

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: In the nature of a substitute.

**IN THE SENATE OF THE UNITED STATES—117th Cong., 1st Sess.**

**H. R. 2662**

To amend the Inspector General Act of 1978, 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. PORTMAN)

Viz:

1 Strike all after the enacting clause and insert the fol-

2 lowing:

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the

5 “Inspector General Independence and Empowerment Act

6 of 2021”.

7 (b) TABLE OF CONTENTS.—The table of contents for

8 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—INSPECTOR GENERAL INDEPENDENCE

Sec. 101. Short title.

Sec. 102. Removal or transfer of inspectors general; placement on non-duty status.

Sec. 103. Vacancy in position of inspector general.

## 2

Sec. 104. Office of inspector general whistleblower complaints.

TITLE II—PRESIDENTIAL EXPLANATION OF FAILURE TO  
NOMINATE AN INSPECTOR GENERAL

Sec. 201. Presidential explanation of failure to nominate an inspector general.

TITLE III—INTEGRITY COMMITTEE OF THE COUNCIL OF INSPEC-  
TORS GENERAL ON INTEGRITY AND EFFICIENCY TRANS-  
PARENCY

Sec. 301. Short title.

Sec. 302. Additional information to be included in requests and reports to Con-  
gress.

Sec. 303. Availability of information to Congress on certain allegations of  
wrongdoing closed without referral.

Sec. 304. Semiannual report.

Sec. 305. Additional reports.

Sec. 306. Requirement to report final disposition to Congress.

Sec. 307. Investigations of Offices of Inspectors General of establishments by  
the Integrity Committee.

TITLE IV—TESTIMONIAL SUBPOENA AUTHORITY FOR  
INSPECTORS GENERAL

Sec. 401. Short title.

Sec. 402. Additional authority provisions for inspectors general.

Sec. 403. Review by the comptroller general.

TITLE V—INVESTIGATIONS OF DEPARTMENT OF JUSTICE  
PERSONNEL

Sec. 501. Short title.

Sec. 502. Investigations of Department of Justice personnel.

TITLE VI—NOTICE OF ONGOING INVESTIGATIONS WHEN THERE  
IS A CHANGE IN STATUS OF INSPECTOR GENERAL

Sec. 601. Notice of ongoing investigations when there is a change in status of  
Inspector General.

TITLE VII—COUNCIL OF THE INSPECTORS GENERAL ON  
INTEGRITY AND EFFICIENCY REPORT ON EXPENDITURES

Sec. 701. CIGIE report on expenditures.

TITLE VIII—NOTICE OF REFUSAL TO PROVIDE INSPECTORS  
GENERAL ACCESS

Sec. 801. Notice of refusal to provide information or assistance to inspectors  
general.

TITLE IX—TRAINING RESOURCES FOR INSPECTORS GENERAL  
AND OTHER MATTERS

Sec. 901. Training resources for inspectors general.

Sec. 902. Definition of appropriate congressional committees.

Sec. 903. Semiannual reports.

Sec. 904. Submission of reports that specifically identify non-governmental organizations or business entities.

1     **TITLE I—INSPECTOR GENERAL**  
2                     **INDEPENDENCE**

3     **SEC. 101. SHORT TITLE.**

4             This title may be cited as the “Securing Inspector  
5 General Independence Act of 2021”.

6     **SEC. 102. REMOVAL OR TRANSFER OF INSPECTORS GEN-**  
7                     **ERAL; PLACEMENT ON NON-DUTY STATUS.**

8             (a) IN GENERAL.—The Inspector General Act of  
9 1978 (5 U.S.C. App.) is amended—

10                 (1) in section 3(b)—

11                     (A) by inserting “(1)(A)” after “(b)”;

12                     (B) in paragraph (1), as so designated—

13                         (i) in subparagraph (A), as so des-  
14                     ignated, in the second sentence—

15                         (I) by striking “reasons” and in-  
16                     serting the following: “substantive ra-  
17                     tionale, including detailed and case-  
18                     specific reasons,”; and

19                         (II) by inserting “(including to  
20                     the appropriate congressional commit-  
21                     tees)” after “Houses of Congress”;  
22                     and

23                         (ii) by adding at the end the fol-  
24                     lowing:

1           “(B) If there is an open or completed inquiry into  
2 an Inspector General that relates to the removal or trans-  
3 fer of the Inspector General under subparagraph (A), the  
4 written communication required under that subparagraph  
5 shall—

6                   “(i) identify each entity that is conducting, or  
7 that conducted, the inquiry; and

8                   “(ii) in the case of a completed inquiry, contain  
9 the findings made during the inquiry.”; and

10                   (C) by adding at the end the following:

11           “(2)(A) Subject to the other provisions of this para-  
12 graph, only the President may place an Inspector General  
13 on non-duty status.

14           “(B) If the President places an Inspector General on  
15 non-duty status, the President shall communicate in writ-  
16 ing the substantive rationale, including detailed and case-  
17 specific reasons, for the change in status to both Houses  
18 of Congress (including to the appropriate congressional  
19 committees) not later than 15 days before the date on  
20 which the change in status takes effect, except that the  
21 President may submit that communication not later than  
22 the date on which the change in status takes effect if—

23                   “(i) the President has made a determination  
24 that the continued presence of the Inspector General  
25 in the workplace poses a threat described in any of

1 clauses (i) through (iv) of section 6329b(b)(2)(A) of  
2 title 5, United States Code; and

3 “(ii) in the communication, the President in-  
4 cludes a report on the determination described in  
5 clause (i), which shall include—

6 “(I) a specification of which clause of sec-  
7 tion 6329b(b)(2)(A) of title 5, United States  
8 Code, the President has determined applies  
9 under clause (i) of this subparagraph;

10 “(II) the substantive rationale, including  
11 detailed and case-specific reasons, for the deter-  
12 mination made under clause (i);

13 “(III) an identification of each entity that  
14 is conducting, or that conducted, any inquiry  
15 upon which the determination under clause (i)  
16 was made; and

17 “(IV) in the case of an inquiry described  
18 in subclause (III) that is completed, the find-  
19 ings made during that inquiry.

20 “(C) The President may not place an Inspector Gen-  
21 eral on non-duty status during the 30-day period pre-  
22 ceding the date on which the Inspector General is removed  
23 or transferred under paragraph (1)(A) unless the Presi-  
24 dent—

1           “(i) has made a determination that the contin-  
2           ued presence of the Inspector General in the work-  
3           place poses a threat described in any of clauses (i)  
4           through (iv) of section 6329b(b)(2)(A) of title 5,  
5           United States Code; and

6           “(ii) not later than the date on which the  
7           change in status takes effect, submits to both  
8           Houses of Congress (including to the appropriate  
9           congressional committees) a written communication  
10          that contains the information required under sub-  
11          paragraph (B), including the report required under  
12          clause (ii) of that subparagraph.

13          “(D) For the purposes of this paragraph—

14                 “(i) the term ‘Inspector General’—

15                         “(I) means an Inspector General who was  
16                         appointed by the President, without regard to  
17                         whether the Senate provided advice and consent  
18                         with respect to that appointment; and

19                         “(II) includes the Inspector General of an  
20                         establishment, the Inspector General of the In-  
21                         telligence Community, the Inspector General of  
22                         the Central Intelligence Agency, the Special In-  
23                         spector General for Afghanistan Reconstruc-  
24                         tion, the Special Inspector General for the

1 Troubled Asset Relief Program, and the Special  
2 Inspector General for Pandemic Recovery; and  
3 “(ii) a reference to the removal or transfer of  
4 an Inspector General under paragraph (1), or to the  
5 written communication described in that paragraph,  
6 shall be considered to be—

7 “(I) in the case of the Inspector General of  
8 the Intelligence Community, a reference to sec-  
9 tion 103H(c)(4) of the National Security Act of  
10 1947 (50 U.S.C. 3033(c)(4));

11 “(II) in the case of the Inspector General  
12 of the Central Intelligence Agency, a reference  
13 to section 17(b)(6) of the Central Intelligence  
14 Agency Act of 1949 (50 U.S.C. 3517(b)(6));

15 “(III) in the case of the Special Inspector  
16 General for Afghanistan Reconstruction, a ref-  
17 erence to section 1229(c)(6) of the National  
18 Defense Authorization Act for Fiscal Year 2008  
19 (Public Law 110–181; 122 Stat. 379);

