

110TH CONGRESS  
1ST SESSION

# S. 2324

To amend the Inspector General Act of 1978 (5 U.S.C. App.) to enhance the Offices of the Inspectors General, to create a Council of the Inspectors General on Integrity and Efficiency, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

NOVEMBER 8, 2007

Mrs. McCASKILL (for herself, Ms. COLLINS, Mr. LIEBERMAN, and Mr. COBURN) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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## A BILL

To amend the Inspector General Act of 1978 (5 U.S.C. App.) to enhance the Offices 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Inspector General Re-  
5 form Act of 2007”.

1 **SEC. 2. APPOINTMENT AND QUALIFICATIONS OF INSPEC-**  
 2 **TORS GENERAL.**

3 Section 8G(e) of the Inspector General Act of 1978  
 4 (5 U.S.C. App.) is amended by adding at the end “Each  
 5 Inspector General shall be appointed without regard to po-  
 6 litical affiliation and solely on the basis of integrity and  
 7 demonstrated ability in accounting, auditing, financial  
 8 analysis, law, management analysis, public administration,  
 9 or investigations.”.

10 **SEC. 3. REMOVAL OF INSPECTORS GENERAL.**

11 (a) ESTABLISHMENTS.—Section 3(b) of the Inspector  
 12 General Act of 1978 (5 U.S.C. App.) is amended by strik-  
 13 ing the second sentence and inserting “If an Inspector  
 14 General is removed from office or is transferred to another  
 15 position or location within an establishment, the President  
 16 shall communicate in writing the reasons for any such re-  
 17 moval or transfer to both Houses of Congress, not later  
 18 than 30 days before the removal or transfer.”.

19 (b) DESIGNATED FEDERAL ENTITIES.—Section  
 20 8G(e) of the Inspector General Act of 1978 (5 U.S.C.  
 21 App.) is amended by striking “shall promptly commu-  
 22 nicate in writing the reasons for any such removal or  
 23 transfer to both Houses of the Congress” and inserting  
 24 “shall communicate in writing the reasons for any such  
 25 removal or transfer to both Houses of Congress, not later  
 26 than 30 days before the removal or transfer”.

1 (c) LEGISLATIVE AGENCIES.—

2 (1) LIBRARY OF CONGRESS.—Section  
3 1307(c)(2) of the Legislative Branch Appropriations  
4 Act, 2006 (2 U.S.C. 185(c)(2)) is amended by strik-  
5 ing the second sentence and inserting “If the Inspec-  
6 tor General is removed from office or is transferred  
7 to another position or location within the Library of  
8 Congress, the Librarian of Congress shall commu-  
9 nicate in writing the reasons for any such removal  
10 or transfer to both Houses of Congress, not later  
11 than 30 days before the removal or transfer.”.

12 (2) CAPITOL POLICE.—Section 1004(b) of the  
13 Legislative Branch Appropriations Act, 2006 (2  
14 U.S.C. 1909(b)) is amended by striking paragraph  
15 (3) and inserting the following:

16 “(3) REMOVAL.—The Inspector General may be  
17 removed or transferred from office before the expira-  
18 tion of his term only by the unanimous vote of all  
19 of the voting members of the Capitol Police Board.  
20 If an Inspector General is removed from office or is  
21 transferred to another position or location within the  
22 Capitol Police, the Capitol Police Board shall com-  
23 municate in writing the reasons for any such re-  
24 moval or transfer to the Committee on Rules and  
25 Administration of the Senate, the Committee on

1 House Administration of the House of Representa-  
 2 tives, and the Committees on Appropriations of the  
 3 Senate and the House of Representatives, not later  
 4 than 30 days before the removal or transfer.”.

5 (3) GOVERNMENT PRINTING OFFICE.—Section  
 6 3902(b)(2) of title 44, United States Code, is  
 7 amended by striking the second sentence and insert-  
 8 ing “If the Inspector General is removed from office  
 9 or is transferred to another position or location with-  
 10 in the Government Printing Office, the Public Print-  
 11 er shall communicate in writing the reasons for any  
 12 such removal or transfer to both Houses of Con-  
 13 gress, not later than 30 days before the removal or  
 14 transfer.”.

15 **SEC. 4. PAY OF INSPECTORS GENERAL.**

16 (a) INSPECTORS GENERAL AT LEVEL III OF EXECU-  
 17 TIVE SCHEDULE.—

18 (1) IN GENERAL.—Section 3 of the Inspector  
 19 General Act of 1978 (5 U.S.C. App.), is amended by  
 20 adding at the end the following:

21 “(e) The annual rate of basic pay for an Inspector  
 22 General (as defined under section 11(3)) shall be the rate  
 23 payable for level III of the Executive Schedule under sec-  
 24 tion 5314 of title 5, United States Code, plus 3 percent.”.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—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.

