

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—118th Cong., 2d Sess.

S. 4036

To establish a Government Spending Oversight Committee within the Council of the Inspectors General on Integrity and Efficiency, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by Mr. PETERS (for himself and Mr. ROMNEY)

Viz:

1 Strike all after the enacting clause and insert the fol-
2 lowing:

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Government Spending
5 Oversight Act of 2024”.

6 **SEC. 2. GOVERNMENT SPENDING OVERSIGHT COMMITTEE.**

7 (a) IN GENERAL.—Section 424 of title 5, United
8 States Code, is amended by adding at the end the fol-
9 lowing:

10 “(f) GOVERNMENT SPENDING OVERSIGHT COM-
11 MITTEE.—

1 “(1) DEFINITIONS.— In this subsection:

2 “(A) AGENCY.—The term ‘agency’ has the
3 meaning given the term in section 551 of this
4 title.

5 “(B) APPROPRIATE CONGRESSIONAL COM-
6 MITTEES.—The term ‘appropriate congressional
7 committees’ means—

8 “(i) the Committees on Appropria-
9 tions of the Senate and the House of Rep-
10 resentatives;

11 “(ii) the Committee on Homeland Se-
12 curity and Governmental Affairs of the
13 Senate;

14 “(iii) the Committee on Oversight and
15 Accountability of the House of Representa-
16 tives; and

17 “(iv) any other relevant congressional
18 committee of jurisdiction.

19 “(C) CHAIRPERSON.—The term ‘Chair-
20 person’ means the Chairperson of the Com-
21 mittee.

22 “(D) COMMITTEE.—The term ‘Committee’
23 means the Government Spending Oversight
24 Committee established under paragraph (2).

1 “(E) COVERED FUNDS.—The term ‘cov-
2 ered funds’ means—

3 “(i) any funds, including loans, that
4 are made available in any form to any non-
5 Federal entity or individual, under—

6 “(I) division A or B of the
7 CARES Act (Public Law 116–136);

8 “(II) the Coronavirus Prepared-
9 ness and Response Supplemental Ap-
10 propriations Act, 2020 (Public Law
11 116–123);

12 “(III) the Families First
13 Coronavirus Response Act (Public
14 Law 116–127);

15 “(IV) the Paycheck Protection
16 Program and Health Care Enhance-
17 ment Act (Public Law 116–139);

18 “(V) division M or N of the Con-
19 solidated Appropriations Act, 2021
20 (Public Law 116–260);

21 “(VI) the American Rescue Plan
22 Act of 2021 (Public Law 117–2);

23 “(VII) any loan guaranteed or
24 made by the Small Business Adminis-
25 tration, including any direct loan or

1 guarantee of a trust certificate, under
2 the Small Business Act (15 U.S.C.
3 631 et seq.), the Small Business In-
4 vestment Act of 1958 (15 U.S.C. 661
5 et seq.), or any other provision of law;

6 “(VIII) unemployment compensa-
7 tion, as defined in section 85 of the
8 Internal Revenue Code of 1986;

9 “(IX) the Infrastructure Invest-
10 ment and Jobs Act (Public Law 117–
11 58);

12 “(X) the Inflation Reduction Act
13 (Public Law 117–169);

14 “(XI) the Honoring our PACT
15 Act of 2022 (Public Law 117–168);

16 or

17 “(XII) the CHIPS Act of 2022
18 (division A of Public Law 117–167)
19 (commonly known as the ‘CHIPS and
20 Science Act of 2022’);

21 “(ii) any Federal grant of not less
22 than \$50,000; and

23 “(iii) any intramural payment made
24 Governmentwide for research activity.

1 “(2) ESTABLISHMENT.—There is established
2 within the Council the Government Spending Over-
3 sight Committee to promote transparency and con-
4 duct and support oversight of covered funds to—

5 “(A) prevent and detect fraud, waste,
6 abuse, and mismanagement; and

7 “(B) mitigate major risks that cut across
8 program and agency boundaries.

