AN ACT

To amend the Inspector General Act of 1978 to enhance the independence of the Inspectors General, to create a Council of the Inspectors General on Integrity and Efficiency, and for other purposes.

1 Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,
SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Improving Government Accountability Act”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Enhancing independence of Inspectors General.
Sec. 3. Direct submission of budget requests to Congress.
Sec. 4. Establishment of Council of the Inspectors General on Integrity and Efficiency.
Sec. 5. Pay and bonuses of Inspectors General.
Sec. 6. Miscellaneous enhancements.
Sec. 7. Program Fraud Civil Remedies Act.
Sec. 8. Application of semiannual reporting requirements with respect to inspection reports and evaluation reports.
Sec. 9. Information on websites of Offices of Inspectors General.
Sec. 10. Amendments to special provisions concerning the Department of Justice.
Sec. 11. Annual Inspector General performance reviews of Federal programs and agencies.

SEC. 2. ENHANCING INDEPENDENCE OF INSPECTORS GENERAL.

(a) REMOVAL FOR CAUSE.—The Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in section 3(b) by striking “the reasons for any such removal to both Houses of Congress.” and inserting the following: “in writing the reasons for any such removal to both Houses of Congress and to the Inspector General of the establishment at least 30 days before such removal. An Inspector General may be removed from office prior to the expiration of his or her term only on any of the following grounds:
“(1) Permanent incapacity.

“(2) Inefficiency.

“(3) Neglect of duty.

“(4) Malfeasance.

“(5) Conviction of a felony or conduct involving moral turpitude.

“(6) Knowing violation of a law, rule, or regulation.

“(7) Gross mismanagement.

“(8) Gross waste of funds.

“(9) Abuse of authority.”; and

(2) in section 8G(e) by striking “an Inspector General” and all that follows through the period at the end and inserting the following: “the head of a designated Federal entity intends to remove an Inspector General from office or transfer an Inspector General to another position or location within such designated Federal entity, the head of such entity shall communicate in writing the reasons for any such removal or transfer to both Houses of Congress and to the Inspector General of the entity at least 30 days before such removal or transfer.”.

(b) Establishment of Terms of Office.—The Inspector General Act of 1978 (5 U.S.C. App.) is amended—
(1) in section 3 by adding at the end the following:

“(e)(1) The term of office of each Inspector General shall be seven years. An individual may serve for more than one term in such office. Any individual appointed and confirmed to fill a vacancy in such position, occurring before the expiration of the term for which his or her predecessor was appointed, shall be appointed and confirmed for a full seven-year term.

“(2) An individual may continue to serve as Inspector General beyond the expiration of the term for which the individual is appointed until a successor is appointed and confirmed, except that such individual may not continue to serve for more than 1 year after the date on which the term would otherwise expire under paragraph (1).”;

(2) in section 8G(c) by inserting “(1)” after “(c)”, and by adding at the end the following:

“(2) The term of office of each Inspector General shall be seven years. An individual may serve for more than one term in such office. Any individual appointed to fill a vacancy in such position, occurring before the expiration of the term for which his or her predecessor was appointed, shall be appointed for a full 7-year term.”.

(3) in section 3(a), by inserting after the first sentence the following: “A committee of Inspectors
General of the Inspectors General Council established under section 11 shall review nominations in light of these requirements, and the results of the committee’s review shall be provided to the Senate prior to the confirmation process.”.

(4) in section 8G(e), by adding at the end the following: “The head of the designated Federal entity shall ask the committee of Inspectors General referred to in section 3(a) for a report on the qualifications of each final candidate for Inspector General and shall not appoint an Inspector General before reviewing such report.”.

(e) APPLICATION.—The amendments made by this section shall apply to any Inspector General appointed on or after the date of the enactment of this Act.

SEC. 3. DIRECT SUBMISSION OF BUDGET REQUESTS TO CONGRESS.