1           (K) Inspector General, Department of  
2 State.

3           (L) Inspector General, Department of  
4 Commerce.

5           (M) Inspector General, Department of the  
6 Interior.

7           (N) Inspector General, Department of Jus-  
8 tice.

9           (O) Inspector General, Department of the  
10 Treasury.

11          (P) Inspector General, Agency for Inter-  
12 national Development.

13          (Q) Inspector General, Environmental Pro-  
14 tection Agency.

15          (R) Inspector General, Export-Import  
16 Bank.

17          (S) Inspector General, Federal Emergency  
18 Management Agency.

19          (T) Inspector General, General Services  
20 Administration.

21          (U) Inspector General, National Aero-  
22 nautics and Space Administration.

23          (V) Inspector General, Nuclear Regulatory  
24 Commission.

1 (W) Inspector General, Office of Personnel  
2 Management.

3 (X) Inspector General, Railroad Retirement Board.  
4

5 (Y) Inspector General, Small Business Administration.  
6

7 (Z) Inspector General, Tennessee Valley Authority.  
8

9 (AA) Inspector General, Federal Deposit Insurance Corporation.  
10

11 (BB) Inspector General, Resolution Trust Corporation.  
12

13 (CC) Inspector General, Central Intelligence Agency.  
14

15 (DD) Inspector General, Social Security Administration.  
16

17 (EE) Inspector General, United States Postal Service.  
18

19 (3) ADDITIONAL TECHNICAL AND CONFORMING  
20 AMENDMENT.—Section 194(b) of the National and  
21 Community Service Act of 1990 (42 U.S.C.  
22 12651e(b)) is amended by striking paragraph (3).

23 (b) INSPECTORS GENERAL OF DESIGNATED FEDERAL ENTITIES.—Notwithstanding any other provision of  
24 law, the Inspector General of each designated Federal en-  
25

1 tity (as those terms are defined under section 8G of the  
 2 Inspector General Act of 1978 (5 U.S.C. App.)) shall, for  
 3 pay and all other purposes, be classified at a grade, level,  
 4 or rank designation, as the case may be, at or above those  
 5 of a majority of the senior level executives of that des-  
 6 ignated Federal entity (such as a General Counsel, Chief  
 7 Information Officer, Chief Financial Officer, Chief  
 8 Human Capital Officer, or Chief Acquisition Officer). The  
 9 pay of an Inspector General of a designated Federal entity  
 10 (as those terms are defined under section 8G of the In-  
 11 spector General Act of 1978 (5 U.S.C. App.)) shall be not  
 12 less than the average total compensation of the senior level  
 13 executives of that designated Federal entity.

14 (c) SAVINGS PROVISION FOR NEWLY APPOINTED IN-  
 15 SPECTORS GENERAL.—The provisions of section 3392 of  
 16 title 5, United States Code, other than the terms “per-  
 17 formance awards” and “awarding of ranks” in subsection  
 18 (c)(1) of such section, shall apply to career appointees of  
 19 the Senior Executive Service who are appointed to the po-  
 20 sition of Inspector General.

21 (d) SAVINGS PROVISION.—Nothing in this section  
 22 shall have the effect of reducing the rate of pay of any  
 23 individual serving on the date of enactment of this section  
 24 as an Inspector General of—



1           (1) an establishment as defined under section  
2           11(2) of the Inspector General Act of 1978 (5  
3           U.S.C. App.);

4           (2) a designated Federal entity as defined  
5           under section 8G(2) of the Inspector General Act of  
6           1978 (5 U.S.C. App.);

7           (3) a legislative agency; or

8           (4) any other entity of the Government.

9   **SEC. 5. PROHIBITION OF CASH BONUS OR AWARDS.**

10       Section 3 of the Inspector General Act of 1978 (5  
11   U.S.C. App.) (as amended by section 4 of this Act) is fur-  
12   ther amended by adding at the end the following:

13       “(f) An Inspector General (as defined under section  
14   8G(a)(6) or 11(3)) may not receive any cash award or  
15   cash bonus, including any cash award under chapter 45  
16   of title 5, United States Code.”.

17   **SEC. 6. SEPARATE COUNSEL TO SUPPORT INSPECTORS**  
18                           **GENERAL.**

19       (a) COUNSELS TO INSPECTORS GENERAL OF ESTAB-  
20   LISHMENT.—Section 3 of the Inspector General Act of  
21   1978 (5 U.S.C. App.) (as amended by sections 4 and 5  
22   of this Act) is further amended by adding at the end the  
23   following:

24       “(g) Each Inspector General shall, in accordance with  
25   applicable laws and regulations governing the civil service,

1 obtain legal advice from a counsel either reporting directly  
 2 to the Inspector General or another Inspector General.”.

