

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 2662
OFFERED BY MRS. CAROLYN B. MALONEY OF
NEW YORK**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

2 (a) SHORT TITLE.—This Act may be cited as the “IG
3 Independence and Empowerment Act”.

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

Sec. 1. Short title; table of contents.

TITLE I—INSPECTOR GENERAL INDEPENDENCE

Sec. 101. Short title.

Sec. 102. Amendment.

TITLE II—CONGRESSIONAL NOTIFICATION OF CHANGE IN
STATUS OF INSPECTOR GENERAL

Sec. 201. Short title.

Sec. 202. Change in status of Inspector General offices.

Sec. 203. Presidential explanation of failure to nominate an Inspector General.

TITLE III—VACANCY OF INSPECTOR GENERAL POSITIONS

Sec. 301. Vacancy of Inspector General positions.

TITLE IV—COUNCIL OF INSPECTORS GENERAL ON INTEGRITY
AND EFFICIENCY TRANSPARENCY

Sec. 401. Short title.

Sec. 402. Additional information to be included in requests and reports to Congress.

Sec. 403. Availability of information to members of Congress regarding certain allegations of wrongdoing closed without referral.

Sec. 404. Semiannual report.

- Sec. 405. Additional reports; rules of construction.
- Sec. 406. Membership of Integrity Committee.
- Sec. 407. Requirement to refer allegations of wrongdoing against Inspector General to Integrity Committee.
- Sec. 408. Requirement to report final disposition to Congress.

TITLE V—ADDITIONAL AUTHORITY PROVISIONS FOR
INSPECTORS GENERAL

- Sec. 501. Short title.
- Sec. 502. Additional authority provisions for Inspectors General.

TITLE VI—INVESTIGATIONS OF DEPARTMENT OF JUSTICE
PERSONNEL

- Sec. 601. Short title.
- Sec. 602. Investigations of Department of Justice personnel.

TITLE VII—OFFICE OF INSPECTOR GENERAL WHISTLEBLOWER
COMPLAINTS

- Sec. 701. Short title.
- Sec. 702. Office of Inspector General whistleblower complaints.

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

- Sec. 801. Notice of ongoing investigations when there is a change in status of Inspector General.

TITLE IX—COUNCIL OF THE INSPECTORS GENERAL ON
INTEGRITY AND EFFICIENCY APPROPRIATION

- Sec. 901. CIGIE appropriation.

TITLE X—NOTICE OF REFUSAL TO PROVIDE INSPECTORS
GENERAL ACCESS

- Sec. 1001. Notice of refusal to provide information or assistance to Inspectors General.

TITLE XI—ENHANCEMENTS TO INSPECTOR GENERAL TRAINING

- Sec. 1101. Short title.
- Sec. 1102. Enhancements to Inspector General Training.

TITLE XII—BUDGETARY EFFECTS

- Sec. 1201. Determination of budgetary effects.

TITLE XIII—SEVERABILITY

- Sec. 1301. Severability.

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

3 **SEC. 101. SHORT TITLE.**

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

6 **SEC. 102. AMENDMENT.**

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

9 (1) in section 3(b)—

10 (A) by striking “An Inspector General”
11 and inserting:

12 “(1) An Inspector General”;

13 (B) by inserting after “by the President”
14 the following: “in accordance with paragraph
15 (2)”; and

16 (C) by inserting at the end the following
17 new paragraph:

18 “(2) The President may remove an Inspector
19 General only for any of the following grounds (and
20 the documentation of any such ground shall be in-
21 cluded in the communication required pursuant to
22 paragraph (1)):

23 “(A) Documented permanent incapacity.

24 “(B) Documented neglect of duty.

25 “(C) Documented malfeasance.

1 “(D) Documented conviction of a felony or
2 conduct involving moral turpitude.

3 “(E) Documented knowing violation of a
4 law or regulation.

5 “(F) Documented gross mismanagement.

6 “(G) Documented gross waste of funds.

7 “(H) Documented abuse of authority.

8 “(I) Documented inefficiency.”; and

9 (2) in section 8G(e)(2), by adding at the end
10 the following: “An Inspector General may be re-
11 moved only for any of the following grounds (and
12 the documentation of any such ground shall be in-
13 cluded in the communication required pursuant to
14 this paragraph):

15 “(A) Documented permanent incapacity.

16 “(B) Documented neglect of duty.

17 “(C) Documented malfeasance.

18 “(D) Documented conviction of a felony or
19 conduct involving moral turpitude.

20 “(E) Documented knowing violation of a
21 law or regulation.

22 “(F) Documented gross mismanagement.

