

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 9087
OFFERED BY MR. MILLS OF FLORIDA**

At the appropriate place, insert the following:

1 **SEC. ____ . OFFICE OF INSPECTOR GENERAL FOR FOREIGN**
2 **ASSISTANCE UNDER STATE DEPARTMENT.**

3 (a) PURPOSE.—The purpose of this section is to pro-
4 vide for the independent and objective conduct and super-
5 vision of audits and investigations relating to the pro-
6 grams and operations funded with amounts appropriated
7 or otherwise made available for foreign assistance, includ-
8 ing humanitarian assistance, foreign development assist-
9 ance, and related emergency assistance.

10 (b) DEFINITIONS.—In this section:

11 (1) APPROPRIATE CONGRESSIONAL COMMIT-
12 TEES.—The term “appropriate congressional com-
13 mittees” means—

14 (A) the Committee on Appropriations of
15 the Senate;

16 (B) the Committee on Foreign Relations of
17 the Senate;

18 (C) the Committee on Homeland Security
19 and Governmental Affairs of the Senate;

1 (D) the Committee on Appropriations of
2 the House of Representatives;

3 (E) the Committee on Foreign Affairs of
4 the House of Representatives; and

5 (F) the Committee on Oversight and Gov-
6 ernment Reform of the House of Representa-
7 tives.

8 (2) FOREIGN ASSISTANCE.—The term “foreign
9 assistance” means amounts appropriated or other-
10 wise made available for any fiscal year for—

11 (A) programs currently or formerly admin-
12 istered by the United States Agency for Inter-
13 national Development, the Millennium Chal-
14 lenge Corporation, the United States African
15 Development Foundation, and the Inter-Amer-
16 ican Foundation;

17 (B) programs funded with appropriations,
18 other than Department of Defense appropria-
19 tions, for foreign assistance programs adminis-
20 tered pursuant to part I, chapters 1, 9, and 10
21 and part II, chapter 4 of the Foreign Assist-
22 ance Act (22 U.S.C. 2151 et seq., 2292 et seq.,
23 2293 et seq., 2346 et seq.), the Food for Peace
24 Act (7 U.S.C. 1691 et seq.), the Millennium
25 Challenge Act of 2003 (22 U.S.C. 7701 et

1 seq.), the United States African Development
2 Foundation Act (title V of Public Law 96–533;
3 22 U.S.C. 290h et seq.), and the Food for
4 Progress Act of 1985 (7 U.S.C. 1736o), or suc-
5 cessor legislation; and

6 (C) any other non-military foreign assist-
7 ance programs including global health, develop-
8 ment assistance, international disaster assist-
9 ance, food assistance and food security, and
10 economic support.

11 (c) OFFICE OF THE INSPECTOR GENERAL FOR FOR-
12 EIGN ASSISTANCE.—The Office of the Inspector General
13 for the United States Agency for International Develop-
14 ment is hereby redesignated as the “Office of the Inspec-
15 tor General for Foreign Assistance”. The Office shall
16 carry out activities in accordance with the purpose out-
17 lined in subsection (a).

18 (d) AMENDMENTS TO INSPECTOR GENERAL ACT OF
19 1978.—Chapter 4 of title 5, United States Code is amend-
20 ed—

21 (1) in section 401—

22 (A) in paragraph (1), by striking “Agency
23 for International Development,”; and

1 (B) in paragraph (3), by striking “Admin-
2 istrator of the Agency for International Devel-
3 opment,”;

4 (2) in section 402(a), by adding at the end the
5 following new paragraph:

6 “(3) DEPARTMENT OF STATE.—In the estab-
7 lishment of the Department of State, there is estab-
8 lished—

9 “(A) an Office of Inspector General of the
10 Department of State; and

11 “(B) an Office of Inspector General for
12 Foreign Assistance.”;

13 (3) in section 406(f)(3), by striking “Agency
14 for International Development,”;

15 (4) in section 409—

16 (A) in the section heading, by striking
17 “**Agency for International Develop-**
18 **ment**” and inserting “**Inspector General**
19 **for Foreign Assistance**”;

20 (B) by amending subsection (a) to read as
21 follows:

22 “(a) DEFINITION, DUTIES AND RESPONSIBILITIES
23 OF INSPECTOR GENERAL FOR FOREIGN ASSISTANCE.—
24 The Inspector General for Foreign Assistance shall exer-
25 cise all duties and responsibilities of an Inspector General