3 (b) COUNSELS TO INSPECTORS GENERAL OF DES-  
 4 IGNATED FEDERAL ENTITIES.—Section 8G(g) of the In-  
 5 spector General Act of 1978 (5 U.S.C. App.) is amended  
 6 by adding at the end the following:

7 “(4) Each Inspector General shall, in accord-  
 8 ance with applicable laws and regulations governing  
 9 appointments within the designated Federal entity,  
 10 appoint a Counsel to the Inspector General who  
 11 shall report to the Inspector General or obtain the  
 12 services of a counsel appointed by and directly re-  
 13 porting to another Inspector General or the Council  
 14 of the Inspectors General on Integrity and Efficiency  
 15 on a reimbursable basis.”.

16 **SEC. 7. ESTABLISHMENT OF COUNCIL OF THE INSPECTORS**  
 17 **GENERAL ON INTEGRITY AND EFFICIENCY.**

18 (a) ESTABLISHMENT.—The Inspector General Act of  
 19 1978 (5 U.S.C. App.) is amended by redesignating sec-  
 20 tions 11 and 12 as sections 12 and 13, respectively, and  
 21 by inserting after section 10 the following:

22 **“SEC. 11. ESTABLISHMENT OF THE COUNCIL OF THE IN-**  
 23 **SPECTORS GENERAL ON INTEGRITY AND EF-**  
 24 **FICIENCY.**

25 “(a) ESTABLISHMENT AND MISSION.—

1           “(1) ESTABLISHMENT.—There is established as  
2           an independent entity within the executive branch  
3           the Council of the Inspectors General on Integrity  
4           and Efficiency (in this section referred to as the  
5           ‘Council’).

6           “(2) MISSION.—The mission of the Council  
7           shall be to—

8                   “(A) address integrity, economy, and effec-  
9                   tiveness issues that transcend individual Gov-  
10                  ernment agencies; and

11                  “(B) increase the professionalism and ef-  
12                  fectiveness of personnel by developing policies,  
13                  standards, and approaches to aid in the estab-  
14                  lishment of a well-trained and highly skilled  
15                  workforce in the offices of the Inspectors Gen-  
16                  eral.

17           “(b) MEMBERSHIP.—

18                  “(1) IN GENERAL.—The Council shall consist of  
19                  the following members:

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

22                           “(i) section 2; or

23                           “(ii) section 8G.

1           “(B) The Inspectors General of the Office  
2 of the Director of National Intelligence and the  
3 Central Intelligence Agency.

4           “(C) The Controller of the Office of Fed-  
5 eral Financial Management.

6           “(D) A senior level official of the Federal  
7 Bureau of Investigation designated by the Di-  
8 rector of the Federal Bureau of Investigation.

9           “(E) The Director of the Office of Govern-  
10 ment Ethics.

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

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

15           “(H) The Deputy Director for Manage-  
16 ment of the Office of Management and Budget.

17           “(I) The Office of Inspectors General of  
18 the Library of Congress, Capitol Police, and the  
19 Government Printing Office.

20           “(J) Any other members designated by the  
21 President.

22           “(2) CHAIRPERSON AND EXECUTIVE CHAIR-  
23 PERSON.—

24           “(A) EXECUTIVE CHAIRPERSON.—The  
25 Deputy Director for Management of the Office

1 of Management and Budget shall be the Execu-  
 2 tive Chairperson of the Council.

3 “(B) CHAIRPERSON.—The Council shall  
 4 elect 1 of the Inspectors General referred to in  
 5 paragraph (1)(A) or (B) to act as Chairperson  
 6 of the Council. The term of office of the Chair-  
 7 person shall be 2 years.

8 “(3) FUNCTIONS OF CHAIRPERSON AND EXECU-  
 9 TIVE CHAIRPERSON.—

10 “(A) EXECUTIVE CHAIRPERSON.—The Ex-  
 11 ecutive Chairperson shall—

12 “(i) preside over meetings of the  
 13 Council;

14 “(ii) provide to the heads of agencies  
 15 and entities represented on the Council  
 16 summary reports of the activities of the  
 17 Council; and

18 “(iii) provide to the Council such in-  
 19 formation relating to the agencies and en-  
 20 tities represented on the Council as assists  
 21 the Council in performing its functions.