9 “(3) CHAIRPERSON.—The Chairperson of the
10 Committee—

11 “(A) shall be selected by the Chairperson
12 of the Council from among Inspectors General
13 appointed by the President and confirmed by
14 the Senate; and

15 “(B) should have with experience man-
16 aging oversight of large organizations and ex-
17 penditures.

18 “(4) MEMBERSHIP.—The members of the Com-
19 mittee shall include—

20 “(A) the Chairperson;

21 “(B) the Inspector General of the Depart-
22 ment of the Labor;

23 “(C) the Inspector General of the Depart-
24 ment of Health and Human Services;

1 “(D) the Inspector General of the Small
2 Business Administration;

3 “(E) the Inspector General of the Depart-
4 ment of the Treasury;

5 “(F) the Inspector General of the Depart-
6 ment of Transportation;

7 “(G) the Treasury Inspector General for
8 Tax Administration;

9 “(H) the Inspector General of the Depart-
10 ment of Veterans Affairs;

11 “(I) the Inspector General of the Depart-
12 ment of Commerce;

13 “(J) the Inspector General of the Depart-
14 ment of Justice;

15 “(K) the Inspector General of the Depart-
16 ment of Defense;

17 “(L) the Inspector General of the Depart-
18 ment of Education;

19 “(M) the Inspector General of the Depart-
20 ment of Homeland Security; and

21 “(N) any other Inspector General, as des-
22 ignated by the Chairperson, from any agency
23 that expends or obligates covered funds.

24 “(5) EXECUTIVE DIRECTOR.—

1 “(A) IN GENERAL.—There shall be an Ex-
2 ecutive Director of the Committee.

3 “(B) APPOINTMENT; QUALIFICATIONS.—
4 The Executive Director of the Committee
5 shall—

6 “(i) be appointed by the Chairperson,
7 in consultation with the majority leader of
8 the Senate, the Speaker of the House of
9 Representatives, the minority leader of the
10 Senate, and the minority leader of the
11 House of Representatives;

12 “(ii) have demonstrated ability in ac-
13 counting, auditing, financial analysis, law,
14 management analysis, public administra-
15 tion, or investigations;

16 “(iii) have experience managing over-
17 sight of large organizations and expendi-
18 tures; and

19 “(iv) be full-time employees of the
20 Committee.

21 “(C) DUTIES.—The Executive Director of
22 the Committee shall—

23 “(i) report directly to the Chair-
24 person;

1 “(ii) appoint staff of the Committee,
2 subject to the approval of the Chairperson,
3 consistent with this subsection;

4 “(iii) supervise and coordinate Com-
5 mittee functions and staff; and

6 “(iv) perform any other duties as-
7 signed to the Executive Director by the
8 Committee.

9 “(D) NOTICE.—The Chairperson shall pro-
10 vide notice to the Committee on Homeland Se-
11 curity and Governmental Affairs of the Senate
12 and the Committee on Oversight and Account-
13 ability of the House of Representatives when
14 appointing or removing the Executive Director
15 of the Committee.

16 “(6) PROHIBITION ON ADDITIONAL COMPENSA-
17 TION.—Members of the Committee may not receive
18 additional compensation for services performed.

19 “(7) DUTIES OF THE COMMITTEE.—

20 “(A) IN GENERAL.—The Committee shall
21 conduct oversight of covered funds and support
22 Inspectors General in the oversight of covered
23 funds in order to—

24 “(i) detect and prevent fraud, waste,
25 abuse, and mismanagement; and

1 “(ii) identify major risks that cut
2 across programs and agency boundaries.