23 “(G) Documented gross waste of funds.

24 “(H) Documented abuse of authority.

25 “(I) Documented inefficiency.”.

1 **TITLE II—CONGRESSIONAL NO-**
2 **TIFICATION OF CHANGE IN**
3 **STATUS OF INSPECTOR GEN-**
4 **ERAL**

5 **SEC. 201. SHORT TITLE.**

6 This title may be cited as the “Inspector General Pro-
7 tection Act”.

8 **SEC. 202. CHANGE IN STATUS OF INSPECTOR GENERAL OF-**
9 **OFFICES.**

10 (a) CHANGE IN STATUS OF INSPECTOR GENERAL OF
11 OFFICES.—Section 3(b) of the Inspector General Act of
12 1978 (5 U.S.C. App.) is amended—

13 (1) by inserting “, is placed on paid or unpaid
14 non-duty status,” after “is removed from office”;

15 (2) by inserting “, change in status,” after
16 “any such removal”; and

17 (3) by inserting “, change in status,” after “be-
18 fore the removal”.

19 (b) CHANGE IN STATUS OF INSPECTOR GENERAL OF
20 DESIGNATED FEDERAL ENTITIES.—Section 8G(e)(2) of
21 the Inspector General Act of 1978 (5 U.S.C. App.) is
22 amended—

23 (1) by inserting “, is placed on paid or unpaid
24 non-duty status,” after “office”;

1 (2) by inserting “, change in status,” after
2 “any such removal”; and

3 (3) by inserting “, change in status,” after “be-
4 fore the removal”.

5 (c) EFFECTIVE DATE.—The amendments made by
6 this section shall take effect 30 days after the date of the
7 enactment of this Act.

8 **SEC. 203. PRESIDENTIAL EXPLANATION OF FAILURE TO**
9 **NOMINATE AN INSPECTOR GENERAL.**

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

13 **“§ 3349e. Presidential explanation of failure to nomi-**
14 **nate an Inspector General**

15 “If the President fails to make a formal nomination
16 for a vacant Inspector General position that requires a for-
17 mal nomination by the President to be filled within the
18 period beginning on the date on which the vacancy oc-
19 curred and ending on the day that is 210 days after that
20 date, the President shall communicate, within 30 days
21 after the end of such period, to Congress in writing—

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

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

1 (b) CLERICAL AMENDMENT.—The table of sections
2 for chapter 33 of title 5, United States Code, is amended
3 by inserting after the item relating to 3349d the following
4 new item:

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

5 (c) EFFECTIVE DATE.—The amendment made by
6 subsection (a) shall take effect on the date of the enact-
7 ment of this Act and shall apply to any vacancy first oc-
8 ccurring on or after that date.

9 **TITLE III—VACANCY OF INSPEC-** 10 **TOR GENERAL POSITIONS**

11 **SEC. 301. VACANCY OF INSPECTOR GENERAL POSITIONS.**

12 (a) IN GENERAL.—Section 3345 of title 5, United
13 States Code, is amended by adding at the end the fol-
14 lowing:

15 “(d)(1) Notwithstanding subsection (a), if an Inspec-
16 tor General position that requires appointment by the
17 President by and with the advice and consent of the Sen-
18 ate to be filled is vacant, the first assistant of such posi-
19 tion shall perform the functions and duties of the Inspec-
20 tor General temporarily in an acting capacity subject to
21 the time limitations of section 3346.

22 “(2) Notwithstanding subsection (a), if for purposes
23 of carrying out paragraph (1) of this subsection, by reason
24 of absence, disability, or vacancy, the first assistant to the
25 position of Inspector General is not available to perform

1 the functions and duties of the Inspector General, an act-
2 ing Inspector General shall be appointed by the President
3 from among individuals serving in an office of any Inspec-
4 tor General, provided that—

5 “(A) during the 365-day period preceding the
6 date of death, resignation, or beginning of inability
7 to serve of the applicable Inspector General, the in-
8 dividual served in a position in an office of any In-
9 spector General for not less than 90 days; and

10 “(B) the rate of pay for the position of such in-
11 dividual is equal to or greater than the minimum
12 rate of pay payable for a position at GS–15 of the
13 General Schedule.”.

14 (b) APPLICATION.—The amendment made by sub-
15 section (a) shall apply to any vacancy first occurring with
16 respect to an Inspector General position on or after the
17 date of enactment of this Act.