Section 6 of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by adding at the end the following:

“(f)(1) For each fiscal year, an Inspector General shall inform the appropriate committees or subcommittees of the Congress if the budget request submitted by the head of the establishment would substantially inhibit the Inspector General from performing the duties of the office.
“(2) The President shall include in each budget of the United States Government submitted to the Congress a separate statement of the amount of appropriations requested by each Inspector General.”.

SEC. 4. ESTABLISHMENT OF COUNCIL OF THE INSPECTORS GENERAL ON INTEGRITY AND EFFICIENCY.

(a) Establishment.—The Inspector General Act of 1978 (5 U.S.C. App.) is amended by redesignating sections 11 and 12 in order as sections 12 and 13, and by inserting after section 10 the following new section:

“ESTABLISHMENT OF THE COUNCIL OF THE INSPECTORS GENERAL ON INTEGRITY AND EFFICIENCY

Sec. 11. (a) Establishment.—There is established as an independent entity within the executive branch the Inspectors General Council (in this section referred to as the ‘Council’). The Council’s mission shall be to coordinate and enhance governmental efforts to promote integrity and efficiency and to detect and prevent fraud, waste, and abuse in Federal programs.

“(b) Membership.—

“(1) In general.—The Council shall consist of the following members:

“(A) All Inspectors General whose offices are established under—

“(i) section 2; or

“(ii) section 8G.


“(D) A senior level official of the Federal Bureau of Investigation designated by the Director of the Federal Bureau of Investigation.

“(E) The Director of the Office of Government Ethics.

“(F) The Special Counsel of the Office of Special Counsel.

“(G) The Deputy Director of the Office of Personnel Management.

“(H) The Deputy Director for Management of the Office of Management and Budget.

“(2) CHAIRPERSON AND EXECUTIVE CHAIRPERSON.—

“(A) EXECUTIVE CHAIRPERSON.—The Deputy Director for Management of the Office of Management and Budget shall be the Executive Chairperson of the Council.

“(B) CHAIRPERSON.—The Council shall elect one of the Inspectors General referred to in paragraph (1)(A) or (B) to act as Chair-
person of the Council. The term of office of the Chairperson shall be two years.

“(3) FUNCTIONS OF CHAIRPERSON AND EXECUTIVE CHAIRPERSON.—

“(A) EXECUTIVE CHAIRPERSON.—The Executive Chairperson shall—

“(i) preside over meetings of the Council;

“(ii) provide to the heads of agencies and entities represented on the Council with summary reports of the activities of the Council; and

“(iii) provide to the Council such information relating to the agencies and entities represented on the Council as will assist the Council in performing its functions.

“(B) CHAIRPERSON.—The Chairperson shall—

“(i) convene meetings of the Council—

“(I) at least six times each year;

“(II) monthly to the extent possible; and
“(III) more frequently at his or her discretion;

“(ii) exercise the functions and duties of the Council under subsection (c);

“(iii) appoint a Vice Chairperson to assist in carrying out the functions of the Council and act in the absence of the Chairperson, from a category of Inspectors General described in subparagraph (A)(i), (A)(ii), or (B) of subsection (b)(1), other than the category from which the Chairperson was elected;

“(iv) make such payments from funds otherwise available to the Council as may be necessary to carry out the functions of the Council;

“(v) select, appoint, and employ personnel as needed to carry out the functions of the Council subject to the availability of appropriations and the provisions of title 5, United States Code, governing appointments in the competitive service, and the provisions of chapter 51 and subchapter III of chapter 53 of such title, relating to
classification and General Schedule pay rates;

“(vi) to the extent and in such amounts as may be provided in advance by appropriations Acts, enter into contracts and other arrangements with public agencies and private persons to carry out the functions and duties of the Council;

“(vii) establish, in consultation with the members of the Council, such committees as determined by the Chairperson to be necessary and appropriate for the efficient conduct of Council functions; and

“(viii) prepare and transmit a report annually on behalf of the Council to the President on the activities of the Council.