3 “(B) GENERAL FUNCTIONS.—The Com-
4 mittee, in coordination with relevant Inspectors
5 General, may—

6 “(i) provide support to, and collabo-
7 rate with, relevant Inspectors General in
8 conducting investigations, audits, and re-
9 views relating to covered funds, including
10 through—

11 “(I) data analytics;

12 “(II) the sharing of data, tools,
13 and services;

14 “(III) the development and en-
15 hancement of data practices, analysis,
16 and visualization; and

17 “(IV) any other appropriate
18 means as determined by the Com-
19 mittee;

20 “(ii) provide analytical products to
21 agencies, in coordination with Inspectors
22 General, to promote program integrity,
23 prevent improper payments, and facilitate
24 verification efforts to ensure proper ex-
25 penditure and utilization of covered funds;

1 “(iii) review the economy, efficiency,
2 and effectiveness in the administration of,
3 and the detection of fraud, waste, abuse,
4 and mismanagement in, programs and op-
5 erations using covered funds;

6 “(iv) review whether there are appro-
7 priate mechanisms for interagency collabo-
8 ration relating to the oversight of covered
9 funds, including coordinating and collabo-
10 rating to the extent practicable with State
11 and local government entities; and

12 “(v) expeditiously report to the Attor-
13 ney General any instance in which the
14 Committee has reasonable grounds to be-
15 lieve there has been a violation of Federal
16 criminal law.

17 “(C) ADDITIONAL FUNCTIONS.—The Com-
18 mittee may provide investigative support to
19 prosecutive and enforcement authorities to pro-
20 tect program integrity and prevent, detect, and
21 prosecute fraud of covered funds.

22 “(D) REPORTING.—

23 “(i) ALERTS.—The Committee shall
24 submit to the President and Congress, in-
25 cluding the appropriate congressional com-

1 mittees, management alerts on potential
2 management, risk, and funding problems
3 that require immediate attention.

4 “(ii) REPORTS AND UPDATES.—The
5 Committee shall submit to Congress such
6 other reports or provide such periodic up-
7 dates on the work of the Committee as the
8 Committee considers appropriate on the
9 use of covered funds.

10 “(iii) BIENNIAL REPORTS.—The
11 Committee shall submit biennial reports
12 to the President and Congress, including
13 the appropriate congressional committees,
14 and may submit additional reports as ap-
15 propriate summarizing the findings of the
16 Committee and any recommended changes
17 to the scope of covered funds.

18 “(iv) PUBLIC AVAILABILITY.—All re-
19 ports submitted under this subparagraph
20 shall be made publicly available and posted
21 on the website established under paragraph
22 (16).

23 “(v) REDACTIONS.—Any portion of a
24 report submitted under this paragraph
25 may be redacted when made publicly avail-

1 of the GAO-IG Act (31 U.S.C. 1105
2 note; Public Law 115-414).

3 “(8) AUTHORITIES.—

4 “(A) IN GENERAL.—In carrying out the
5 duties and functions under this subsection with
6 respect to the oversight of covered funds, the
7 Committee shall—

8 “(i) carry out those duties and func-
9 tions in accordance with section 404(b)(1)
10 of this title;

11 “(ii) in coordination with relevant In-
12 spectors General, have the authorities pro-
13 vided under and be subject to paragraphs
14 (1) through (4) of subsection (a) and sub-
15 sections (h), (j), and (k) of section 406;

16 “(iii) be considered to be conducting
17 civil or criminal law enforcement activity
18 for the purposes of section 552a(b)(7) of
19 this title; and

20 “(iv) for the purposes of sections 552
21 and 552a of this title, be considered to be
22 a component which performs as its prin-
23 cipal function an activity pertaining to the
24 enforcement of criminal laws, and its
25 records may constitute investigatory mate-

1 rial compiled for law enforcement pur-
2 poses.

3 “(B) LIMITATION ON SUBPOENA AUTHOR-
4 ITY.—When carrying out subpoena authority
5 under section 406(a)(4) of this title, the fol-
6 lowing limitations shall apply to the Committee:

7 “(i) Any subpoena issued under this
8 subsection shall be signed by the Chair-
9 person, and this power is non-delegable.

10 “(ii) On a quarterly basis, the Com-
11 mittee shall notify the Committee on
12 Homeland Security and Governmental Af-
13 fairs of the Senate and the Committee on
14 Oversight and Accountability of the House
15 of Representatives of any subpoenas issued
16 during the preceding quarter.