22 “(B) CHAIRPERSON.—The Chairperson  
 23 shall—

24 “(i) convene meetings of the Coun-  
 25 cil—

1 “(I) at least 6 times each year;

2 “(II) monthly to the extent pos-  
3 sible; and

4 “(III) more frequently at the dis-  
5 cretion of the Chairperson;

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

8 “(iii) appoint a Vice Chairperson to  
9 assist in carrying out the functions of the  
10 Council and act in the absence of the  
11 Chairperson, from a category of Inspectors  
12 General described in subparagraph (A)(i),  
13 (A)(ii), or (B) of paragraph (1), other than  
14 the category from which the Chairperson  
15 was elected;

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

20 “(v) select, appoint, and employ per-  
21 sonnel as needed to carry out the functions  
22 of the Council subject to the availability of  
23 appropriations and the provisions of title 5,  
24 United States Code, governing appoint-  
25 ments 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 agen-  
cies and private persons to carry out the  
functions and duties of the Council;

“(vii) establish, in consultation with  
the members of the Council, such commit-  
tees as determined by the Chairperson to  
be necessary and appropriate for the effi-  
cient 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 dis-  
cuss areas of weakness and vulnerability in  
Federal programs and operations with respect  
to fraud, waste, and abuse;

1           “(B) develop plans for coordinated, govern-  
2           mentwide activities that address these problems  
3           and promote economy and efficiency in Federal  
4           programs and operations, including interagency  
5           and interentity audit, investigation, inspection,  
6           and evaluation programs and projects to deal  
7           efficiently and effectively with those problems  
8           concerning fraud and waste that exceed the ca-  
9           pability or jurisdiction of an individual agency  
10          or entity;

11          “(C) develop policies that will aid in the  
12          maintenance of a corps of well-trained and  
13          highly skilled Office of Inspector General per-  
14          sonnel;

15          “(D) maintain an Internet website and  
16          other electronic systems for the benefit of all  
17          Inspectors General, as the Council determines  
18          are necessary or desirable;

19          “(E) maintain 1 or more academies as the  
20          Council considers desirable for the professional  
21          training of auditors, investigators, inspectors,  
22          evaluators, and other personnel of the various  
23          offices of Inspector General;

24          “(F) submit recommendations of 3 individ-  
25          uals to the appropriate appointing authority for



1 any appointment to an office of Inspector Gen-  
2 eral described under subsection (b)(1)(A) or  
3 (B);

4 “(G) make such reports to Congress as the  
5 Chairperson determines are necessary or appro-  
6 priate; and

7 “(H) perform other duties within the au-  
8 thority and jurisdiction of the Council, as ap-  
9 propriate.

10 “(2) ADHERENCE AND PARTICIPATION BY MEM-  
11 BERS.—To the extent permitted under law, and to  
12 the extent not inconsistent with standards estab-  
13 lished by the Comptroller General of the United  
14 States for audits of Federal establishments, organi-  
15 zations, programs, activities, and functions, each  
16 member of the Council shall adhere to professional  
17 standards developed by the Council and participate  
18 in the plans, programs, and projects of the Council,  
19 as appropriate.

20 “(3) ADDITIONAL ADMINISTRATIVE AUTHORI-  
21 TIES.—

22 “(A) INTERAGENCY FUNDING.—Notwith-  
23 standing section 1532 of title 31, United States  
24 Code, or any other provision of law prohibiting  
25 the interagency funding of activities described

1 under subclause (I) or (II) of clause (i), in the  
2 performance of the responsibilities, authorities,  
3 and duties of the Council—

4 “(i) the Executive Chairperson may  
5 authorize the use of interagency funding  
6 for—

7 “(I) Governmentwide training of  
8 employees of the Offices of the Inspec-  
9 tors General;

10 “(II) the functions of the Integ-  
11 rity Committee of the Council; and

12 “(III) any other authorized pur-  
13 pose determined by the Council; and

14 “(ii) upon the authorization of the  
15 Executive Chairperson, any department,  
16 agency, or entity of the United States Gov-  
17 ernment shall fund or participate in the  
18 funding of such activities.

19 “(B) SUPERSEDING PROVISIONS.—No pro-  
20 vision of law enacted after the date of enact-  
21 ment of this subsection shall be construed to  
22 limit or supersede the authority under para-  
23 graph (1), unless such provision makes specific  
24 reference to the authority in that paragraph.

1           “(4) EXISTING AUTHORITIES AND RESPON-  
2           SIBILITIES.—The establishment and operation of the  
3           Council shall not affect—

4                   “(A) the role of the Department of Justice  
5                   in law enforcement and litigation;

6                   “(B) the authority or responsibilities of  
7                   any Government agency or entity; and

8                   “(C) the authority or responsibilities of in-  
9                   dividual members of the Council.

