller General of the United States.

“185110. Reservation of right to amend or repeal.

“185111. Service of process.

2 **“§ 185101. Organization**

3 “(a) FEDERAL CHARTER.—Remote Area Medical (in
4 this chapter, the ‘corporation’) is a Federally chartered
5 corporation.

6 “(b) NAME.—The name of the corporation is ‘Remote
7 Area Medical’ or ‘RAM’. The corporation may conduct its
8 business and affairs, and otherwise hold itself out, as the
9 ‘Remote Area Medical’ in any jurisdiction.

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

12 **“§ 185102. Purposes**

13 “The purpose of the corporation is—

14 “(1) To prevent pain and alleviate suffering by
15 providing free quality healthcare to those in need.
16 The corporation will utilize mobile ground and air-
17 borne capabilities to provide free medical care and
18 veterinary services to the needy.

1 “(2) To organize and facilitate animal hus-
2 bandry and wildlife conservation, to include the dis-
3 tribution of educational information and data.

4 “(3) To organize and distribute education infor-
5 mation and provide live educational and training
6 programs for underprivileged youth and adults.

7 **“§ 185103. Membership and chapters**

8 “(a) MEMBERSHIP.—Membership in the corporation
9 is open to all the people of the United States and its terri-
10 tories and possessions, or as provided in the bylaws.

11 “(b) AFFILIATES.—

12 “(1) The affiliates of the corporation are the
13 local units of the corporation. The corporation shall
14 prescribe policies and regulations related to—

15 “(A) granting charters to the affiliates and
16 revoking those charters;

17 “(B) the territorial jurisdiction of the af-
18 filiates;

19 “(C) the relationship of the affiliates to the
20 corporation; and

21 “(D) compliance by the affiliates with the
22 policies and regulations of the corporation.

23 “(2) The policies and regulations shall require
24 that each affiliate adhere to the democratic prin-

1 ciples of election specified in the bylaws in electing
2 the governing body of the affiliate.

3 **“§ 185104. Board of Directors**

4 “(a) BOARD OF DIRECTORS.—

5 “(1) IN GENERAL.—The Board of Directors is
6 the governing body of the corporation with all pow-
7 ers of governing and directing, and of overseeing the
8 management of the business and affairs of, the cor-
9 poration.

10 “(2) NUMBER.—The Board of Directors shall
11 fix by resolution, from time to time, the number of
12 members constituting the entire Board of Directors,
13 provided that as of July 13, 2014, and thereafter,
14 there shall be no fewer than twelve. There shall be
15 9 standing committees. Procedures to implement or
16 amend the preceding sentence shall be provided in
17 the bylaws.

18 “(3) APPOINTMENT.—The Board of Directors
19 shall be appointed or elected in the following man-
20 ner:

21 “(A) PRESIDENT.—

22 “(i) IN GENERAL.—The Board of Di-
23 rectors, in accordance with procedures pro-
24 vided in the bylaws, shall have Stan Brock
25 serving as President of the Board for life

1 or upon his resignation or removal from
2 the Board.

3 “(ii) VACANCIES.—Vacancies as to the
4 Presidency of the Board, whether resulting
5 from the resignation, death, or removal by
6 the Board, shall be filled as provided in the
7 bylaws.

8 “(iii) DUTIES.—The President shall
9 be a member of the Board of Directors
10 and, when present, shall preside at meet-
11 ings of the Board of Directors and shall
12 have such other duties and responsibilities
13 as may be provided in the bylaws or a res-
14 olution of the Board of Directors.

15 “(B) OTHER MEMBERS.—

16 “(i) IN GENERAL.—Officers of the
17 Board of Directors other than the Presi-
18 dent shall be elected at the annual meeting
19 of the corporation in accordance with such
20 procedures as may be provided in the by-
21 laws.

22 “(ii) VACANCIES.—Vacancies in any
23 such elected Board position and in any
24 newly created Board position may be filled
25 by a vote of the remaining members of the

1 Board of Directors in accordance with such
2 procedures as may be provided in the by-
3 laws.

4 “(b) TERMS OF OFFICE.—

5 “(1) IN GENERAL.—The term of office of each
6 member of the Board of Directors shall be 2 years,
7 except that any member of the Board of Directors
8 elected by the Board to fill a vacancy in a Board po-
9 sition arising before the expiration of its term may,
10 as determined by the Board, serve for the remainder
11 of that term or until the next meeting of the cor-
12 poration.

13 “(2) STAGGERED TERMS.—The terms of office
14 of members of the Board of Directors (other than
15 the President) shall be staggered. Elections of the
16 Board of Directors shall take place in the winter
17 quarterly meeting and each July at the annual meet-
18 ing.

