

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 2681
OFFERED BY MR. CONNOLLY OF VIRGINIA**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Integrity Committee
3 Transparency Act of 2021”.

**4 SEC. 2. ADDITIONAL INFORMATION TO BE INCLUDED IN
5 REQUESTS AND REPORTS TO CONGRESS.**

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

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

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

1 **SEC. 3. AVAILABILITY OF INFORMATION TO MEMBERS OF**
2 **CONGRESS REGARDING CERTAIN ALLEGA-**
3 **TIONS OF WRONGDOING CLOSED WITHOUT**
4 **REFERRAL.**

5 (a) AVAILABILITY OF INFORMATION TO MEMBERS OF
6 CONGRESS.—Section 11(d)(5)(B) of the Inspector Gen-
7 eral Act of 1978 (5 U.S.C. App) is amended by adding
8 at the end the following:

9 “(iii) AVAILABILITY OF INFORMATION
10 TO MEMBERS OF CONGRESS.—

11 “(I) IN GENERAL.—With respect
12 to an allegation of wrongdoing made
13 by a member of Congress that is
14 closed by the Integrity Committee
15 without referral to the Chairperson of
16 the Integrity Committee to initiate an
17 investigation, the Chairperson of the
18 Integrity Committee shall, not later
19 than 60 days after closing such alle-
20 gation, provide a written description
21 of the nature of the allegation of
22 wrongdoing and how the Integrity
23 Committee evaluated the allegation of
24 wrongdoing to—

25 “(aa) the Chair and Rank-
26 ing Member of the Committee on

1 Oversight and Reform of the
2 House of Representatives;

3 “(bb) the Chair and Rank-
4 ing Member of the Committee on
5 Homeland Security and Govern-
6 mental Affairs of the Senate;

7 “(cc) a member of the
8 House of Representatives who
9 has the support of any seven
10 members of the Committee on
11 Oversight and Reform of the
12 House of Representatives; or

13 “(dd) a member of the Sen-
14 ate who has the support of any
15 five members of the Committee
16 on Homeland Security and Gov-
17 ernmental Affairs of the Senate.

18 “(II) REQUIREMENT TO FOR-
19 WARD.—The Chairperson of the In-
20 tegrity Committee shall forward any
21 written description or update provided
22 under this clause to the members of
23 the Integrity Committee and to the
24 Chairperson of the Council.”.

1 **SEC. 4. SEMIANNUAL REPORT.**

2 Section 11(d)(9) of the Inspector General Act of
3 1978 (5 U.S.C. App.) is amended to read as follows:

4 “(9) SEMIANNUAL REPORT.—On or before May
5 31, 2022, and every six months thereafter, the
6 Council shall submit to Congress and the President
7 a report on the activities of the Integrity Committee
8 during the immediately preceding six-month periods
9 ending March 31 and September 30, which shall in-
10 clude the following with respect to allegations of
11 wrongdoing that are made against Inspectors Gen-
12 eral and staff members of the various Offices of In-
13 spector General described under paragraph (4)(C):

14 “(A) An overview and analysis of the alle-
15 gations of wrongdoing disposed of by the Integ-
16 rity Committee, including—

17 “(i) analysis of the positions held by
18 individuals against whom allegations were
19 made, including the duties affiliated with
20 such positions;

21 “(ii) analysis of the categories or
22 types of the allegations of wrongdoing; and

23 “(iii) a summary of disposition of all
24 the allegations.

25 “(B) The number of allegations referred to
26 the Department of Justice or the Office of Spe-

1 cial Counsel, including the number of allega-
2 tions referred for criminal investigation.

3 “(C) The number of allegations referred to
4 the Chairperson of the Integrity Committee for
5 investigation, a general description of the status
6 of such investigations, and a summary of the
7 findings of investigations completed.

8 “(D) An overview and analysis of allega-
9 tions of wrongdoing received by the Integrity
10 Committee during any previous reporting pe-
11 riod, but remained pending during some part of
12 the six months covered by the report, includ-
13 ing—

14 “(i) analysis of the positions held by
15 individuals against whom allegations were
16 made, including the duties affiliated with
17 such positions;

18 “(ii) analysis of the categories or
19 types of the allegations of wrongdoing; and

20 “(iii) a summary of disposition of all
21 the allegations.