10          “(d) INTEGRITY COMMITTEE.—

11               “(1) ESTABLISHMENT.—The Council shall have  
12               an Integrity Committee, which shall receive, review,  
13               and refer for investigation allegations of wrongdoing  
14               that are made against Inspectors General and cer-  
15               tain staff members of the various Offices of Inspec-  
16               tor General.

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

19                   “(A) The official of the Federal Bureau of  
20                   Investigation serving on the Council, who shall  
21                   serve as Chairperson of the Integrity Com-  
22                   mittee.

23                   “(B) Three or more Inspectors General de-  
24                   scribed in subparagraph (A) or (B) of sub-  
25                   section (b)(1) appointed by the Chairperson of

the Council, representing both establishments and designated 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 the office of that Inspector General, 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

1 “(II) an internal investigation of  
2 the allegation may appear not to be  
3 objective.

4 “(B) DEFINITION.—In this paragraph the  
5 term ‘staff member’ means—

6 “(i) any employee of an Office of In-  
7 spector General who reports directly to an  
8 Inspector General; or

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

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

17 “(5) REVIEW OF ALLEGATIONS.—The Integrity  
18 Committee shall—

19 “(A) review all allegations of wrongdoing  
20 the Integrity Committee receives against an In-  
21 spector General, or against an employee of an  
22 Office of Inspector General;

23 “(B) refer any allegation of wrongdoing to  
24 the agency of the executive branch with appro-  
25 priate 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 under this subsection.

“(7) PROCEDURES FOR INVESTIGATIONS.—

1           “(A) STANDARDS APPLICABLE.—Investiga-  
 2           tions initiated under this subsection shall be  
 3           conducted in accordance with the most current  
 4           Quality Standards for Investigations issued by  
 5           the Council or by its predecessors (the Presi-  
 6           dent’s Council on Integrity and Efficiency and  
 7           the Executive Council on Integrity and Effi-  
 8           ciency).

9           “(B) ADDITIONAL POLICIES AND PROCE-  
 10          DURES.—

11           “(i) ESTABLISHMENT.—The Integrity  
 12           Committee, in conjunction with the Chair-  
 13           person of the Council, shall establish addi-  
 14           tional policies and procedures necessary to  
 15           ensure fairness and consistency in—

16                   “(I) determining whether to ini-  
 17                   tiate an investigation;

18                   “(II) conducting investigations;

19                   “(III) reporting the results of an  
 20                   investigation; and

21                   “(IV) providing the person who is  
 22                   the subject of an investigation with an  
 23                   opportunity to respond to any Integ-  
 24                   rity Committee report.

1                   “(ii) SUBMISSION TO CONGRESS.—

2                   The Council shall submit a copy of the  
3                   policies and procedures established under  
4                   clause (i) to the congressional committees  
5                   of jurisdiction.

6                   “(C) REPORTS.—

7                   “(i) POTENTIALLY MERITORIOUS AL-  
8                   LEGATIONS.—For allegations referred to  
9                   under paragraph (5)(C), the Chairperson  
10                  of the Integrity Committee shall make a  
11                  report containing the results of the inves-  
12                  tigation of the Chairperson and shall pro-  
13                  vide such report to members of the Integ-  
14                  rity Committee.

15                  “(ii) ALLEGATIONS OF WRONG-  
16                  DOING.—For allegations referred to under  
17                  paragraph (5)(B), the head of an agency  
18                  shall make a report containing the results  
19                  of the investigation and shall provide such  
20                  report to members of the Integrity Com-  
21                  mittee.

22                  “(8) ASSESSMENT AND FINAL DISPOSITION.—

23                  “(A) IN GENERAL.—With respect to any  
24                  report received under paragraph (7)(C), the In-  
25                  tegrity Committee shall—



1 “(i) assess the report;

2 “(ii) forward the report, with the rec-  
3 ommendations of the Integrity Committee,  
4 including those on disciplinary action,  
5 within 180 days (to the maximum extent  
6 practicable) after the completion of the in-  
7 vestigation, to the Executive Chairperson  
8 of the Council and to the President (in the  
9 case of a report relating to an Inspector  
10 General of an establishment or any em-  
11 ployee of that Inspector General) or the  
12 head of a designated Federal entity (in the  
13 case of a report relating to an Inspector  
14 General of such an entity or any employee  
15 of that Inspector General) for resolution;  
16 and

17 “(iii) submit to the congressional com-  
18 mittees of jurisdiction an executive sum-  
19 mary of such report and recommendations  
20 within 30 days after the submission of  
21 such report to the Executive Chairperson  
22 under clause (ii).