19 “(c) COMMITTEES AND OFFICERS.—The Board—

20 “(1) may appoint, from its own members, an
21 executive committee to exercise such powers of the
22 Board when the Board is not in session as may be
23 provided in the bylaws;

1 “(2) may appoint such other committees with
2 such powers as may be provided in the bylaws or a
3 resolution of the Board of Directors;

4 “(3) shall appoint such officers of the corpora-
5 tion, including a chief executive officer, with such
6 duties, responsibilities, and terms of office as may be
7 provided in the bylaws or a resolution of the Board
8 of Directors; and

9 “(4) may remove members of the Board of Di-
10 rectors (other than the President), officers, and em-
11 ployees under such procedures as may be provided in
12 the bylaws or a resolution of the Board of Directors.

13 “(d) ACTION WITHOUT MEETING.—Any action re-
14 quired or permitted to be taken at any meeting of the
15 Board of Directors or of any committee thereof may be
16 taken without a meeting if 75 percent of the members of
17 the Board or committee, as the case may be, consent
18 thereto in writing, or by electronic transmission and the
19 writing or electronic transmission is filed with the minutes
20 of the next proceedings of the Board or committee, if rati-
21 fied by a majority vote of the Board. Such filing shall be
22 in paper form if the minutes are maintained in paper form
23 and shall be in electronic form if the minutes are main-
24 tained in electronic form.

25 “(e) VOTING BY PROXY.—

1 “(1) IN GENERAL.—Any member wishing to
2 vote through proxy must notify the Secretary of the
3 Board in writing more than 24 hours in advance of
4 the Board meeting.

5 “(2) METHOD.—An e-mail constitutes a writing
6 for proxy notification purposes.

7 “(f) BYLAWS.—The Board of Directors may—

8 “(1) at any time adopt bylaws; and

9 “(2) amend these bylaws upon written notice
10 provided at least 5 days in advance of any meeting
11 convened for that purpose. Amendments may only be
12 adopted on a majority vote of a quorum of the entire
13 membership of the Board at the time the amend-
14 ment is proposed.

15 **“§ 185105. Powers**

16 “The corporation may—

17 “(1) adopt policies and regulations;

18 “(2) adopt, alter, and destroy a seal;

19 “(3) own and dispose of property to carry out
20 the purposes of the corporation;

21 “(4) accept gifts, devises, and bequests of prop-
22 erty to carry out the purposes of the corporation;

23 “(5) sue and be sued in courts of law and eq-
24 uity, State or Federal, within the jurisdiction of the
25 United States; and

1 “(6) do any other act necessary to carry out
2 this chapter and promote the purposes of the cor-
3 poration.

4 **“§ 185106. Annual meeting**

5 “(a) IN GENERAL.—The annual meeting of the cor-
6 poration is the annual meeting of Directors.

7 “(b) TIME OF MEETING.—The annual meeting shall
8 be held during the month of July.

9 “(c) PLACE OF MEETING.—The Board of Directors
10 is authorized to determine that the annual meeting shall
11 not be held at any place, but may instead be held solely
12 by means of remote communication subject to such proce-
13 dures as are provided in the bylaws.

14 **“§ 185107. Endowment fund**

15 “Any endowment fund of the corporation shall be
16 kept and invested under the management and control of
17 the Board of Directors.

18 **“§ 185108. Annual report and audit**

19 “(a) SUBMISSION OF REPORT.—As soon as prac-
20 ticable after the end of the corporation’s fiscal year, which
21 may be changed from time to time by the Board of Direc-
22 tors, the corporation shall submit a report to Congress on
23 the activities of the corporation during such fiscal year.
24 The report may not be printed as a public document.

1 “(b) AUDIT REQUIREMENTS.—RAM shall comply
2 with the audit requirements of 36 U.S.C. 10101.

3 **“§ 185109. Authority of the Comptroller General of**
4 **the United States**

5 “The Comptroller General of the United States is au-
6 thorized to review the corporation’s involvement in any
7 Federal program or activity the Government carries out
8 under law.

9 **“§ 185110. Reservation of right to amend or repeal**

10 “Congress reserves the right to amend or repeal the
11 provisions of this chapter.

12 **“§ 185111. Service of process**

13 “As a condition to the exercise of any power or privi-
14 lege granted by this chapter, the corporation shall file,
15 with the secretary of state or other designated official of
16 each State, the name and address of an agent in that
17 State on whom legal process or demands against the cor-
18 poration may be served.”.

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