20 “(IV) in the case of the Special Inspector  
21 General for the Troubled Asset Relief Program,  
22 a reference to section 121(b)(4) of the Emer-  
23 gency Economic Stabilization Act of 2008 (12  
24 U.S.C. 5231(b)(4)); and

1           “(V) in the case of the Special Inspector  
2           General for Pandemic Recovery, a reference to  
3           section 4018(b)(3) of the CARES Act (15  
4           U.S.C. 9053(b)(3)).”; and  
5           (2) in section 8G(e)—

6           (A) in paragraph (1), by inserting “or  
7           placement on non-duty status” after “a re-  
8           moval”;

9           (B) in paragraph (2)—

10           (i) by inserting “(A)” after “(2)”;

11           (ii) in subparagraph (A), as so des-  
12           ignated, in the first sentence—

13           (I) by striking “reasons” and in-  
14           serting the following: “substantive ra-  
15           tionale, including detailed and case-  
16           specific reasons,”; and

17           (II) by inserting “(including to  
18           the appropriate congressional commit-  
19           tees)” after “Houses of Congress”;  
20           and

21           (iii) by adding at the end the fol-  
22           lowing:

23           “(B) If there is an open or completed inquiry into  
24           an Inspector General that relates to the removal or trans-  
25           fer of the Inspector General under subparagraph (A), the



1 written communication required under that subparagraph  
2 shall—

3 “(i) identify each entity that is conducting, or  
4 that conducted, the inquiry; and

5 “(ii) in the case of a completed inquiry, contain  
6 the findings made during the inquiry.”; and

7 (C) by adding at the end the following:

8 “(3)(A) Subject to the other provisions of this para-  
9 graph, only the head of the applicable designated Federal  
10 entity (referred to in this paragraph as the ‘covered offi-  
11 cial’) may place an Inspector General on non-duty status.

12 “(B) If a covered official places an Inspector General  
13 on non-duty status, the covered official shall communicate  
14 in writing the substantive rationale, including detailed and  
15 case-specific reasons, for the change in status to both  
16 Houses of Congress (including to the appropriate congres-  
17 sional committees) not later than 15 days before the date  
18 on which the change in status takes effect, except that  
19 the covered official may submit that communication not  
20 later than the date on which the change in status takes  
21 effect if—

22 “(i) the covered official has made a determina-  
23 tion that the continued presence of the Inspector  
24 General in the workplace poses a threat described in

1 any of clauses (i) through (iv) of section  
2 6329b(b)(2)(A) of title 5, United States Code; and

3 “(ii) in the communication, the covered official  
4 includes a report on the determination described in  
5 clause (i), which shall include—

6 “(I) a specification of which clause of sec-  
7 tion 6329b(b)(2)(A) of title 5, United States  
8 Code, the covered official has determined ap-  
9 plies under clause (i) of this subparagraph;

10 “(II) the substantive rationale, including  
11 detailed and case-specific reasons, for the deter-  
12 mination made under clause (i);

13 “(III) an identification of each entity that  
14 is conducting, or that conducted, any inquiry  
15 upon which the determination under clause (i)  
16 was made; and

17 “(IV) in the case of an inquiry described  
18 in subclause (III) that is completed, the find-  
19 ings made during that inquiry.

20 “(C) A covered official may not place an Inspector  
21 General on non-duty status during the 30-day period pre-  
22 ceding the date on which the Inspector General is removed  
23 or transferred under paragraph (2)(A) unless the covered  
24 official—

1           “(i) has made a determination that the contin-  
2           ued presence of the Inspector General in the work-  
3           place poses a threat described in any of clauses (i)  
4           through (iv) of section 6329b(b)(2)(A) of title 5,  
5           United States Code; and

6           “(ii) not later than the date on which the  
7           change in status takes effect, submits to both  
8           Houses of Congress (including to the appropriate  
9           congressional committees) a written communication  
10          that contains the information required under sub-  
11          paragraph (B), including the report required under  
12          clause (ii) of that subparagraph.

13          “(D) Nothing in this paragraph may be construed to  
14          limit or otherwise modify—

15                 “(i) any statutory protection that is afforded to  
16                 an Inspector General; or

17                 “(ii) any other action that a covered official  
18                 may take under law with respect to an Inspector  
19                 General.”.

20          (b) TECHNICAL AND CONFORMING AMENDMENT.—  
21          Section 12(3) of the Inspector General Act of 1978 (5  
22          U.S.C. App.) is amended by inserting “except as otherwise  
23          expressly provided,” before “the term”.

1 **SEC. 103. VACANCY IN POSITION OF INSPECTOR GENERAL.**

2 (a) IN GENERAL.—Section 3 of the Inspector General  
3 Act of 1978 (5 U.S.C. App.) is amended by adding at the  
4 end the following:

5 “(h)(1) In this subsection—

6 “(A) the term ‘first assistant to the position of  
7 Inspector General’ means, with respect to an Office  
8 of Inspector General—

9 “(i) an individual who, as of the day before  
10 the date on which the Inspector General dies,  
11 resigns, or otherwise becomes unable to perform  
12 the functions and duties of that position—

13 “(I) is serving in a position in that  
14 Office; and

15 “(II) has been designated in writing  
16 by the Inspector General, through an order  
17 of succession or otherwise, as the first as-  
18 sistant to the position of Inspector Gen-  
19 eral; or

20 “(ii) if the Inspector General has not made  
21 a designation described in clause (i)(II)—

22 “(I) the Principal Deputy Inspector  
23 General of that Office, as of the day before  
24 the date on which the Inspector General  
25 dies, resigns, or otherwise becomes unable

1 to perform the functions and duties of that  
2 position; or

3 “(II) if there is no Principal Deputy  
4 Inspector General of that Office, the Dep-  
5 uty Inspector General of that Office, as of  
6 the day before the date on which the In-  
7 spector General dies, resigns, or otherwise  
8 becomes unable to perform the functions  
9 and duties of that position; and

10 “(B) the term ‘Inspector General’—

11 “(i) means an Inspector General who is ap-  
12 pointed by the President, by and with the ad-  
13 vice and consent of the Senate; and

14 “(ii) includes the Inspector General of an  
15 establishment, the Inspector General of the In-  
16 telligence Community, the Inspector General of  
17 the Central Intelligence Agency, the Special In-  
18 spector General for the Troubled Asset Relief  
19 Program, and the Special Inspector General for  
20 Pandemic Recovery.

21 “(2) If an Inspector General dies, resigns, or is other-  
22 wise unable to perform the functions and duties of the po-  
23 sition—

1           “(A) section 3345(a) of title 5, United States  
2           Code, and section 103(e) of the National Security  
3           Act of 1947 (50 U.S.C. 3025(e)) shall not apply;

4           “(B) subject to paragraph (4), the first assist-  
5           ant to the position of Inspector General shall per-  
6           form the functions and duties of the Inspector Gen-  
7           eral temporarily in an acting capacity subject to the  
8           time limitations of section 3346 of title 5, United  
9           States Code; and

10           “(C) notwithstanding subparagraph (B), and  
11           subject to paragraphs (4) and (5), the President  
12           (and only the President) may direct an officer or  
13           employee of any Office of an Inspector General to  
14           perform the functions and duties of the Inspector  
15           General temporarily in an acting capacity subject to  
16           the time limitations of section 3346 of title 5,  
17           United States Code, only if—

18           “(i) during the 365-day period preceding  
19           the date of death, resignation, or beginning of  
20           inability to serve of the Inspector General, the  
21           officer or employee served in a position in an  
22           Office of an Inspector General for not less than  
23           90 days, except that—

1           “(I) the requirement under this clause  
2           shall not apply if the officer is an Inspec-  
3           tor General; and

4           “(II) for the purposes of this subpara-  
5           graph, performing the functions and duties  
6           of an Inspector General temporarily in an  
7           acting capacity does not qualify as service  
8           in a position in an Office of an Inspector  
9           General;

10          “(ii) the rate of pay for the position of the  
11          officer or employee described in clause (i) is  
12          equal to or greater than the minimum rate of  
13          pay payable for a position at GS-15 of the  
14          General Schedule;

15          “(iii) the officer or employee has dem-  
16          onstrated ability in accounting, auditing, finan-  
17          cial analysis, law, management analysis, public  
18          administration, or investigations; and

19          “(iv) not later than 30 days before the  
20          date on which the direction takes effect, the  
21          President communicates in writing to both  
22          Houses of Congress (including to the appro-  
23          priate congressional committees) the sub-  
24          stantive rationale, including the detailed and  
25          case-specific reasons, for such direction, includ-

1           ing the reason for the direction that someone  
2           other than the individual who is performing the  
3           functions and duties of the Inspector General  
4           temporarily in an acting capacity (as of the  
5           date on which the President issues that direc-  
6           tion) perform those functions and duties tempo-  
7           rarily in an acting capacity.