23 “(B) DISPOSITION.—The Executive Chair-  
24 person of the Council shall report to the Integ-  
25 rity Committee the final disposition of the mat-

1           ter, including what action was taken by the  
2           President or agency head.

3           “(9) ANNUAL REPORT.—The Council shall sub-  
4           mit to Congress and the President by December 31  
5           of each year a report on the activities of the Integ-  
6           rity Committee during the preceding fiscal year,  
7           which shall include the following:

8                   “(A) The number of allegations received.

9                   “(B) The number of allegations referred to  
10           other agencies, including the number of allega-  
11           tions referred for criminal investigation.

12                   “(C) The number of allegations referred to  
13           the Chairperson of the Integrity Committee for  
14           investigation.

15                   “(D) The number of allegations closed  
16           without referral.

17                   “(E) The date each allegation was received  
18           and the date each allegation was finally dis-  
19           posed of.

20                   “(F) In the case of allegations referred to  
21           the Chairperson of the Integrity Committee, a  
22           summary of the status of the investigation of  
23           the allegations and, in the case of investigations  
24           completed during the preceding fiscal year, a  
25           summary of the findings of the investigations.

1           “(G) Other matters that the Council con-  
2           siders appropriate.

3           “(10) REQUESTS FOR MORE INFORMATION.—  
4           With respect to paragraphs (8) and (9), the Council  
5           shall provide more detailed information about spe-  
6           cific allegations upon request from any of the fol-  
7           lowing:

8                   “(A) The chairperson or ranking member  
9                   of the Committee on Homeland Security and  
10                  Governmental Affairs of the Senate.

11                  “(B) The chairperson or ranking member  
12                  of the Committee on Oversight and Government  
13                  Reform of the House of Representatives.

14                  “(C) The chairperson or ranking member  
15                  of the congressional committees of jurisdiction.

16           “(11) NO RIGHT OR BENEFIT.—This subsection  
17           is not intended to create any right or benefit, sub-  
18           stantive or procedural, enforceable at law by a per-  
19           son against the United States, its agencies, its offi-  
20           cers, or any person.”.

21           (b) EXISTING EXECUTIVE ORDERS.—Executive  
22           Order 12805, dated May 11, 1992, and Executive Order  
23           12993, dated March 21, 1996, shall have no force or ef-  
24           fect.

25           (c) TECHNICAL AND CONFORMING AMENDMENTS.—

1           (1) INSPECTOR GENERAL ACT OF 1978.—The  
 2       Inspector General Act of 1978 (5 U.S.C. App.) is  
 3       amended—

4           (A) in sections 2(1), 4(b)(2), and  
 5       8G(a)(1)(A) by striking “section 11(2)” each  
 6       place it appears and inserting “section 12(2)”;  
 7       and

8           (B) in section 8G(a), in the matter pre-  
 9       ceding paragraph (1), by striking “section 11”  
 10      and inserting “section 12”.

11          (2) SEPARATE APPROPRIATIONS ACCOUNT.—  
 12      Section 1105(a) of title 31, United States Code, is  
 13      amended by striking the first paragraph (33) and in-  
 14      serting the following:

15          “(33) a separate appropriation account for ap-  
 16      propriations for the Council of the Inspectors Gen-  
 17      eral on Integrity and Efficiency, and, included in  
 18      that account, a separate statement of the aggregate  
 19      amount of appropriations requested for each acad-  
 20      emy maintained by the Council of the Inspectors  
 21      General on Integrity and Efficiency.”.

22      **SEC. 8. SUBMISSION OF BUDGET REQUESTS TO CONGRESS.**

23      Section 6 of the Inspector General Act of 1978 (5  
 24      U.S.C. App.) is amended by adding at the end the fol-  
 25      lowing:

1       “(f)(1) For each fiscal year, an Inspector General  
 2 shall transmit a budget estimate and request to the head  
 3 of the agency, board, or commission to which the Inspector  
 4 General reports. The budget request shall specify the ag-  
 5 gregate amount of funds requested for such fiscal year for  
 6 the operations of that Inspector General and shall specify  
 7 the amount requested for all training requirements, in-  
 8 cluding a certification from the Inspector General that the  
 9 amount requested satisfies all training requirements for  
 10 the Inspector General’s office for that fiscal year, and any  
 11 resources necessary to support the Council of the Inspec-  
 12 tors General on Integrity and Efficiency. Resources nec-  
 13 essary to support the Council of the Inspectors General  
 14 on Integrity and Efficiency shall be specifically identified  
 15 and justified in the budget request.