22 “(E) The number and category or type of
23 pending investigations.

24 “(F) For each allegation received—

1 “(i) the date on which the investiga-
2 tion was opened;

3 “(ii) the date on which the allegation
4 was disposed of, as applicable;

5 “(iii) the case number associated with
6 the allegation.

7 “(G) The nature and number of allegations
8 to the Integrity Committee closed without refer-
9 ral, including the justification for why each alle-
10 gation was closed without referral.

11 “(H) A brief description of any difficulty
12 encountered by the Integrity Committee when
13 receiving, evaluating, investigating, or referring
14 for investigation an allegation received by the
15 Integrity Committee, including a brief descrip-
16 tion of—

17 “(i) any attempt to prevent or hinder
18 an investigation; or

19 “(ii) concerns about the integrity or
20 operations at an Office of Inspector Gen-
21 eral.”.

22 **SEC. 5. ADDITIONAL REPORTS; RULES OF CONSTRUCTION.**

23 Section 11(d) of the Inspector General Act of 1978
24 (5 U.S.C. App) is amended by adding at the end the fol-
25 lowing:

1 “(14) ADDITIONAL REPORTS.—

2 “(A) REPORT TO INSPECTOR GENERAL.—

3 The Chairperson of the Integrity Committee
4 shall submit a report immediately whenever the
5 Chairperson of the Integrity Committee be-
6 comes aware of particularly serious or flagrant
7 problems, abuses, or deficiencies relating to the
8 administration of programs and operations of
9 an Office of Inspector General. The report shall
10 be sent to the Inspector General who leads the
11 Office of Inspector General at which the serious
12 or flagrant problems, abuses, or deficiencies
13 were alleged.

14 “(B) REPORT TO CONGRESS.—The Inspec-
15 tor General of the Office identified by the In-
16 tegrity Committee shall submit any such report
17 to the House Committee on Oversight and Re-
18 form and the Senate Committee on Homeland
19 Security and Governmental Affairs within seven
20 calendar days from the time the Inspector Gen-
21 eral receives the report together with a report
22 by the Inspector General at the Office identified
23 by the Integrity Committee containing any com-
24 ments such Inspector General deems appro-
25 priate.

1 “(15) RULE OF CONSTRUCTION.—

2 “(A) PUBLIC DISCLOSURE OF INFORMA-
3 TION.—Except as provided in subparagraph
4 (B), nothing in this subsection shall be con-
5 strued to authorize the public disclosure of in-
6 formation which is—

7 “(i) prohibited from disclosure by any
8 other provision of law;

9 “(ii) required by Executive order to be
10 protected from disclosure in the interest of
11 national defense or national security or in
12 the conduct of foreign affairs; or

13 “(iii) a part of an ongoing criminal in-
14 vestigation.

15 “(B) PROVISION OF REPORT TO REQUEST-
16 ING MEMBERS OF CONGRESS.—Subject to any
17 other provision of law that would otherwise pro-
18 hibit disclosure of such information, the infor-
19 mation described in subparagraph (A) may be
20 provided to any Member of Congress upon re-
21 quest of the Member.

22 “(16) PROHIBITED DISCLOSURES.—The Integ-
23 rity Committee may not provide or otherwise disclose
24 to Congress or the public any information that re-
25 veals the personally identifiable information of an in-

1 dividual who alleges wrongdoing to the Integrity
2 Committee under this subsection unless the Integrity
3 Committee first obtains the consent of the indi-
4 vidual.”.

5 **SEC. 6. MEMBERSHIP OF INTEGRITY COMMITTEE.**

6 Section 11(d)(2) of the Inspector General Act of
7 1978 (5 U.S.C. App.) is amended—

8 (1) in subparagraph (A), by adding at the end
9 the following:

10 “(iv) The individual appointed under
11 subparagraph (C).”; and

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

13 “(C) APPOINTMENT OF FORMER INSPEC-
14 TOR GENERAL TO COMMITTEE.—

15 “(i) APPOINTMENT.—The Chair-
16 person of the Council shall appoint an indi-
17 vidual who prior to the date of such ap-
18 pointment served as an Inspector General
19 (as that position is described in section
20 3(a) and section 8G(a)(6)), and who has
21 upheld the highest standards of integrity
22 and professionalism while serving and since
23 leaving service as an Inspector General, as
24 determined by the Chairperson, to serve as
25 a member of the Committee unless no such

1 individual is available or willing to serve as
2 a member of the Committee at the time of
3 the appointment.