8           “(3) Notwithstanding section 3345(a) of title 5,  
9           United States Code, section 103(e) of the National Secu-  
10          rity Act of 1947 (50 U.S.C. 3025(e)), and subparagraphs  
11          (B) and (C) of paragraph (2), and subject to paragraph  
12          (4), during any period in which an Inspector General is  
13          on non-duty status—

14                 “(A) the first assistant to the position of In-  
15                 spector General shall perform the functions and du-  
16                 ties of the position temporarily in an acting capacity  
17                 subject to the time limitations of section 3346 of  
18                 title 5, United States Code; and

19                 “(B) if the first assistant described in subpara-  
20                 graph (A) dies, resigns, or becomes otherwise unable  
21                 to perform those functions and duties, the President  
22                 (and only the President) may direct an officer or  
23                 employee in that Office of Inspector General to per-  
24                 form those functions and duties temporarily in an



1 acting capacity, subject to the time limitations of  
2 section 3346 of title 5, United States Code, if—

3 “(i) that direction satisfies the require-  
4 ments under clauses (ii), (iii), and (iv) of para-  
5 graph (2)(C); and

6 “(ii) that officer or employee served in a  
7 position in that Office of Inspector General for  
8 not fewer than 90 of the 365 days preceding  
9 the date on which the President makes that di-  
10 rection.

11 “(4) An individual may perform the functions and  
12 duties of an Inspector General temporarily and in an act-  
13 ing capacity under subparagraph (B) or (C) of paragraph  
14 (2), or under paragraph (3), with respect to only 1 Inspec-  
15 tor General position at any given time.

16 “(5) If the President makes a direction under para-  
17 graph (2)(C), during the 30-day period preceding the date  
18 on which the direction of the President takes effect, the  
19 functions and duties of the position of the applicable In-  
20 spector General shall be performed by—

21 “(A) the first assistant to the position of In-  
22 spector General; or

23 “(B) the individual performing those functions  
24 and duties temporarily in an acting capacity, as of  
25 the date on which the President issues that direc-

1           tion, if that individual is an individual other than  
2           the first assistant to the position of Inspector Gen-  
3           eral.”.

4           (b) **RULE OF CONSTRUCTION.**—Nothing in the  
5 amendment made by subsection (a) may be construed to  
6 limit the applicability of sections 3345 through 3349d of  
7 title 5, United States Code (commonly known as the “Fed-  
8 eral Vacancies Reform Act of 1998”), other than with re-  
9 spect to section 3345(a) of that title.

10          (c) **EFFECTIVE DATE.**—

11           (1) **DEFINITION.**—In this subsection, the term  
12 “Inspector General” has the meaning given the term  
13 in subsection (h)(1)(B) of section 3 of the Inspector  
14 General Act of 1978 (5 U.S.C. App.), as added by  
15 subsection (a) of this section.

16           (2) **APPLICABILITY.**—

17           (A) **IN GENERAL.**—Except as provided in  
18 subparagraph (B), this section, and the amend-  
19 ments made by this section, shall take effect on  
20 the date of enactment of this Act.

21           (B) **EXISTING VACANCIES.**—If, as of the  
22 date of enactment of this Act, an individual is  
23 performing the functions and duties of an In-  
24 spector General temporarily in an acting capac-  
25 ity, this section, and the amendments made by

1           this section, shall take effect with respect to  
2           that Inspector General position on the date that  
3           is 30 days after the date of enactment of this  
4           Act.

5   **SEC. 104. OFFICE OF INSPECTOR GENERAL WHISTLE-**  
6                           **BLOWER COMPLAINTS.**

7           (a) WHISTLEBLOWER PROTECTION COORDINATOR.—  
8   Section 3(d)(1)(C) of the Inspector General Act of 1978  
9   (5 U.S.C. App.) is amended—

10           (1) in clause (i), in the matter preceding sub-  
11           clause (I), by inserting “, including employees of  
12           that Office of Inspector General” after “employees”;  
13           and

14           (2) in clause (iii), by inserting “(including the  
15           Integrity Committee of that Council)” after “and  
16           Efficiency”.

17           (b) COUNCIL OF THE INSPECTORS GENERAL ON IN-  
18   TEGRITY AND EFFICIENCY.—Section 11(c)(5)(B) of the  
19   Inspector General Act of 1978 (5 U.S.C. App.) is amended  
20   by striking “, allegations of reprisal,” and inserting the  
21   following: “and allegations of reprisal (including the timely  
22   and appropriate handling and consideration of protected  
23   disclosures and allegations of reprisal that are internal to  
24   an Office of Inspector General)”.

1 **TITLE II—PRESIDENTIAL EXPLA-**  
2 **NATION OF FAILURE TO**  
3 **NOMINATE AN INSPECTOR**  
4 **GENERAL**

5 **SEC. 201. PRESIDENTIAL EXPLANATION OF FAILURE TO**  
6 **NOMINATE AN INSPECTOR GENERAL.**

7 (a) IN GENERAL.—Subchapter III of chapter 33 of  
8 title 5, United States Code, is amended by inserting after  
9 section 3349d the following:

10 **“§ 3349e. Presidential explanation of failure to nomi-**  
11 **nate an inspector general**

12 “If the President fails to make a formal nomination  
13 for a vacant inspector general position that requires a for-  
14 mal nomination by the President to be filled within the  
15 period beginning on the later of the date on which the  
16 vacancy occurred or on which a nomination is rejected,  
17 withdrawn, or returned, and ending on the day that is 210  
18 days after that date, the President shall communicate,  
19 within 30 days after the end of such period and not later  
20 than June 1 of each year thereafter, to the appropriate  
21 congressional committees, as defined in section 12 of the  
22 Inspector General Act of 1978 (5 U.S.C. App.)—

23 “(1) the reasons why the President has not yet  
24 made a formal nomination; and

1           “(2) a target date for making a formal nomina-  
2           tion.”.

3           (b) **TECHNICAL AND CONFORMING AMENDMENT.**—

4           The table of sections for chapter 33 of title 5, United  
5           States Code, is amended by inserting after the item relat-  
6           ing to section 3349d the following:

          “3349e. Presidential explanation of failure to nominate an Inspector General.”.

7           (c) **EFFECTIVE DATE.**—The amendment made by  
8           subsection (a) shall take effect—

9           (1) on the date of enactment of this Act with  
10          respect to any vacancy first occurring on or after  
11          that date; and

12          (2) on the day that is 210 days after the date  
13          of enactment of this Act with respect to any vacancy  
14          that occurred before the date of enactment of this  
15          Act.

16           **TITLE     III—INTEGRITY     COM-**  
17           **MITTEE OF THE COUNCIL OF**  
18           **INSPECTORS GENERAL ON IN-**  
19           **TEGRITY     AND     EFFICIENCY**  
20           **TRANSPARENCY**

21           **SEC. 301. SHORT TITLE.**

22           This title may be cited as the “Integrity Committee  
23           Transparency Act of 2021”.

1 **SEC. 302. ADDITIONAL INFORMATION TO BE INCLUDED IN**  
2 **REQUESTS AND REPORTS TO CONGRESS.**

3 Section 11(d) of the Inspector General Act of 1978  
4 (5 U.S.C. App.) is amended—

5 (1) in paragraph (5)(B)(ii), by striking the pe-  
6 riod at the end and inserting “, the length of time  
7 the Integrity Committee has been evaluating the al-  
8 legation of wrongdoing, and a description of any pre-  
9 vious written notice provided under this clause with  
10 respect to the allegation of wrongdoing, including  
11 the description provided for why additional time was  
12 needed.”; and

13 (2) in paragraph (8)(A)(ii), by inserting “or  
14 corrective action” after “disciplinary action”.