“(c) FUNCTIONS AND DUTIES OF COUNCIL.—

“(1) IN GENERAL.—The Council shall—

“(A) continually identify, review, and discuss areas of weakness and vulnerability in Federal programs and operations with respect to fraud, waste, and abuse;

“(B) develop plans for coordinated, Government-wide activities that address these problems and promote economy and efficiency in
Federal programs and operations, including interagency and inter-entity audit, investigation, inspection, and evaluation programs and projects to deal efficiently and effectively with those problems concerning fraud and waste that exceed the capability or jurisdiction of an individual agency or entity;

“(C) develop policies and professional standards that will aid in the maintenance of a corps of well-trained and highly skilled Office of Inspector General personnel;

“(D) maintain an Internet Web site and other electronic systems for the benefit of all Inspectors General, as the Council determines are necessary or desirable;

“(E) maintain one or more academies as the Council considers desirable for the professional training of auditors, investigators, inspectors, evaluators, and other personnel of the various offices of Inspector General; and

“(F) make such reports to the Congress as the Chairperson determines are necessary or appropriate.

“(2) Adherence and participation by members.—Each member of the Council should, to the
extent permitted under law, and to the extent not in-
consistent with standards established by the Com-
troller General of the United States for audits of
Federal establishments, organizations, programs, ac-
tivities, and functions, adhere to professional stand-
ards developed by the Council and participate in the
plans, programs, and projects of the Council.

“(3) Existing authorities and responsibilities.—The creation and operation of the
Council—

“(A) shall not affect the preeminent policy-
setting role of the Department of Justice in law
enforcement and litigation;

“(B) shall not affect the authority or re-
sponsibilities of any Government agency or enti-
ty; and

“(C) shall not affect the authority or re-
sponsibilities of individual members of the
Council.

“(d) Administrative Provisions.—

“(1) Director of OMB.—The Director of the
Office of Management and Budget shall provide the
Council with such administrative support as may be
necessary for the performance of the functions of the
Council.
“(2) HEADS.—The head of each establishment and designated Federal entity represented on the Council shall provide the persons representing the establishment or entity with such administrative support as may be necessary, in accordance with law, to enable the persons representing the establishment or entity to carry out their responsibilities.

“(e) INTEGRITY COMMITTEE.—

“(1) ESTABLISHMENT.—The Council shall have an Integrity Committee, which shall receive, review, and refer for investigation allegations of wrongdoing that are made against Inspectors General and certain staff members of the various Offices of Inspector General.

“(2) MEMBERSHIP.—The Integrity Committee shall consist of the following members:

“(A) The official of the Federal Bureau of Investigation serving on the Council, who shall serve as Chairperson of the Integrity Committee.

“(B) Four Inspectors General described in subparagraph (A) or (B) of subsection (b)(1) appointed by the Chairperson of the Council, representing both establishments and des-
ignated Federal entities (as that term is defined in section 8G(a)).

“(C) The Special Counsel of the Office of Special Counsel.

“(D) The Director of the Office of Government Ethics.

“(3) LEGAL ADVISOR.—The Chief of the Public Integrity Section of the Criminal Division of the Department of Justice, or his designee, shall serve as a legal advisor to the Integrity Committee.

“(4) REFERRAL OF ALLEGATIONS.—

“(A) REQUIREMENT.—An Inspector General shall refer to the Integrity Committee any allegation of wrongdoing against a staff member of his or her office, if—

“(i) review of the substance of the allegation cannot be assigned to an agency of the executive branch with appropriate jurisdiction over the matter; and

“(ii) the Inspector General determines that—

“(I) an objective internal investigation of the allegation is not feasible; or
“(II) an internal investigation of
the allegation may appear not to be
objective.

“(B) STAFF MEMBER DEFINED.—In this
subsection the term ‘staff member’ means—

“(i) any employee of an Office of In-
spector General who reports directly to an
Inspector General, acts with the knowledge
of the Inspector General, or against whom
an allegation is made because such allega-
tion is related to an allegation against the
Inspector General, except that if an allega-
tion concerns a member of the Integrity
Committee, that member shall recuse him-
self from consideration of the matter; or

“(ii) who is designated by an Inspec-
tor General under subparagraph (C).