17 “(iii) The authority to issue a sub-
18 poena under this subsection shall termi-
19 nate on the date that is 5 years after the
20 date of enactment of this subsection.

21 “(9) REFUSAL OF INFORMATION OR ASSIST-
22 ANCE.— Whenever information or assistance re-
23 quested by the Committee or an Inspector General
24 is unreasonably refused or not provided, the Com-

1 mittee shall immediately report the circumstances to
2 the appropriate congressional committees.

3 “(10) USE OF EXISTING RESOURCES.—The
4 Committee shall leverage existing information tech-
5 nology resources within the Council, such as over-
6 sight.gov and those developed by the Pandemic Re-
7 sponse Accountability Committee established under
8 section 15010 of the CARES Act (Public Law 116–
9 136; 135 Stat. 533), to carry out the duties of the
10 Committee.

11 “(11) CONTRACTS.—The Committee may enter
12 into contracts to enable the Committee to discharge
13 its duties, including contracts and other arrange-
14 ments for audits, studies, analyses, and other serv-
15 ices with public agencies and with private persons,
16 and make such payments as may be necessary to
17 carry out the duties of the Committee.

18 “(12) SUBCOMMITTEES.—The Committee may
19 establish subcommittees to facilitate the ability of
20 the Committee to discharge its duties.

21 “(13) TRANSFER OF FUNDS, ASSETS, AND OB-
22 LIGATIONS.—

23 “(A) FUNDS.— The Committee may trans-
24 fer funds appropriated to the Committee—

1 “(i) for expenses to support adminis-
2 trative support services and audits, re-
3 views, or other activities related to over-
4 sight by the Committee of covered funds to
5 any Office of the Inspector General or the
6 General Services Administration; and

7 “(ii) to reimburse for services pro-
8 vided by the Council.

9 “(B) ASSETS AND OBLIGATIONS.—

10 “(i) ASSETS DEFINED.—In this sub-
11 paragraph, the term ‘assets’ includes con-
12 tracts, agreements, facilities, property,
13 data, records, unobligated or unexpended
14 balances of appropriations, and other
15 funds or resources (other than personnel).

16 “(ii) TRANSFER.—Upon the effective
17 date of this subsection, the assets and obli-
18 gations held by or available in connection
19 with the Pandemic Response Account-
20 ability Committee established under 15010
21 of the CARES Act (Public Law 116–136;
22 135 Stat. 540) shall be transferred to the
23 Committee.

24 “(14) ADDITIONAL STAFF.—

1 “(A) IN GENERAL.—Subject to subpara-
2 graph (B), the Committee may exercise the au-
3 thorities of subsections (b) through (i) of sec-
4 tion 3161 of this title (without regard to sub-
5 section (a) of that section) to meet temporary
6 or urgent needs of the Committee under this
7 subsection, as certified by the Chairperson to
8 the appropriate congressional committees that
9 such temporary or urgent needs exist, as if the
10 Committee were a temporary organization.

11 “(B) HEAD OF ORGANIZATION.—For pur-
12 poses of exercising the authorities described in
13 subparagraph (A), the term ‘Chairperson’ shall
14 be substituted for the term ‘head of a tem-
15 porary organization’.

16 “(C) CONSULTATION.—In exercising the
17 authorities described in subparagraph (A), the
18 Chairperson shall consult with members of the
19 Committee.

20 “(D) ADDITIONAL DETAILEES.—In addi-
21 tion to the authority provided by section
22 3161(c) of this title, upon the request of an In-
23 spector General, the Committee may detail, on
24 a nonreimbursable basis, any personnel of the
25 Committee to that Inspector General to assist

1 in carrying out any audit, review, or investiga-
2 tion pertaining to the oversight of covered
3 funds.