15 **SEC. 303. AVAILABILITY OF INFORMATION TO CONGRESS**  
16 **ON CERTAIN ALLEGATIONS OF WRONGDOING**  
17 **CLOSED WITHOUT REFERRAL.**

18 Section 11(d)(5)(B) of the Inspector General Act of  
19 1978 (5 U.S.C. App.) is amended by adding at the end  
20 the following:

21 “(iii) AVAILABILITY OF INFORMATION  
22 TO CONGRESS ON CERTAIN ALLEGATIONS  
23 OF WRONGDOING CLOSED WITHOUT RE-  
24 FERRAL.—

25 “(I) IN GENERAL.—With respect  
26 to an allegation of wrongdoing made

1 by a member of Congress that is  
2 closed by the Integrity Committee  
3 without referral to the Chairperson of  
4 the Integrity Committee to initiate an  
5 investigation, the Chairperson of the  
6 Integrity Committee shall, not later  
7 than 60 days after closing the allega-  
8 tion of wrongdoing, provide a written  
9 description of the nature of the allega-  
10 tion of wrongdoing and how the Integ-  
11 rity Committee evaluated the allega-  
12 tion of wrongdoing to—

13 “(aa) the Chair and Rank-  
14 ing Minority Member of the  
15 Committee on Homeland Security  
16 and Governmental Affairs of the  
17 Senate; and

18 “(bb) the Chair and Rank-  
19 ing Minority Member of the  
20 Committee on Oversight and Re-  
21 form of the House of Representa-  
22 tives; and

23 “(II) REQUIREMENT TO FOR-  
24 WARD.—The Chairperson of the In-  
25 tegrity Committee shall forward any

1 written description or update provided  
2 under this clause to the members of  
3 the Integrity Committee and to the  
4 Chairperson of the Council.”.

5 **SEC. 304. SEMIANNUAL REPORT.**

6 Section 11(d)(9) of the Inspector General Act of  
7 1978 (5 U.S.C. App.) is amended to read as follows:

8 “(9) SEMIANNUAL REPORT.—On or before May  
9 31, 2022, and every 6 months thereafter, the Coun-  
10 cil shall submit to Congress and the President a re-  
11 port on the activities of the Integrity Committee  
12 during the immediately preceding 6-month periods  
13 ending March 31 and September 30, which shall in-  
14 clude the following with respect to allegations of  
15 wrongdoing that are made against Inspectors Gen-  
16 eral and staff members of the various Offices of In-  
17 spector General described in paragraph (4)(C):

18 “(A) An overview and analysis of the alle-  
19 gations of wrongdoing disposed of by the Integ-  
20 rity Committee, including—

21 “(i) analysis of the positions held by  
22 individuals against whom allegations were  
23 made, including the duties affiliated with  
24 such positions;



1                   “(ii) analysis of the categories or  
2                   types of the allegations of wrongdoing; and

3                   “(iii) a summary of disposition of all  
4                   the allegations.

5                   “(B) The number of allegations received by  
6                   the Integrity Committee.

7                   “(C) The number of allegations referred to  
8                   the Department of Justice or the Office of Spe-  
9                   cial Counsel, including the number of allega-  
10                  tions referred for criminal investigation.

11                  “(D) The number of allegations referred to  
12                  the Chairperson of the Integrity Committee for  
13                  investigation, a general description of the status  
14                  of such investigations, and a summary of the  
15                  findings of investigations completed.

16                  “(E) An overview and analysis of allega-  
17                  tions of wrongdoing received by the Integrity  
18                  Committee during any previous reporting pe-  
19                  riod, but remained pending during some part of  
20                  the six months covered by the report, includ-  
21                  ing—

22                         “(i) analysis of the positions held by  
23                         individuals against whom allegations were  
24                         made, including the duties affiliated with  
25                         such positions;

1                   “(ii) analysis of the categories or  
2                   types of the allegations of wrongdoing; and

3                   “(iii) a summary of disposition of all  
4                   the allegations.

5                   “(F) The number and category or type of  
6                   pending investigations.

7                   “(G) For each allegation received—

8                   “(i) the date on which the investiga-  
9                   tion was opened;

10                   “(ii) the date on which the allegation  
11                   was disposed of, as applicable; and

12                   “(iii) the case number associated with  
13                   the allegation.

14                   “(H) The nature and number of allega-  
15                   tions to the Integrity Committee closed without  
16                   referral, including the justification for why each  
17                   allegation was closed without referral.

18                   “(I) A brief description of any difficulty  
19                   encountered by the Integrity Committee when  
20                   receiving, evaluating, investigating, or referring  
21                   for investigation an allegation received by the  
22                   Integrity Committee, including a brief descrip-  
23                   tion of—

24                   “(i) any attempt to prevent or hinder  
25                   an investigation; or

1                   “(ii) concerns about the integrity or  
2                   operations at an Office of Inspector Gen-  
3                   eral.

4                   “(J) Other matters that the Council con-  
5                   siders appropriate.”.

6 **SEC. 305. ADDITIONAL REPORTS.**

7           Section 5 of the Inspector General Act of 1978 (5  
8 U.S.C. App.) is amended—

9                   (1) by redesignating subsections (e) and (f) as  
10                  subsections (g) and (h), respectively; and

11                  (2) by inserting after subsection (d) the fol-  
12                  lowing:

13                  “(e) **ADDITIONAL REPORTS.—**

14                   “(1) **REPORT TO INSPECTOR GENERAL.—**The  
15                  Chairperson of the Integrity Committee of the Coun-  
16                  cil of the Inspectors General on Integrity and Effi-  
17                  ciency shall, immediately whenever the Chairperson  
18                  of the Integrity Committee becomes aware of par-  
19                  ticularly serious or flagrant problems, abuses, or de-  
20                  ficiencies relating to the administration of programs  
21                  and operations of an Office of Inspector General for  
22                  which the Integrity Committee may receive, review,  
23                  and refer for investigation allegations of wrongdoing  
24                  under section 11(d), submit a report to the Inspec-  
25                  tor General who leads the Office at which the seri-

1       ous or flagrant problems, abuses, or deficiencies  
2       were alleged.

3               “(2) REPORT TO PRESIDENT, CONGRESS, AND  
4       THE ESTABLISHMENT.—Not later than 7 days after  
5       the date on which an Inspector General receives a  
6       report submitted under paragraph (1), the Inspector  
7       General shall submit to the President, the appro-  
8       priate congressional committees, and the head of the  
9       establishment—

10               “(A) the report received under paragraph  
11       (1); and

12               “(B) a report by the Inspector General  
13       containing any comments the Inspector General  
14       determines appropriate.”.

15       **SEC. 306. REQUIREMENT TO REPORT FINAL DISPOSITION**  
16               **TO CONGRESS.**

17       Section 11(d)(8)(B) of the Inspector General Act of  
18       1978 (5 U.S.C. App.) is amended by inserting “, the ap-  
19       propriate congressional committees,” after “Integrity  
20       Committee”.

21       **SEC. 307. INVESTIGATIONS OF OFFICES OF INSPECTORS**  
22               **GENERAL OF ESTABLISHMENTS BY THE IN-**  
23               **TEGRITY COMMITTEE.**

24       Section 11(d)(7)(B)(i)(V) of the Inspector General  
25       Act of 1978 (5 U.S.C. App.) is amended by inserting “,

1 and that an investigation of an Office of Inspector General  
2 of an establishment is conducted by another Office of In-  
3 spector General of an establishment” after “size”.