“(C) DESIGNATION OF STAFF MEMBERS.—
Each Inspector General shall annually submit
to the Chairperson of the Integrity Committee
a designation of positions whose holders are
staff members for purposes of subparagraph
(B).

“(5) REVIEW OF ALLEGATIONS.—The Integrity
Committee shall—
“(A) review all allegations of wrongdoing it receives against an Inspector General, or against a staff member of an Office of Inspector General;

“(B) refer any allegation of wrongdoing to the agency of the executive branch with appropriate jurisdiction over the matter; and

“(C) refer to the Chairperson of the Integrity Committee any allegation of wrongdoing determined by the Integrity Committee to be potentially meritorious that cannot be referred to an agency under subparagraph (B).

“(6) Authority to Investigate Allegations.—

“(A) Requirement.—The Chairperson of the Integrity Committee shall cause a thorough and timely investigation of each allegation referred under paragraph (5)(C) to be conducted in accordance with this paragraph.

“(B) Resources.—At the request of the Chairperson of the Integrity Committee, the head of each agency or entity represented on the Council—

“(i) may provide resources necessary to the Integrity Committee; and
“(ii) may detail employees from that agency or entity to the Integrity Committee, subject to the control and direction of the Chairperson, to conduct an investigation pursuant to this subsection.

“(7) PROCEDURES FOR INVESTIGATIONS.—

“(A) STANDARDS APPLICABLE.—Investigations initiated under this subsection shall be conducted in accordance with the most current Quality Standards for Investigations issued by the Council or by its predecessors (the President’s Council on Integrity and Efficiency and the Executive Council on Integrity and Efficiency).

“(B) ADDITIONAL POLICIES AND PROCEDURES.—The Integrity Committee, in conjunction with the Chairperson of the Council, shall establish additional policies and procedures necessary to ensure fairness and consistency in—

“(i) determining whether to initiate an investigation;

“(ii) conducting investigations;

“(iii) reporting the results of an investigation; and
“(iv) providing the person who is the subject of an investigation with an opportunity to respond to any Integrity Committee report.

“(8) REPORT.—

“(A) For allegations referred under paragraph (5)(C), the Chairperson of the Integrity Committee shall make a report containing the results of his investigation and shall provide such report to members of the Integrity Committee.

“(B) For allegations referred under paragraph (5)(B), the head of an agency shall make a report containing the results of the investigation and shall provide such report to members of the Integrity Committee.

“(9) ASSESSMENT AND FINAL DISPOSITION.—

“(A) With respect to any report received under paragraph (8), the Integrity Committee shall—

“(i) assess the report;

“(ii) forward the report, with the Integrity Committee recommendations, including those on disciplinary action, within 180 days (to the maximum extent prac-
ticable) after the completion of the invest-
igation, to the Executive Chairperson of
the Council and to the President (in the
case of a report relating to an Inspector
General of an establishment or his staff) or
the head of a designated Federal entity (in
the case of a report relating to an Inspec-
tor General of such an entity or his staff)
for resolution; and

“(iii) submit to Congress a copy of
such report and recommendations within
30 days after the submission of such re-
port to the Executive Chairperson under
clause (ii).

“(B) The Chairperson of the Council shall
report to the Integrity Committee the final dis-
position of the matter, including what action
was taken by the President or agency head.

“(10) ANNUAL REPORT.—

“(A) MATTERS COVERED.—The Council
shall submit to Congress and the President by
December 31st of each year a report on the ac-
tivities of the Integrity Committee during the
preceding fiscal year. The report shall include
the following:
“(i) The number of allegations received.

“(ii) The number of allegations referred to other agencies, including the number of allegations referred for criminal investigation.

“(iii) The number of allegations referred to the Chairperson of the Integrity Committee for investigation.

“(iv) The number of allegations closed without referral.

“(v) The date each allegation was received and the date each allegation was finally disposed of.