4 “(E) LIMITATIONS.—In exercising the em-
5 ployment authorities under section 3161(b) of
6 this title, as provided under subparagraph (A)
7 of this paragraph—

8 “(i) section 3161(b)(2) of this title
9 (relating to periods of appointments) shall
10 not apply; and

11 “(ii) no period of appointment may
12 exceed the date on which the Committee
13 terminates.

14 “(F) COMPETITIVE SERVICE.—A person
15 employed by the Committee shall acquire com-
16 petitive status and conditional tenure for ap-
17 pointment to any position in the competitive
18 service for which the employee possesses the re-
19 quired qualifications upon the completion of 2
20 years of continuous service as an employee
21 under this subsection.

22 “(G) ANNUITANTS.—

23 “(i) IN GENERAL.—The Committee
24 may employ annuitants covered by section

1 9902(g) of this title for purposes of the
2 oversight of covered funds.

3 “(ii) TREATMENT OF ANNUITANTS.—

4 The employment of annuitants under this
5 paragraph shall be subject to the provi-
6 sions of section 9902(g) of this title, as if
7 the Committee was the Department of De-
8 fense.

9 “(15) PROVISION OF INFORMATION.—

10 “(A) REQUESTS.—Upon request of the
11 Committee for information or assistance from
12 any agency or other entity of the Federal Gov-
13 ernment, the head of such entity shall, insofar
14 as is practicable and not in contravention of
15 any existing law, and consistent with section
16 406 of this title, furnish such information or as-
17 sistance to the Committee, or an authorized
18 designee, including an Inspector General des-
19 ignated by the Chairperson.

20 “(B) INSPECTORS GENERAL.—Any Inspec-
21 tor General responsible for conducting oversight
22 related to covered funds may, consistent with
23 the duties, responsibilities, policies, and proce-
24 dures of the Inspector General, provide infor-
25 mation requested by the Committee or an In-

1 spectator General on the Committee relating to
2 the responsibilities of the Committee.

3 “(16) WEBSITE.—

4 “(A) IN GENERAL.—Not later than 30
5 days after the date of enactment of this sub-
6 section, the Committee shall establish and
7 maintain a user-friendly, public-facing
8 website—

9 “(i) to foster greater accountability
10 and transparency in the use of covered
11 funds, which shall have a uniform resource
12 locator that is descriptive and memorable;
13 and

14 “(ii) that shall be a portal or gateway
15 to key information relating to the oversight
16 of covered funds and provide connections
17 to other Government websites with related
18 information.

19 “(17) COORDINATION.—The Committee shall
20 coordinate its oversight activities with the Comp-
21 troller General of the United States and State audi-
22 tors.

23 “(18) NOTICE.—The Chairperson shall provide
24 notice to the Committee on Homeland Security and
25 Governmental Affairs of the Senate and the Com-

1 mittee on Oversight and Accountability of the House
2 of Representatives when designating or removing an
3 Inspector General from the membership of the Com-
4 mittee under paragraph (4).

5 “(19) RULES OF CONSTRUCTION.—Nothing in
6 this subsection shall be construed to—

7 “(A) affect the independent authority of an
8 Inspector General to determine whether to con-
9 duct an audit or investigation of covered funds;
10 or

11 “(B) require the Council or any Inspector
12 General to provide funding to support the ac-
13 tivities of the Committee.

14 “(20) AUTHORIZATION OF APPROPRIATIONS.—

15 “(A) IN GENERAL.—For the purposes of
16 carrying out the mission of the Committee
17 under this subsection, there are authorized to
18 be appropriated \$17,000,000 for each of fiscal
19 years 2026 and 2027 to carry out the duties
20 and functions of the Committee.

21 “(B) REPORT TO CONGRESS.—Not later
22 than 1 year after the effective date of this sub-
23 section, the Chairperson shall submit to the ap-
24 propriate congressional committees a report

1 that details the anticipated future budgetary
2 needs of the Committee.”.

3 (b) **EFFECTIVE DATE.**—This Act and the amend-
4 ments made by this Act shall take effect on September
5 30, 2025.