4 **TITLE IV—TESTIMONIAL SUB-**  
5 **POENA AUTHORITY FOR IN-**  
6 **SPECTORS GENERAL**

7 **SEC. 401. SHORT TITLE.**

8 This title may be cited as the “IG Testimonial Sub-  
9 poena Authority Act”.

10 **SEC. 402. ADDITIONAL AUTHORITY PROVISIONS FOR IN-**  
11 **SPECTORS GENERAL.**

12 The Inspector General Act of 1978 (5 U.S.C. App.)  
13 is amended—

14 (1) by inserting after section 6 the following:

15 **“SEC. 6A. ADDITIONAL AUTHORITY.**

16 **“(a) DEFINITIONS.—**In this section—

17 **“(1)** the term ‘Chairperson’ means the Chair-  
18 person of the Council of the Inspectors General on  
19 Integrity and Efficiency;

20 **“(2)** the term ‘Inspector General’—

21 **“(A)** means an Inspector General of an es-  
22 tablishment or a designated Federal entity (as  
23 defined in section 8G(a)); and

24 **“(B)** includes—

1                   “(i) the Inspector General of the Cen-  
2                   tral Intelligence Agency established under  
3                   section 17 of the Central Intelligence  
4                   Agency Act of 1949 (50 U.S.C. 3517);

5                   “(ii) the Inspector General of the In-  
6                   telligence Community established under  
7                   section 103H of the National Security Act  
8                   of 1947 (50 U.S.C. 3033);

9                   “(iii) the Special Inspector General  
10                  for Afghanistan Reconstruction established  
11                  under section 1229 of the National De-  
12                  fense Authorization Act for Fiscal Year  
13                  2008 (Public Law 110–181; 122 Stat.  
14                  379);

15                  “(iv) the Special Inspector General for  
16                  the Troubled Asset Relief Plan established  
17                  under section 121 of the Emergency Eco-  
18                  nomic Stabilization Act of 2008 (12 U.S.C.  
19                  5231); and

20                  “(v) the Special Inspector General for  
21                  Pandemic Recovery established under sec-  
22                  tion 4018 of the CARES Act (15 U.S.C.  
23                  9053); and

1           “(3) the term ‘Subpoena Panel’ means the  
2 panel to which requests for approval to issue a sub-  
3 poena are submitted under subsection (e).

4           “(b) TESTIMONIAL SUBPOENA AUTHORITY.—

5           “(1) IN GENERAL.—In addition to the authority  
6 otherwise provided by this Act and in accordance  
7 with the requirements of this section, each Inspector  
8 General, in carrying out the provisions of this Act or  
9 the provisions of the authorizing statute of the In-  
10 spector General, as applicable, is authorized to re-  
11 quire by subpoena the attendance and testimony of  
12 witnesses as necessary in the performance of an  
13 audit, inspection, evaluation, or investigation, which  
14 subpoena, in the case of contumacy or refusal to  
15 obey, shall be enforceable by order of any appro-  
16 priate United States district court.

17           “(2) PROHIBITION.—An Inspector General may  
18 not require by subpoena the attendance and testi-  
19 mony of a Federal employee or employee of a des-  
20 ignated Federal entity, but may use other authorized  
21 procedures.

22           “(3) DETERMINATION BY INSPECTOR GEN-  
23 ERAL.—The determination of whether a matter con-  
24 stitutes an audit, inspection, evaluation, or investiga-

1           tion shall be at the discretion of the applicable In-  
2           specter General.

3           “(c) LIMITATION ON DELEGATION.—The authority  
4 to issue a subpoena under subsection (b) may only be dele-  
5 gated to an official performing the functions and duties  
6 of an Inspector General when the Inspector General posi-  
7 tion is vacant or when the Inspector General is unable to  
8 perform the functions and duties of the Office of the In-  
9 spector General.

10          “(d) NOTICE TO ATTORNEY GENERAL.—

11                 “(1) IN GENERAL.—Not less than 10 days be-  
12 fore submitting a request for approval to issue a  
13 subpoena to the Subpoena Panel under subsection  
14 (e), an Inspector General shall—

15                         “(A) notify the Attorney General of the  
16 plan of the Inspector General to issue the sub-  
17 poena; and

18                         “(B) take into consideration any informa-  
19 tion provided by the Attorney General relating  
20 to the subpoena.

21                 “(2) RULE OF CONSTRUCTION.—Nothing in  
22 this subsection may be construed to prevent an In-  
23 spector General from submitting to the Subpoena  
24 Panel under subsection (e) a request for approval to  
25 issue a subpoena if 10 or more days have elapsed



1 since the date on which the Inspector General sub-  
2 mits to the Attorney General the notification re-  
3 quired under paragraph (1)(A) with respect to that  
4 subpoena.

5 “(e) PANEL REVIEW BEFORE ISSUANCE.—

6 “(1) APPROVAL REQUIRED.—

7 “(A) REQUEST FOR APPROVAL BY SUB-  
8 POENA PANEL.—Before the issuance of a sub-  
9 poena described in subsection (b), an Inspector  
10 General shall submit to a panel a request for  
11 approval to issue the subpoena, which shall in-  
12 clude a determination by the Inspector General  
13 that—

14 “(i) the testimony is likely to be rea-  
15 sonably relevant to the audit, inspection,  
16 evaluation, or investigation for which the  
17 subpoena is sought; and

18 “(ii) the information to be sought can-  
19 not be reasonably obtained through other  
20 means.

21 “(B) COMPOSITION OF SUBPOENA  
22 PANEL.—

23 “(i) IN GENERAL.—Subject to clauses  
24 (ii) and (iii), a Subpoena Panel shall be  
25 comprised of 3 inspectors general ap-

1 pointed by the President and confirmed by  
2 the Senate, who shall be randomly drawn  
3 by the Chairperson or a designee of the  
4 Chairperson from a pool of all such inspec-  
5 tors general.

6 “(ii) CLASSIFIED INFORMATION.—If  
7 consideration of a request for a subpoena  
8 submitted under subparagraph (A) would  
9 require access to classified information, the  
10 Chairperson or a designee of the Chair-  
11 person may limit the pool of inspectors  
12 general described in clause (i) to appro-  
13 priately cleared inspectors general.

14 “(iii) CONFIRMATION OF AVAIL-  
15 ABILITY.—If an inspector general drawn  
16 from the pool described in clause (i) does  
17 not confirm their availability to serve on  
18 the Subpoena Panel within 24 hours of re-  
19 ceiving a notification from the Chairperson  
20 or a designee of the Chairperson regarding  
21 selection for the Subpoena Panel, the  
22 Chairperson or a designee of the Chair-  
23 person may randomly draw a new inspec-  
24 tor general from the pool to serve on the  
25 Subpoena Panel.

1           “(C) CONTENTS OF REQUEST.—The re-  
2           quest described in subparagraph (A) shall in-  
3           clude any information provided by the Attorney  
4           General related to the subpoena, which the At-  
5           torney General requests that the Subpoena  
6           Panel consider.

7           “(D) PROTECTION FROM DISCLOSURE.—

8           “(i) IN GENERAL.—The information  
9           contained in a request submitted by an In-  
10          spector General under subparagraph (A)  
11          and the identification of a witness shall be  
12          protected from disclosure to the extent per-  
13          mitted by law.

14          “(ii) REQUEST FOR DISCLOSURE.—  
15          Any request for disclosure of the informa-  
16          tion described in clause (i) shall be sub-  
17          mitted to the Inspector General requesting  
18          the subpoena.

19          “(2) TIME TO RESPOND.—

20          “(A) IN GENERAL.—Except as provided in  
21          subparagraph (B), the Subpoena Panel shall  
22          approve or deny a request for approval to issue  
23          a subpoena submitted under paragraph (1) not  
24          later than 10 days after the submission of the  
25          request.

1           “(B) ADDITIONAL INFORMATION FOR  
2           PANEL.—If the Subpoena Panel determines  
3           that additional information is necessary to ap-  
4           prove or deny a request for approval to issue a  
5           subpoena submitted by an Inspector General  
6           under paragraph (1), the Subpoena Panel  
7           shall—

8                   “(i) request that information; and

9                   “(ii) approve or deny the request for  
10           approval submitted by the Inspector Gen-  
11           eral not later than 20 days after the Sub-  
12           poena Panel submits the request for infor-  
13           mation under clause (i).

14           “(3) APPROVAL BY PANEL.—If all members of  
15           the Subpoena Panel unanimously approve a request  
16           for approval to issue a subpoena submitted by an In-  
17           spector General under paragraph (1), the Inspector  
18           General may issue the subpoena.

19           “(4) NOTICE TO COUNCIL AND ATTORNEY GEN-  
20           ERAL.—Upon issuance of a subpoena by an Inspec-  
21           tor General under subsection (b), the Inspector Gen-  
22           eral shall provide contemporaneous notice of such  
23           issuance to the Chairperson or a designee of the  
24           Chairperson and to the Attorney General.