“(vi) In the case of allegations referred to the Chairperson of the Integrity Committee, a summary of the status of the investigation of the allegations and, in the case of investigations completed during the preceding fiscal year, a summary of the findings of the investigations.

“(vii) Other matters that the Council considers appropriate.

“(B) REQUESTS FOR MORE INFORMATION.—The Council shall provide more detailed
information about specific allegations upon request from any of the following:

“(i) The chairman or ranking member of the Committee on Oversight and Government Reform of the House of Representatives.

“(ii) The chairman or ranking member of the Committee on Homeland Security and Governmental Affairs of the Senate.

“(iii) The chairman or ranking member of the congressional committees of jurisdiction.

“(1) NO RIGHT OR BENEFIT.—This subsection is not intended to create any right or benefit, substantive or procedural, enforceable at law by a person against the United States, its agencies, its officers, or any person.

“(f) APPLICATION.—The provisions of this section apply only to the Inspectors General (and their offices) listed in subsection (b)(1)(A) and (B).”.

(b) EXECUTIVE ORDERS AND POLICIES AND PROCEDURES.—

(1) EXISTING EXECUTIVE ORDERS.—Executive Order No. 12805, dated May 11, 1992, and Execu-
tive Order No. 12993, dated March 21, 1996, shall have no force or effect.

(2) Policies and Procedures.—Not later than 180 days after the date of the enactment of this Act, the Inspectors General Council shall adopt policies and procedures to implement this section and the amendments made by this section. To the maximum extent practicable, the policies and procedures shall include all provisions of Executive Order No. 12805 and Executive Order No. 12933 (as in effect before the date of the enactment of this Act).

(c) Conforming Amendments.—


(A) in sections 2(1), 4(b)(2), and 8G(a)(1)(A) by striking “section 11(2)” each place it appears and inserting “section 12(2)”;

and

(B) in section 8G(a), in the matter preceding paragraph (1), by striking “section 11” and inserting “section 12”.

(2) Title 31, U.S.C.—Section 1105(a) of title 31, United States Code, is amended by striking the first paragraph (33) and inserting the following:
“(33) a separate appropriation account for appropriations for the Inspectors General Council, and, included in that account, a separate statement of the aggregate amount of appropriations requested for each academy maintained by the Inspectors General Council.”.

SEC. 5. PAY AND BONUSES OF INSPECTORS GENERAL.

(a) Prohibition of Cash Bonus or Awards.—Section 3 of the Inspector General Act of 1978 (5 U.S.C. App.), as amended by the preceding provisions of this Act, is further amended by adding at the end the following:

“(f) An Inspector General (as defined under section 8G(a)(6) or 11(3)) may not receive any cash award or cash bonus, including any cash award under chapter 45 of title 5, United States Code.”.

(b) Inspectors General at Level III of Executive Schedule.—

(1) In general.—Section 3 of the Inspector General Act of 1978 (5 U.S.C. App.), as amended by the preceding provisions of this Act, is further amended by adding at the end the following:

“(g) The annual rate of basic pay for an Inspector General (as defined under section 11(3)) shall be the rate payable for level III of the Executive Schedule under section 5314 of title 5, United States Code, plus 3 percent.”.
(2) CONFORMING AMENDMENT.—Section 5315 of title 5, United States Code, is amended by striking the item relating to each of the following positions:

(A) Inspector General, Department of Education.

(B) Inspector General, Department of Energy.

(C) Inspector General, Department of Health and Human Services.

(D) Inspector General, Department of Agriculture.

(E) Inspector General, Department of Housing and Urban Development.

(F) Inspector General, Department of Labor.

(G) Inspector General, Department of Transportation.

(H) Inspector General, Department of Veterans Affairs.

(I) Inspector General, Department of Homeland Security.

(J) Inspector General, Department of Defense.
(K) Inspector General, Department of State.

(L) Inspector General, Department of Commerce.

(M) Inspector General, Department of the Interior.

(N) Inspector General, Department of Justice.

(O) Inspector General, Department of the Treasury.