4 “(ii) INITIAL TERM.—The individual
5 appointed under clause (i) shall serve at
6 the pleasure of the Chairperson of the
7 Council for a 2-year term.

8 “(iii) ADDITIONAL TERM.—The Chair-
9 person of the Council may reappoint the
10 individual appointed under clause (i) to
11 serve at the pleasure of the Chairperson of
12 the Council for an additional term not to
13 exceed 2 years.

14 “(iv) COMPENSATION.—

15 “(I) SPECIAL GOVERNMENT EM-
16 PLOYEE DESIGNATION.—The indi-
17 vidual appointed under clause (i) shall
18 be considered a special government
19 employee pursuant to section 202(a)
20 of title 18, United States Code.

21 “(II) COMPENSATION AND TRAV-
22 EL EXPENSES.—An individual ap-
23 pointed under clause (i) may not re-
24 ceive compensation at a rate in excess
25 of the rate of basic pay for level IV of

1 the executive schedule under section
2 5315 of title 5, United States Code,
3 and any such individual, while en-
4 gaged in the performance of their du-
5 ties away from their homes or regular
6 places of business, may be allowed
7 travel expenses, including per diem in
8 lieu of subsistence, as authorized by
9 section 5703 of such title for persons
10 employed intermittently in the Gov-
11 ernment service.

12 “(III) ACCEPTANCE OF VOLUN-
13 TEER SERVICES.—The Chairperson of
14 the Council may accept volunteer serv-
15 ices from the individual appointed
16 under this subparagraph without re-
17 gard to section 1342 of title 31,
18 United States Code.

19 “(IV) PROVISIONS RELATING TO
20 REEMPLOYMENT.—

21 “(aa) The Chairperson of
22 the Council may reemploy annu-
23 itants.

24 “(bb) The employment of
25 annuitants under this paragraph

1 shall be subject to the provisions
2 of section 9902(g) of title 5,
3 United States Code, as if the
4 Council was the Department of
5 Defense.”.

6 **SEC. 7. REQUIREMENT TO REFER ALLEGATIONS OF**
7 **WRONGDOING AGAINST INSPECTOR GEN-**
8 **ERAL TO INTEGRITY COMMITTEE.**

9 (a) REQUIREMENT.—Section 11(d)(4) of the Inspec-
10 tor General Act of 1978 (5 U.S.C. App.) is amended—

11 (1) in subparagraph (A), in the heading, by
12 striking “REQUIREMENT” and inserting “ALLEGA-
13 TIONS AGAINST STAFF MEMBERS”;

14 (2) by redesignating subparagraphs (B) and
15 (C) as subparagraphs (C) and (D), respectively; and

16 (3) by inserting after subparagraph (A) the fol-
17 lowing:

18 “(B) ALLEGATIONS AGAINST INSPECTORS
19 GENERAL.—An Inspector General shall refer to
20 the Integrity Committee any allegation of
21 wrongdoing against that Inspector General.”.

22 (b) TECHNICAL AND CONFORMING AMENDMENT.—
23 Section 11(d)(1) of the Inspector General Act of 1978 (5
24 U.S.C. App.) is amended by striking “(4)(C)” and insert-
25 ing “(4)(D)”.

1 **SEC. 8. REQUIREMENT TO REPORT FINAL DISPOSITION TO**
2 **CONGRESS.**

3 Section 11(d)(8) of the Inspector General Act of
4 1978 (5 U.S.C. App.) is amended—

5 (1) in subparagraph (A)(iii), by inserting “con-
6 temporaneously with the submission of the report
7 under clause (ii),” before “submit”; and

8 (2) in subparagraph (B), by inserting “, the
9 Committee on Homeland Security and Governmental
10 Affairs of the Senate, the Committee on Oversight
11 and Reform of the House of Representatives, and
12 other congressional committees of jurisdiction,” after
13 “Integrity Committee”.