1 of an establishment with respect to any agency, with the
2 exception of the Department of Defense, on all matters
3 relating to foreign assistance including global health, de-
4 velopment assistance, international disaster assistance,
5 food assistance and food security, and economic support,
6 including jurisdiction for—

7 “(1) all programs funded with appropriations,
8 other than Department of Defense appropriations,
9 for foreign assistance programs, other than Depart-
10 ment of Defense programs, administered pursuant to
11 part I, chapters 1, 9, and 10 and part II, chapter
12 4 of the Foreign Assistance Act (22 U.S.C. 2151 et
13 seq., 2292 et seq., 2293 et seq., 2346 et seq.), the
14 Food for Peace Act (7 U.S.C. 1691 et seq.), the Mil-
15 lennium Challenge Act of 2003 (22 U.S.C. 7701 et
16 seq.), the United States African Development Foun-
17 dation Act (title V of Public Law 96–533; 22 U.S.C.
18 290h et seq.), and the Food for Progress Act of
19 1985 (7 U.S.C. 1736o), or successor legislation; and

20 “(2) programs currently or formerly adminis-
21 tered by the United States Agency for International
22 Development, the Millennium Challenge Corporation,
23 the United States African Development Foundation,
24 and the Inter-American Foundation.”;

1 (C) by redesignating subsections (b), (c),
2 and (d) as subsections (d), (e), and (f), respec-
3 tively;

4 (D) by inserting after subsection (a) the
5 following new subsections:

6 “(b) COORDINATION OF FOREIGN ASSISTANCE
7 OVERSIGHT.—The Inspector General for Foreign Assist-
8 ance shall conduct audits, evaluations, inspections, and in-
9 vestigations, by coordinating with the Offices of Inspectors
10 General of the respective agencies responsible for—

11 “(1) all foreign assistance programs, other than
12 Department of Defense programs, administered pur-
13 suant to part I, chapters 1, 9, and 10 and part II,
14 chapter 4 of the Foreign Assistance Act (22 U.S.C.
15 2151 et seq., 2292 et seq., 2293 et seq., 2346 et
16 seq.), the Food for Peace Act (7 U.S.C. 1691 et
17 seq.), the Millennium Challenge Act of 2003 (22
18 U.S.C. 7701 et seq.), the United States African De-
19 velopment Foundation Act (title V of Public Law
20 96–533; 22 U.S.C. 290h et seq.), and the Food for
21 Progress Act of 1985 (7 U.S.C. 1736o), or successor
22 legislation; and

23 “(2) programs currently or formerly adminis-
24 tered by the United States Agency for International
25 Development, the Millennium Challenge Corporation,

1 the United States African Development Foundation,
2 and the Inter-American Foundation.

3 “(c) ASSISTANCE FROM FEDERAL AGENCIES.—

4 “(1) IN GENERAL.—Upon request of the In-
5 spector General for Foreign Assistance for informa-
6 tion or assistance from any department, agency, or
7 other entity of the Federal Government, with the ex-
8 ception of the Department of Defense, the head of
9 such entity shall, insofar as is practicable and not in
10 contravention of any existing law, furnish such infor-
11 mation or assistance to the Inspector General, or an
12 authorized designee.

13 “(2) REPORTING OF REFUSED ASSISTANCE.—

14 Whenever information or assistance requested by the
15 Inspector General is, in the judgment of the Inspec-
16 tor General, unreasonably refused or not provided,
17 the Inspector General shall report the circumstances
18 to the Secretary of State and the head of the entity
19 concerned, as appropriate, and to the appropriate
20 congressional committees without delay.”;

21 (E) in subsection (d), as redesignated by
22 subparagraph (C), by striking “of the Agency
23 for International Development” and inserting
24 “for Foreign Assistance”;

1 (F) in subsection (e), as so redesignated,
2 by striking “Administrator of the International
3 Development” and inserting “Secretary of
4 State”; and

5 (G) in subsection (f), by striking “of the
6 Agency for International Development” and in-
7 serting “for Foreign Assistance”; and

8 (5) in section 419(c)(1), by striking “Inspector
9 General of the United States Agency for Inter-
10 national Development” and inserting “Inspector
11 General for Foreign Assistance”.

12 (e) AVAILABILITY OF PREVIOUSLY APPROPRIATED
13 FUNDS.—Amounts otherwise available to the Office of In-
14 spector General for the United States Agency for Inter-
15 national Development shall remain available to the Inspec-
16 tor General for Foreign Assistance.