(P) Inspector General, Agency for International Development.

(Q) Inspector General, Environmental Protection Agency.

(R) Inspector General, Export-Import Bank.

(S) Inspector General, Federal Emergency Management Agency.

(T) Inspector General, General Services Administration.

(U) Inspector General, National Aeronautics and Space Administration.

(V) Inspector General, Nuclear Regulatory Commission.
(W) Inspector General, Office of Personnel Management.

(X) Inspector General, Railroad Retirement Board.

(Y) Inspector General, Small Business Administration.

(Z) Inspector General, Tennessee Valley Authority.

(AA) Inspector General, Federal Deposit Insurance Corporation.

(BB) Inspector General, Resolution Trust Corporation.

(CC) Inspector General, Central Intelligence Agency.

(DD) Inspector General, Social Security Administration.

(EE) Inspector General, United States Postal Service.

(3) ADDITIONAL CONFORMING AMENDMENT.—Section 194(b) of the National and Community Service Act of 1990 (42 U.S.C. 12651e(b)) is amended by striking paragraph (3).

(4) SAVINGS PROVISION.—Nothing in this subsection shall have the effect of reducing the rate of
pay of any individual serving as an Inspector General on the effective date of this subsection.

(c) Inspectors General of Designated Federal Entities.—Notwithstanding any other provision of law, the Inspector General of each designated Federal entity (as those terms are defined under section 8G of the Inspector General Act of 1978) shall, for pay and all other purposes, be classified at a grade, level, or rank designation, as the case may be, comparable to those of a majority of the senior staff members of such designated Federal entity (such as, but not limited to, a General Counsel, Deputy Director, or Chief of Staff) that report directly to the head of such designated Federal entity. The head of a designated Federal entity shall set the annual rate of basic pay for an Inspector General (as defined under such section 8G) 3 percent above the annual rate of basic pay for senior staff members classified at a comparable grade, level, or rank designation (or, if those senior staff members receive different rates, the annual rate of basic pay for a majority of those senior staff members, as determined by the head of the designated Federal entity concerned).

(d) Savings Provision for Newly Appointed Inspectors General.—The provisions of section 3392, title 5, United States Code, other than the terms “per-
formance awards” and “awarding of ranks” in subsection (c)(1) of such section, shall apply to career appointees of the Senior Executive Service who are appointed to the position of Inspector General.

SEC. 6. MISCELLANEOUS ENHANCEMENTS.

(a) OFFICES AS DISCRETE AGENCIES.—Section 6(d) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended to read as follows:

“(d)(1)(A) For purposes of applying the provisions of law identified in subparagraph (B)—

“(i) each Office of Inspector General shall be considered to be a separate agency; and

“(ii) the Inspector General who is the head of an office referred to in clause (i) shall, with respect to such office, have the functions, powers, and duties of an agency head or appointing authority under such provisions.

“(B) This paragraph applies with respect to the following provisions of title 5, United States Code:

“(i) Subchapter II of chapter 35.

“(ii) Sections 8335(b), 8336, 8414, and 8425(b).

“(iii) All provisions relating to the Senior Executive Service (as determined by the Office of Personnel Management), subject to paragraph (2).
“(2) For purposes of applying section 4507(b) of title 5, United States Code, paragraph (1)(A)(ii) shall be applied by substituting ‘the Council of the Inspectors General on Integrity and Efficiency (established by section 11 of the Inspector General Act) shall’ for ‘the Inspector General who is the head of an office referred to in clause (i) shall, with respect to such office,’.”

(b) SUBPOENA POWER.—Section 6(a)(4) of the Inspector General Act of 1978 (5 U.S.C. App.), is amended—

(1) by inserting “in any medium (including electronically stored information, as well as any tangible thing)” after “other data”; and

(2) by striking “subpena” and inserting “subpoena”.