16       “(2) In transmitting a proposed budget to the Presi-  
 17 dent for approval, the head of each agency, board or com-  
 18 mission shall include—

19               “(A) an aggregate request for the Inspector  
 20 General;

21               “(B) amounts for Inspector General training;

22               “(C) amounts for support of the Council of the  
 23 Inspectors General on Integrity and Efficiency; and

24               “(D) any comments of the affected Inspector  
 25 General with respect to the proposal.

1 “(3) The President shall include in each budget of  
2 the United States Government submitted to Congress—

3 “(A) a separate statement of the budget esti-  
4 mate prepared in accordance with paragraph (1);

5 “(B) the amount requested by the President for  
6 each Inspector General;

7 “(C) training of Inspectors General;

8 “(D) support for the Council of the Inspectors  
9 General on Integrity and Efficiency; and

10 “(E) any comments of the affected Inspector  
11 General with respect to the proposal, including  
12 whether the budget request submitted by the head of  
13 the establishment would substantially inhibit the In-  
14 spector General from performing the duties of the  
15 office.”.

16 **SEC. 9. SUBPOENA POWER.**

17 Section 6(a)(4) of the Inspector General Act of 1978  
18 (5 U.S.C. App.) is amended—

19 (1) by inserting “in any medium (including  
20 electronically stored information, as well as any tan-  
21 gible thing)” after “other data”; and

22 (2) by striking “subpena” and inserting “sub-  
23 poena”.

1 **SEC. 10. PROGRAM FRAUD CIVIL REMEDIES ACT.**

2 Section 3801(a)(1) of title 31, United States Code,  
3 is amended—

4 (1) in subparagraph (C), by striking “and”  
5 after the semicolon;

6 (2) in subparagraph (D), by adding “and” after  
7 the semicolon; and

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

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

12 **SEC. 11. LAW ENFORCEMENT AUTHORITY FOR DESIGNAT-**  
13 **ED FEDERAL ENTITIES.**

14 Section 6(e) of the Inspector General Act of 1978 (5  
15 U.S.C. App.) is amended—

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

18 (2) by adding at the end the following:

19 “(9) In this subsection the term ‘Inspector Gen-  
20 eral’ means an Inspector General appointed under  
21 section 3 or an Inspector General appointed under  
22 section 8G.”.

1 **SEC. 12. APPLICATION OF SEMIANNUAL REPORTING RE-**  
 2 **QUIREMENTS WITH RESPECT TO INSPECTION**  
 3 **REPORTS AND EVALUATION REPORTS.**

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

6 (1) in each of subsections (a)(6), (a)(8), (a)(9),  
 7 (b)(2), and (b)(3)—

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

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

13 (2) in subsection (a)(10) by inserting “, inspec-  
 14 tion reports, and evaluation reports” after “audit re-  
 15 ports”.

16 **SEC. 13. INFORMATION ON WEBSITES OF OFFICES OF IN-**  
 17 **SPECTORS GENERAL.**

18 (a) DEFINITION.—In this section the term “agency”  
 19 means a Federal agency as defined under section 11(5)  
 20 of the Inspector General Act of 1978 (5 U.S.C. App.).

21 (b) DIRECT LINKS TO INSPECTORS GENERAL OF-  
 22 FICES.—

23 (1) IN GENERAL.—Each agency shall establish  
 24 and maintain on the homepage of the website of that  
 25 agency, a direct link to the website of the Office of  
 26 the Inspector General of that agency.



1           (2) ACCESSIBILITY.—The direct link under  
 2       paragraph (1) shall be obvious and facilitate accessi-  
 3       bility to the website of the Office of the Inspector  
 4       General.

5       (c) REQUIREMENTS FOR INSPECTORS GENERAL  
 6 WEBSITES.—

7           (1) POSTING OF REPORTS AND AUDITS.—The  
 8       Inspector General of each agency shall—

9               (A) in accordance with section 552a of title  
 10       5, United States Code (commonly referred to as  
 11       the Privacy Act), not later than 3 working days  
 12       after any report or audit (or portion of any re-  
 13       port or audit), that is subject to release under  
 14       section 552 of that title (commonly referred to  
 15       as the Freedom of Information Act), is made  
 16       publicly available, post that report or audit (or  
 17       portion of that report or audit) on the website  
 18       of the Office of the Inspector General; and

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

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

- 1 (ii) includes a summary of the find-  
2 ings of the Inspector General; and  
3 (iii) is in a format that—  
4 (I) is searchable and download-  
5 able; and  
6 (II) facilitates printing by indi-  
7 viduals of the public accessing the  
8 website.