1           “(f) SEMIANNUAL REPORTING.—On or before May  
2 31, 2022, and every 6 months thereafter, the Council shall  
3 submit to the Committee on Homeland Security and Gov-  
4 ernmental Affairs of the Senate, the Committee on Over-  
5 sight and Reform of the House of Representatives, and  
6 the Comptroller General of the United States a report on  
7 the use of subpoenas described in subsection (b) in any  
8 audit, inspection, evaluation, or investigation that con-  
9 cluded during the immediately preceding 6-month periods  
10 ending March 31 and September 30, which shall include—

11           “(1) a list of each Inspector General that has  
12 submitted a request for approval of a subpoena to  
13 the Subpoena Panel;

14           “(2) for each applicable Inspector General, the  
15 number of subpoenas submitted to the Subpoena  
16 Panel, approved by the Subpoena Panel, and dis-  
17 approved by the Subpoena Panel;

18           “(3) for each subpoena submitted to the Sub-  
19 poena Panel for approval—

20           “(A) an anonymized description of the in-  
21 dividual or organization to whom the subpoena  
22 was directed;

23           “(B) the date on which the subpoena re-  
24 quest was sent to the Attorney General, the  
25 date on which the Attorney General responded,

1 and whether the Attorney General provided in-  
2 formation regarding the subpoena request, in-  
3 cluding whether the Attorney General opposed  
4 issuance of the proposed subpoena;

5 “(C) the members of the Subpoena Panel  
6 considering the subpoena;

7 “(D) the date on which the subpoena re-  
8 quest was sent to the Subpoena Panel, the date  
9 on which the Subpoena Panel approved or dis-  
10 approved the subpoena request, and the deci-  
11 sion of the Subpoena Panel; and

12 “(E) the date on which the subpoena was  
13 issued, if approved; and

14 “(4) any other information the Council of the  
15 Inspectors General on Integrity and Efficiency con-  
16 siders appropriate to include.

17 “(g) TRAINING AND STANDARDS.—The Council of  
18 the Inspectors General on Integrity and Efficiency, in con-  
19 sultation with the Attorney General, shall promulgate  
20 standards and provide training relating to the issuance of  
21 subpoenas, conflicts of interest, and any other matter the  
22 Council determines necessary to carry out this section.

23 “(h) APPLICABILITY.—The provisions of this section  
24 shall not affect the exercise of authority by an Inspector

1 General of testimonial subpoena authority established  
2 under another provision of law.

3 “(i) **TERMINATION.**—The authorities provided under  
4 subsection (b) shall terminate on January 1, 2027, pro-  
5 vided that this subsection shall not affect the enforce-  
6 ability of a subpoena issued on or before December 31,  
7 2026.”;

8 (2) in section 5(a), as amended by section 903  
9 of this Act—

10 (A) in paragraph (16)(B), as so redesign-  
11 nated, by striking the period at the end and in-  
12 serting “; and”; and

13 (B) by adding at the end the following:

14 “(17) a description of the use of subpoenas for  
15 the attendance and testimony of certain witnesses  
16 authorized under section 6A.”; and

17 (3) in section 8G(g)(1), by inserting “6A,” be-  
18 fore “and 7”.

19 **SEC. 403. REVIEW BY THE COMPTROLLER GENERAL.**

20 Not later than January 1, 2026, the Comptroller  
21 General of the United States shall submit to the appro-  
22 priate congressional committees a report reviewing the use  
23 of testimonial subpoena authority, which shall include—

24 (1) a summary of the information included in  
25 the semiannual reports to Congress under section

1       6A(f) of the Inspector General Act of 1978 (5  
2       U.S.C. App.), as added by this Act, including an  
3       analysis of any patterns and trends identified in the  
4       use of the authority during the reporting period;

5               (2) a review of subpoenas issued by inspectors  
6       general on and after the date of enactment of this  
7       Act to evaluate compliance with this Act by the re-  
8       spective inspector general, the Subpoena Panel, and  
9       the Council of the Inspectors General on Integrity  
10      and Efficiency; and

11              (3) any additional analysis, evaluation, or rec-  
12      ommendation based on observations or information  
13      gathered by the Comptroller General of the United  
14      States during the course of the review.

15   **TITLE V—INVESTIGATIONS OF**  
16   **DEPARTMENT OF JUSTICE**  
17   **PERSONNEL**

18   **SEC. 501. SHORT TITLE.**

19       This title may be cited as the “Inspector General Ac-  
20      cess Act of 2021”.

21   **SEC. 502. INVESTIGATIONS OF DEPARTMENT OF JUSTICE**  
22   **PERSONNEL.**

23       Section 8E of the Inspector General Act of 1978 (5  
24      U.S.C. App.) is amended—

25              (1) in subsection (b)—



1 (A) in paragraph (2), by striking “and  
2 paragraph (3)”;

3 (B) by striking paragraph (3);

4 (C) by redesignating paragraphs (4) and  
5 (5) as paragraphs (3) and (4), respectively; and

6 (D) in paragraph (4), as redesignated, by  
7 striking “paragraph (4)” and inserting “para-  
8 graph (3)”;

9 (2) in subsection (d), by striking “, except with  
10 respect to allegations described in subsection  
11 (b)(3),”.

12 **TITLE VI—NOTICE OF ONGOING**  
13 **INVESTIGATIONS WHEN**  
14 **THERE IS A CHANGE IN STA-**  
15 **TUS OF INSPECTOR GENERAL**

16 **SEC. 601. NOTICE OF ONGOING INVESTIGATIONS WHEN**  
17 **THERE IS A CHANGE IN STATUS OF INSPEC-**  
18 **TOR GENERAL.**

19 Section 5 of the Inspector General Act of 1978 (5  
20 U.S.C. App.) is amended by inserting after subsection (e),  
21 as added by section 305, the following:

22 “(f) Not later than 15 days after an Inspector Gen-  
23 eral is removed, placed on paid or unpaid non-duty status,  
24 or transferred to another position or location within an  
25 establishment, the officer or employee performing the

1 functions and duties of the Inspector General temporarily  
2 in an acting capacity shall submit to the Committee on  
3 Homeland Security and Governmental Affairs of the Sen-  
4 ate and the Committee on Oversight and Reform of the  
5 House of Representatives information regarding work  
6 being conducted by the Office as of the date on which the  
7 Inspector General was removed, placed on paid or unpaid  
8 non-duty status, or transferred, which shall include—

9 “(1) for each investigation—

10 “(A) the type of alleged offense;

11 “(B) the fiscal quarter in which the Office  
12 initiated the investigation;

13 “(C) the relevant Federal agency, includ-  
14 ing the relevant component of that Federal  
15 agency for any Federal agency listed in section  
16 901(b) of title 31, United States Code, under  
17 investigation or affiliated with the individual or  
18 entity under investigation; and

19 “(D) whether the investigation is adminis-  
20 trative, civil, criminal, or a combination thereof,  
21 if known; and

22 “(2) for any work not described in paragraph  
23 (1)—

24 “(A) a description of the subject matter  
25 and scope;

1           “(B) the relevant agency, including the rel-  
2           evant component of that Federal agency, under  
3           review;

4           “(C) the date on which the Office initiated  
5           the work; and

6           “(D) the expected time frame for comple-  
7           tion.”.

8   **TITLE VII—COUNCIL OF THE IN-**  
9   **SPECTORS GENERAL ON IN-**  
10 **TEGRITY AND EFFICIENCY**  
11 **REPORT ON EXPENDITURES**

12 **SEC. 701. CIGIE REPORT ON EXPENDITURES.**

13       Section 11(c)(3) of the Inspector General Act of 1978  
14 (5 U.S.C. App.) is amended by adding at the end the fol-  
15 lowing:

16           “(D) REPORT ON EXPENDITURES.—Not  
17           later than November 30 of each year, the  
18           Chairperson shall submit to the appropriate  
19           committees or subcommittees of Congress, in-  
20           cluding the Committee on Appropriations of the  
21           Senate and the Committee on Appropriations of  
22           the House of Representatives, a report on the  
23           expenditures of the Council for the preceding  
24           fiscal year, including from direct appropriations  
25           to the Council, interagency funding pursuant to

1           subparagraph (A), a revolving fund pursuant to  
2           subparagraph (B), or any other source.”.

3 **TITLE VIII—NOTICE OF REFUSAL**  
4 **TO PROVIDE INSPECTORS**  
5 **GENERAL ACCESS**

6 **SEC. 801. NOTICE OF REFUSAL TO PROVIDE INFORMATION**  
7 **OR ASSISTANCE TO INSPECTORS GENERAL.**

8           Section 6(c) of the Inspector General Act of 1978 (5  
9 U.S.C. App.) is amended by adding at the end the fol-  
10 lowing:

11           “(3) If the information or assistance that is the sub-  
12 ject of a report under paragraph (2) is not provided to  
13 the Inspector General by the date that is 30 days after  
14 the report is made, the Inspector General shall submit a  
15 notice that the information or assistance requested has not  
16 been provided by the head of the establishment involved  
17 or the head of the Federal agency involved, as applicable,  
18 to the appropriate congressional committees.”.