(c) LAW ENFORCEMENT AUTHORITY FOR DESIGNATED FEDERAL ENTITIES.—Section 6(e) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in paragraph (1) by striking “appointed under section 3”; and

(2) by adding at the end the following:

“(9) In this subsection the term ‘Inspector General’ means an Inspector General appointed under section 3 or an Inspector General appointed under section 8G.”.
(d) **Qualifications of Inspectors General of Designated Federal Entities.**—Section 8G(e)(1) of the Inspector General Act of 1978 (5 U.S.C. App.), as amended by this Act, is further amended by striking the period and inserting “without regard to political affiliation, and solely on the basis of integrity and demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, or investigations.

(e) **Authority of Treasury Inspector General for Tax Administration To Protect Internal Revenue Service Employees.**—Section 8D(k)(1)(C) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by striking “and the providing of physical security”.

(f) **Amendment Relating to Authority of Comptroller General to Administer Oaths.**—Section 711 of title 31, United States Code, is amended in paragraph (4) by striking “when auditing and settling accounts” and inserting “upon the specific approval only of the Comptroller General or the Deputy Comptroller General”.

(g) **Amendments Relating to Comptroller General Reports.**—

(1) Section 719(b)(1) of title 31, United States Code, is amended—
(A) by striking “and” at the end of sub-
paragraph (B);

(B) by striking the period and inserting “;
and” at the end of subparagraph (C); and

(C) by adding at the end the following new
subparagraph:

“(D) for Federal agencies subject to sections
901 to 903 of this title and other agencies des-
ignated by the Comptroller General, an assessment
of their overall degree of cooperation in making per-
sonnel available for interview, providing written an-
swers to questions, submitting to an oath authorized
by the Comptroller General under section 711 of this
title, granting access to records, providing timely
comments to draft reports, adopting recommenda-
tions in reports, and responding to such other mat-
ters as the Comptroller General considers appro-
priate.”.

(2) Section 719(c) of such title is amended—

(A) by striking “and” at the end of para-
graph (2);

(B) by striking the period and inserting “;
and” at the end of paragraph (3); and

(C) by adding at the end the following new
paragraph:
“(4) as soon as practicable when an agency or other entity does not, within a reasonable period of time after a request by the Comptroller General, make personnel available for interview, provide written answers to questions, or submit to an oath authorized by the Comptroller General under section 711 of this title.”.

SEC. 7. PROGRAM FRAUD CIVIL REMEDIES ACT.

Section 3801(a)(1) of title 31, United States Code, is amended by striking “and” after the semicolon at the end of subparagraph (C), by adding “and” after the semicolon at the end of subparagraph (D), and by adding at the end the following:

“(E) a designated Federal entity (as such term is defined under section 8G(a)(2) of the Inspector General Act of 1978).”.

SEC. 8. APPLICATION OF SEMIANNUAL REPORTING REQUIREMENTS WITH RESPECT TO INSPECTION REPORTS AND EVALUATION REPORTS.


(1) in subsection (a)(6)—

(A) by inserting “, inspection report, and evaluation report” after “audit report”; and
(B) by striking “audit” the second place it appears;

(2) in each of subsections (a)(8), (a)(9), (b)(2), and (b)(3)—

(A) by inserting “, inspection reports, and evaluation reports” after “audit reports” the first place it appears; and

(B) by striking “audit” the second place it appears; and

(3) in subsection (a)(10) by inserting “, inspection report, and evaluation report” after “audit report”.

SEC. 9. INFORMATION ON WEBSITES OF OFFICES OF INSPECTORS GENERAL.

(a) DEFINITION.—In this section, the term “agency” has the meaning provided the term “Federal agency” under section 11(5) of the Inspector General Act of 1978 (5 U.S.C. App.).

(b) DIRECT LINKS TO INSPECTORS GENERAL OFFICES.—

(1) IN GENERAL.—Each agency shall establish and maintain on the homepage of the website of that agency a direct link to the website of the Office of the Inspector General of that agency.
(2) Accessibility.—The direct link under paragraph (1) shall be obvious and facilitate accessibility to the website of the Office of the Inspector General.