9 (2) REPORTING OF FRAUD, WASTE, AND  
10 ABUSE.—

11 (A) IN GENERAL.—The Inspector General  
12 of each agency shall establish and maintain a  
13 direct link on the homepage of the website of  
14 the Office of the Inspector General for individ-  
15 uals to report fraud, waste, and abuse. Individ-  
16 uals reporting fraud, waste, or abuse using the  
17 direct link established under this paragraph  
18 shall not be required to provide personally iden-  
19 tifying information relating to that individual.

20 (B) ANONYMITY.—The Inspector General  
21 of each agency shall not disclose the identity of  
22 any individual making a report under this para-  
23 graph without the consent of the individual un-  
24 less the Inspector General determines that such

1 a disclosure is unavoidable during the course of  
 2 the investigation.

3 (d) IMPLEMENTATION.—Not later than 180 days  
 4 after the date of enactment of this Act, the head of each  
 5 agency and the Inspector General of each agency shall im-  
 6 plement this section.

7 **SEC. 14. INVESTIGATIONS OF DEPARTMENT OF JUSTICE**  
 8 **PERSONNEL.**

9 (a) AMENDMENT TO REQUIREMENT RELATING TO  
 10 CERTAIN REFERRALS.—Section 8E(b) of the Inspector  
 11 General Act of 1978 (5 U.S.C. App.) is amended by strik-  
 12 ing paragraph (3).

13 (b) TECHNICAL AND CONFORMING AMENDMENTS.—  
 14 Section 8E of the Inspector General Act of 1978 (5 U.S.C.  
 15 App.) is further amended—

16 (1) in subsection (b)—

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

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

21 (C) by redesignating paragraph (5) as  
 22 paragraph (4) and in that paragraph by strik-  
 23 ing “(4)” and inserting “(3)”; and

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

4 **SEC. 15. OTHER ADMINISTRATIVE AUTHORITIES.**

5       (a) IN GENERAL.—Section 6(d) of the Inspector Gen-  
6       eral Act of 1978 (5 U.S.C. App.) is amended to read as  
7       follows:

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

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

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

17       “(B) This paragraph applies with respect to the fol-  
18       lowing provisions of title 5, United States Code:

19           “(i) Subchapter II of chapter 35.

20           “(ii) Sections 8335(b), 8336, 8344, 8414,  
21       8468, and 8425(b).

22           “(iii) All provisions relating to the Senior Exec-  
23       utive Service (as determined by the Office of Per-  
24       sonnel Management), subject to paragraph (2).

1       “(2) For purposes of applying section 4507(b) of title  
 2 5, United States Code, paragraph (1)(A)(ii) shall be ap-  
 3 plied by substituting ‘the Council of the Inspectors Gen-  
 4 eral on Integrity and Efficiency (established by section 11  
 5 of the Inspector General Act) shall’ for ‘the Inspector Gen-  
 6 eral who is the head of an office referred to in clause (i)  
 7 shall, with respect to such office,’.”.

8       (b) **AUTHORITY OF TREASURY INSPECTOR GENERAL**  
 9 **FOR TAX ADMINISTRATION TO PROTECT INTERNAL REV-**  
 10 **ENUE SERVICE EMPLOYEES.**—Section 8D(k)(1)(C) of the  
 11 Inspector General Act of 1978 (5 U.S.C. App.) is amended  
 12 by striking “and the providing of physical security”.

13 **SEC. 16. GOVERNMENT ACCOUNTABILITY OFFICE RE-**  
 14 **PORTS.**

15       (a) **IN GENERAL.**—

16           (1) **SUBMISSION.**—Not later than 360 days  
 17 after the date of enactment of this Act, the Govern-  
 18 ment Accountability Office shall submit a report ex-  
 19 amining the adequacy of mechanisms to ensure ac-  
 20 countability of the Offices of Inspector General to—

21                   (A) the Committee on Homeland Security  
 22 and Governmental Affairs of the Senate; and

23                   (B) the Committee on Government Reform  
 24 of the House of Representatives.

1           (2) CONTENTS.—The report submitted under  
2 paragraph (1) shall examine—

3           (A) the practices, policies, and procedures  
4 of the Integrity Committee of the Council of the  
5 Inspectors General on Integrity and Efficiency  
6 (and its predecessor committee); and

7           (B) the practices, policies, and procedures  
8 of the Offices of Inspector General with respect  
9 to complaints by and about employees of any  
10 Office of Inspector General that are not within  
11 the jurisdiction of the Integrity Committee.

12       (b) PAY OF INSPECTORS GENERAL.—Not later than  
13 270 days after the date of enactment of this Act, the Gov-  
14 ernment Accountability Office shall submit a report to the  
15 congressional committees of jurisdiction on the implemen-  
16 tation of section 4.

○