1 **TITLE IX—TRAINING RE-**  
2 **SOURCES FOR INSPECTORS**  
3 **GENERAL AND OTHER MAT-**  
4 **TERS**

5 **SEC. 901. TRAINING RESOURCES FOR INSPECTORS GEN-**  
6 **ERAL.**

7 Section 11(c)(1) of the Inspector General Act of 1978  
8 (5 U.S.C. App.) is amended—

9 (1) by redesignating subparagraphs (E)  
10 through (I) as subparagraphs (F) through (J), re-  
11 spectively; and

12 (2) by inserting after subparagraph (D) the fol-  
13 lowing:

14 “(E) support the professional development  
15 of Inspectors General, including by providing  
16 training opportunities on the duties, responsibil-  
17 ities, and authorities under this Act and on top-  
18 ics relevant to Inspectors General and the work  
19 of Inspectors General, as identified by Inspec-  
20 tors General and the Council.”.

21 **SEC. 902. DEFINITION OF APPROPRIATE CONGRESSIONAL**  
22 **COMMITTEES.**

23 The Inspector General Act of 1978 (5 U.S.C. App.)  
24 is amended—

25 (1) in section 5—

1 (A) in subsection (b), in the matter pre-  
2 ceding paragraph (1), by striking “committees  
3 or subcommittees of the Congress” and insert-  
4 ing “congressional committees”; and

5 (B) in subsection (d), by striking “commit-  
6 tees or subcommittees of Congress” and insert-  
7 ing “congressional committees”;

8 (2) in section 6(h)(4)—

9 (A) in subparagraph (B), by striking  
10 “Government”; and

11 (B) by amending subparagraph (C) to read  
12 as follows:

13 “(C) Any other relevant congressional com-  
14 mittee or subcommittee of jurisdiction.”;

15 (3) in section 8—

16 (A) in subsection (b)—

17 (i) in paragraph (3), by striking “the  
18 Committees on Armed Services and Gov-  
19 ernmental Affairs of the Senate and the  
20 Committee on Armed Services and the  
21 Committee on Government Reform and  
22 Oversight of the House of Representatives  
23 and to other appropriate committees or  
24 subcommittees of the Congress” and in-  
25 serting “the appropriate congressional

1 committees, including the Committee on  
2 Armed Services of the Senate and the  
3 Committee on Armed Services of the  
4 House of Representatives”; and

5 (ii) in paragraph (4), by striking “and  
6 to other appropriate committees or sub-  
7 committees”; and

8 (B) in subsection (f)—

9 (i) in paragraph (1), by striking “the  
10 Committees on Armed Services and on  
11 Homeland Security and Governmental Af-  
12 fairs of the Senate and the Committees on  
13 Armed Services and on Oversight and Gov-  
14 ernment Reform of the House of Rep-  
15 resentatives and to other appropriate com-  
16 mittees or subcommittees of Congress” and  
17 inserting “the appropriate congressional  
18 committees, including the Committee on  
19 Armed Services of the Senate and the  
20 Committee on Armed Services of the  
21 House of Representatives”; and

22 (ii) in paragraph (2), by striking  
23 “committees or subcommittees of the Con-  
24 gress” and inserting “congressional com-  
25 mittees”;

1 (4) in section 8D—

2 (A) in subsection (a)(3), by striking “Com-  
3 mittees on Governmental Affairs and Finance  
4 of the Senate and the Committees on Govern-  
5 ment Operations and Ways and Means of the  
6 House of Representatives, and to other appro-  
7 priate committees or subcommittees of the Con-  
8 gress” and inserting “appropriate congressional  
9 committees, including the Committee on Fi-  
10 nance of the Senate and the Committee on  
11 Ways and Means of the House of Representa-  
12 tives”; and

13 (B) in subsection (g)—

14 (i) in paragraph (1)—

15 (I) by striking “committees or  
16 subcommittees of the Congress” and  
17 inserting “congressional committees”;  
18 and

19 (II) by striking “Committees on  
20 Governmental Affairs and Finance of  
21 the Senate and the Committees on  
22 Government Reform and Oversight  
23 and Ways and Means of the House of  
24 Representatives” and inserting “Com-  
25 mittee on Finance of the Senate and



1 the Committee on Ways and Means of  
2 the House of Representatives”; and

3 (ii) in paragraph (2), by striking  
4 “committees or subcommittees of Con-  
5 gress” and inserting “congressional com-  
6 mittees”;

7 (5) in section 8E—

8 (A) in subsection (a)(3), by striking “Com-  
9 mittees on Governmental Affairs and Judiciary  
10 of the Senate and the Committees on Govern-  
11 ment Operations and Judiciary of the House of  
12 Representatives, and to other appropriate com-  
13 mittees or subcommittees of the Congress” and  
14 inserting “appropriate congressional commit-  
15 tees, including the Committee on the Judiciary  
16 of the Senate and the Committee on the Judici-  
17 ary of the House of Representatives”; and

18 (B) in subsection (c)—

19 (i) by striking “committees or sub-  
20 committees of the Congress” and inserting  
21 “congressional committees”; and

22 (ii) by striking “Committees on the  
23 Judiciary and Governmental Affairs of the  
24 Senate and the Committees on the Judici-  
25 ary and Government Operations of the

1 House of Representatives” and inserting  
2 “Committee on the Judiciary of the Senate  
3 and the Committee on the Judiciary of the  
4 House of Representatives”;

5 (6) in section 8G—

6 (A) in subsection (d)(2)(E), in the matter  
7 preceding clause (i), by inserting “the appro-  
8 priate congressional committees, including”  
9 after “are”;

10 (B) in subsection (f)(3)—

11 (i) in subparagraph (A)(iii), by strik-  
12 ing “Committee on Governmental Affairs  
13 of the Senate and the Committee on Gov-  
14 ernment Reform and Oversight of the  
15 House of Representatives, and to other ap-  
16 propriate committees or subcommittees of  
17 the Congress” and inserting “the appro-  
18 priate congressional committees”; and

19 (ii) by striking subparagraph (C);

20 (7) in section 8I—

21 (A) in subsection (a)(3), in the matter pre-  
22 ceding subparagraph (A), by striking “commit-  
23 tees and subcommittees of Congress” and in-  
24 serting “congressional committees”; and

1 (B) in subsection (d), by striking “committees and subcommittees of Congress” each place  
2 it appears and inserting “congressional committees”;  
3  
4

5 (8) in section 8N(b), by striking “committees of  
6 Congress” and inserting “congressional committees”;  
7

8 (9) in section 11—

9 (A) in subsection (b)(3)(B)(viii)—

10 (i) by striking subclauses (III) and  
11 (IV);

12 (ii) in subclause (I), by adding “and”  
13 at the end; and

14 (iii) by amending subclause (II) to  
15 read as follows:

16 “(II) the appropriate congressional  
17 committees.”; and

18 (B) in subsection (d)(8)(A)(iii), by striking  
19 “to the” and all that follows through “jurisdiction” and inserting “to the appropriate congressional  
20 committees”; and

21 (10) in section 12—

22 (A) in paragraph (4), by striking “and” at  
23 the end;  
24

1 (B) in paragraph (5), by striking the pe-  
2 riod at the end and inserting “; and”; and

3 (C) by adding at the end the following:

4 “(6) the term ‘appropriate congressional com-  
5 mittees’ means—

6 “(A) the Committee on Homeland Security  
7 and Governmental Affairs of the Senate;

8 “(B) the Committee on Oversight and Re-  
9 form of the House of Representatives; and

10 “(C) any other relevant congressional com-  
11 mittee or subcommittee of jurisdiction.”.