(c) Requirements for Inspectors General Websites.—

(1) Posting of reports and audits.—The Inspector General of each agency shall—

(A) not later than 1 day after any report or audit (or portion of any report or audit) is made publicly available, post that report or audit (or portion of that report or audit) on the website of the Office of the Inspector General; and

(B) ensure that any posted report or audit (or portion of that report or audit) described under subparagraph (A)—

(i) is easily accessible from a direct link on the homepage of the website of the Office of the Inspector General;

(ii) includes a summary of the findings of the Inspector General; and

(iii) is in a format that—

(I) is searchable, sortable, and downloadable; and
(II) facilitates printing by individuals of the public who are accessing the website.

(2) Option to receive related information.—The Inspector General of each agency shall provide a service on the website of the Office of the Inspector General through which—

(A) an individual may elect to automatically receive information (including subsequent reports or audits) relating to any posted report or audit (or portion of that report or audit) described under paragraph (1)(A); and

(B) the Inspector General shall electronically transmit the information or notice of the availability of the information to that individual without further request.

(3) Reporting of waste, fraud, and abuse.—

(A) In general.—The Inspector General of each agency shall establish and maintain a direct link on the homepage of the website of the Office of the Inspector General for individuals to report waste, fraud, and abuse.

(B) Anonymity.—The Inspector General of each agency shall take such actions as nee-
necessary to ensure the anonymity of any individual making a report under this paragraph.

(d) IMPLEMENTATION.—Not later than 180 days after the date of enactment of this Act, the head of each agency and the Inspector General of each agency shall implement this section.

SEC. 10. AMENDMENTS TO SPECIAL PROVISIONS CONCERNING THE DEPARTMENT OF JUSTICE.

(a) AMENDMENT TO REQUIREMENT RELATING TO CERTAIN REFERRALS.—Section 8E(b) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by striking paragraph (3).

(b) CONFORMING AMENDMENTS.—Section 8E of such Act is further amended—

(1) in subsection (b)—

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

(B) by redesignating paragraph (4) as paragraph (3); and

(C) by redesignating paragraph (5) as paragraph (4) and in that paragraph by striking “(4)” and inserting “(3)”;

(2) in subsection (d), by striking “, except with respect to allegations described in subsection (b)(3),”.
SEC. 11. ANNUAL INSPECTOR GENERAL PERFORMANCE REVIEWS OF FEDERAL PROGRAMS AND AGENCIES.


(1) by redesignating subsections (a), (b), (c), and (d) as subsections (b), (c), (d), and (e), respectively;

(2) by inserting before subsection (b) (as so redesignated) the following new subsection:

"(a) It shall be the principle duty and responsibility of each Inspector General, with respect to the establishment within which his Office is established, to review annually the operations, efficiency, and effectiveness of all Federal programs within such establishment and submit to the Congress and the President not later than September 1 of each year recommendations, accompanied by proposed legislation, on whether an abolishment, reorganization, consolidation, or transfer of existing Federal programs and agencies is necessary—

"(1) to reduce Federal expenditures;

"(2) to increase efficiency of government operations;

"(3) to eliminate overlap and duplication in Federal programs and offices;"
“(4) to abolish agencies or programs that no longer serve an important governmental purpose; and

“(5) to identify reductions in amounts of discretionary budget authority or direct spending that can be dedicated to Federal deficit reduction.”; and

(3) in subsection (e)(1) (as so redesignated), by striking “(a)(1)” and inserting “(b)(1)”.

(b) CONFORMING AMENDMENTS.—The Inspector General Act of 1978 (5 U.S.C. App.) is further amended—

(1) in section 8(d), by striking “section 4(d)” and inserting “section 4(e)”; and

(2) in section 8D(k)(2)(A), by striking “section 4(d)” and inserting “section 4(e)”.


Attest:

Clerk.
AN ACT

To amend the Inspector General Act of 1978 to enhance the independence of the Inspectors General, to create a Council of the Inspectors General, to enhance the independence of the Inspectors General, and for other purposes.

H. R. 928

110TH CONGRESS

1ST SESSION