12 **SEC. 903. SEMIANNUAL REPORTS.**

13 The Inspector General Act of 1978 (5 U.S.C. App.)  
14 is amended—

15 (1) in section 4(a)(2)—

16 (A) by inserting “, including” after “to  
17 make recommendations”; and

18 (B) by inserting a comma after “section  
19 5(a)”;

20 (2) in section 5—

21 (A) in subsection (a)—

22 (i) by striking paragraphs (1) through  
23 (12) and inserting the following:

24 “(1) a description of significant problems,  
25 abuses, and deficiencies relating to the administra-

1       tion of programs and operations of the establishment  
2       and associated reports and recommendations for cor-  
3       rective action made by the Office;

4               “(2) an identification of each recommendation  
5       made before the reporting period, for which correc-  
6       tive action has not been completed, including the po-  
7       tential costs savings associated with the rec-  
8       ommendation;

9               “(3) a summary of significant investigations  
10      closed during the reporting period;

11              “(4) an identification of the total number of  
12      convictions during the reporting period resulting  
13      from investigations;

14              “(5) information regarding each audit, inspec-  
15      tion, or evaluation report issued during the reporting  
16      period, including—

17                      “(A) a listing of each audit, inspection, or  
18                      evaluation;

19                      “(B) if applicable, the total dollar value of  
20                      questioned costs (including a separate category  
21                      for the dollar value of unsupported costs) and  
22                      the dollar value of recommendations that funds  
23                      be put to better use, including whether a man-  
24                      agement decision had been made by the end of  
25                      the reporting period;

1           “(6) information regarding any management  
2           decision made during the reporting period with re-  
3           spect to any audit, inspection, or evaluation issued  
4           during a previous reporting period;”;

5                       (ii) by redesignating paragraphs (13)  
6                       through (22) as paragraphs (7) through  
7                       (16), respectively;

8                       (iii) by amending paragraph (13), as  
9                       so redesignated, to read as follows:

10           “(13) a report on each investigation conducted  
11           by the Office where allegations of misconduct were  
12           substantiated, including the name of the senior Gov-  
13           ernment employee, if already made public by the Of-  
14           fice, and a detailed description of—

15                       “(A) the facts and circumstances of the in-  
16                       vestigation; and

17                       “(B) the status and disposition of the mat-  
18                       ter, including—

19                               “(i) if the matter was referred to the  
20                               Department of Justice, the date of the re-  
21                               ferral; and

22                               “(ii) if the Department of Justice de-  
23                               clined the referral, the date of the declina-  
24                               tion;”;

1 (iv) in paragraph (15), as so redesignated,  
2 nated, by striking subparagraphs (A) and  
3 (B) and inserting the following:

4 “(A) any attempt by the establishment to  
5 interfere with the independence of the Office,  
6 including—

7 “(i) with budget constraints designed  
8 to limit the capabilities of the Office; and

9 “(ii) incidents where the establish-  
10 ment has resisted or objected to oversight  
11 activities of the Office or restricted or sig-  
12 nificantly delayed access to information,  
13 including the justification of the establish-  
14 ment for such action; and

15 “(B) a summary of each report made to  
16 the head of the establishment under section  
17 6(e)(2) during the reporting period;” and

18 (B) in subsection (b)—

19 (i) by striking paragraphs (2) and (3)  
20 and inserting the following:

21 “(2) where final action on audit, inspection,  
22 and evaluation reports had not been taken before the  
23 commencement of the reporting period, statistical ta-  
24 bles showing—





1 collection, offset, property in lieu of  
2 cash, or otherwise;

3 “(II) disallowed costs that were  
4 written off by management;

5 “(III) disallowed costs and funds  
6 to be put to better use not yet recov-  
7 ered or written off by management;

8 “(IV) recommendations that were  
9 completed; and

10 “(V) recommendations that man-  
11 agement has subsequently concluded  
12 should not or could not be imple-  
13 mented or completed; and

14 “(iii) total number of reports where  
15 final action was not taken and total num-  
16 ber of reports where final action was  
17 taken, including the total corresponding  
18 dollar value of disallowed costs and funds  
19 to be put to better use as agreed to in the  
20 management decisions;”;

21 (ii) by redesignating paragraph (4) as  
22 paragraph (3);

23 (iii) in paragraph (3), as so redesign-  
24 ated, by striking “subsection (a)(20)(A)”  
25 and inserting “subsection (a)(14)(A)”; and

1 (iv) by striking paragraph (5) and in-  
2 serting the following:

3 “(4) a statement explaining why final action  
4 has not been taken with respect to each audit, in-  
5 spection, and evaluation report in which a manage-  
6 ment decision has been made but final action has  
7 not yet been taken, except that such statement—

8 “(A) may exclude reports if—

9 “(i) a management decision was made  
10 within the preceding year; or

11 “(ii) the report is under formal ad-  
12 ministrative or judicial appeal or manage-  
13 ment of the establishment has agreed to  
14 pursue a legislative solution; and

15 “(B) shall identify the number of reports  
16 in each category so excluded.”;

17 (C) by redesignating subsection (h), as so  
18 redesignated by section 305, as subsection (i);  
19 and

20 (D) by inserting after subsection (g), as so  
21 redesignated by section 305, the following:

22 “(h) If an Office has published any portion of the  
23 report or information required under subsection (a) to the  
24 website of the Office or on oversight.gov, the Office may  
25 elect to provide links to the relevant webpage or website

1 in the report of the Office under subsection (a) in lieu  
2 of including the information in that report.”.

3 **SEC. 904. SUBMISSION OF REPORTS THAT SPECIFICALLY**  
4 **IDENTIFY NON-GOVERNMENTAL ORGANIZA-**  
5 **TIONS OR BUSINESS ENTITIES.**

6 (a) IN GENERAL.—Section 5(g) of the Inspector Gen-  
7 eral Act of 1978 (5 U.S.C. App.), as so redesignated by  
8 section 305, is amended by adding at the end the fol-  
9 lowing:

10 “(6)(A) If an audit, evaluation, inspection, or other  
11 non-investigative report prepared by an Inspector General  
12 specifically identifies a specific non-governmental organi-  
13 zation or business entity, whether or not the non-govern-  
14 mental organization or business entity is the subject of  
15 that audit, evaluation, inspection, or non-investigative re-  
16 port—

17 “(i) the Inspector General shall notify the non-  
18 governmental organization or business entity;

19 “(ii) the non-governmental organization or busi-  
20 ness entity shall have—

21 “(I) 30 days to review the audit, evalua-  
22 tion, inspection, or non-investigative report be-  
23 ginning on the date of publication of the audit,  
24 evaluation, inspection, or non-investigative re-  
25 port; and

1           “(II) the opportunity to submit a written  
2           response for the purpose of clarifying or pro-  
3           viding additional context as it directly relates to  
4           each instance wherein an audit, evaluation, in-  
5           spection, or non-investigative report specifically  
6           identifies that non-governmental organization or  
7           business entity; and

8           “(iii) if a written response is submitted under  
9           clause (ii)(II) within the 30-day period described in  
10          clause (ii)(I)—

11           “(I) the written response shall be attached  
12           to the audit, evaluation, inspection, or non-in-  
13           vestigative report; and

14           “(II) in every instance where the report  
15           may appear on the public-facing website of the  
16           Inspector General, the website shall be updated  
17           in order to access a version of the audit, evalua-  
18           tion, inspection, or non-investigative report that  
19           includes the written response.

20          “(B) Subparagraph (A) shall not apply with respect  
21          to a non-governmental organization or business entity that  
22          refused to provide information or assistance sought by an  
23          Inspector General during the creation of the audit, evalua-  
24          tion, inspection, or non-investigative report.

1       “(C) An Inspector General shall review any written  
2 response received under subparagraph (A) for the purpose  
3 of preventing the improper disclosure of classified infor-  
4 mation or other non-public information, consistent with  
5 applicable laws, rules, and regulations, and, if necessary,  
6 redact such information.”.

7       (b) RETROACTIVE APPLICABILITY.—During the 30-  
8 day period beginning on the date of enactment of this  
9 Act—

10           (1) the amendment made by subsection (a)  
11 shall apply upon the request of a non-governmental  
12 organization or business entity named in an audit,  
13 evaluation, inspection, or other non-investigative re-  
14 port prepared on or after January 1, 2019; and

15           (2) any written response submitted under  
16 clause (iii) of section 5(g)(6)(A) of the Inspector  
17 General Act of 1978 (5 U.S.C. App.), as added by  
18 subsection (a), with respect to such an audit, evalua-  
19 tion, inspection, or other non-investigative report  
20 shall attach to the original report in the manner de-  
21 scribed in that clause.