18 **TITLE IV—COUNCIL OF INSPEC-**
19 **TORS GENERAL ON INTEG-**
20 **RITY AND EFFICIENCY**
21 **TRANSPARENCY**

22 **SEC. 401. SHORT TITLE.**

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

1 **SEC. 402. ADDITIONAL INFORMATION TO BE INCLUDED IN**
2 **REQUESTS AND REPORTS TO CONGRESS.**

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

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

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

15 **SEC. 403. AVAILABILITY OF INFORMATION TO MEMBERS OF**
16 **CONGRESS REGARDING CERTAIN ALLEGA-**
17 **TIONS OF WRONGDOING CLOSED WITHOUT**
18 **REFERRAL.**

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

23 “(iii) AVAILABILITY OF INFORMATION
24 TO MEMBERS OF CONGRESS.—

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

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

13 “(aa) the Chair and Rank-
14 ing Member of the Committee on
15 Oversight and Reform of the
16 House of Representatives;

17 “(bb) the Chair and Rank-
18 ing Member of the Committee on
19 Homeland Security and Govern-
20 mental Affairs of the Senate;

21 “(cc) a member of the
22 House of Representatives who
23 has the support of any seven
24 members of the Committee on

1 Oversight and Reform of the
2 House of Representatives; or

3 “(dd) a member of the Sen-
4 ate who has the support of any
5 five members of the Committee
6 on Homeland Security and Gov-
7 ernmental Affairs of the Senate.

8 “(II) REQUIREMENT TO FOR-
9 WARD.—The Chairperson of the In-
10 tegrity Committee shall forward any
11 written description or update provided
12 under this clause to the members of
13 the Integrity Committee and to the
14 Chairperson of the Council.”.

15 **SEC. 404. SEMIANNUAL REPORT.**

16 Section 11(d)(9) of the Inspector General Act of
17 1978 (5 U.S.C. App.) is amended to read as follows:

18 “(9) SEMIANNUAL REPORT.—On or before May
19 31, 2022, and every six months thereafter, the
20 Council shall submit to Congress and the President
21 a report on the activities of the Integrity Committee
22 during the immediately preceding six-month periods
23 ending March 31 and September 30, which shall in-
24 clude the following with respect to allegations of
25 wrongdoing that are made against Inspectors Gen-

1 eral and staff members of the various Offices of In-
2 specter General described under paragraph (4)(C):

3 “(A) An overview and analysis of the alle-
4 gations of wrongdoing disposed of by the Integ-
5 rity Committee, including—

6 “(i) analysis of the positions held by
7 individuals against whom allegations were
8 made, including the duties affiliated with
9 such positions;

10 “(ii) analysis of the categories or
11 types of the allegations of wrongdoing; and

12 “(iii) a summary of disposition of all
13 the allegations.

14 “(B) The number of allegations referred to
15 the Department of Justice or the Office of Spe-
16 cial Counsel, including the number of allega-
17 tions referred for criminal investigation.

18 “(C) The number of allegations referred to
19 the Chairperson of the Integrity Committee for
20 investigation, a general description of the status
21 of such investigations, and a summary of the
22 findings of investigations completed.

23 “(D) An overview and analysis of allega-
24 tions of wrongdoing received by the Integrity
25 Committee during any previous reporting pe-

1 riod, but remained pending during some part of
2 the six months covered by the report, includ-
3 ing—

4 “(i) analysis of the positions held by
5 individuals against whom allegations were
6 made, including the duties affiliated with
7 such positions;

8 “(ii) analysis of the categories or
9 types of the allegations of wrongdoing; and

10 “(iii) a summary of disposition of all
11 the allegations.

12 “(E) The number and category or type of
13 pending investigations.

14 “(F) For each allegation received—

15 “(i) the date on which the investiga-
16 tion was opened;

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

19 “(iii) the case number associated with
20 the allegation.

21 “(G) The nature and number of allegations
22 to the Integrity Committee closed without refer-
23 ral, including the justification for why each alle-
24 gation was closed without referral.

1 “(H) A brief description of any difficulty
2 encountered by the Integrity Committee when
3 receiving, evaluating, investigating, or referring
4 for investigation an allegation received by the
5 Integrity Committee, including a brief descrip-
6 tion of—

7 “(i) any attempt to prevent or hinder
8 an investigation; or

9 “(ii) concerns about the integrity or
10 operations at an Office of Inspector Gen-
11 eral.”.

12 **SEC. 405. ADDITIONAL REPORTS; RULES OF CONSTRUC-**
13 **TION.**

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

17 “(14) ADDITIONAL REPORTS.—

18 “(A) REPORT TO INSPECTOR GENERAL.—

19 The Chairperson of the Integrity Committee
20 shall submit a report immediately whenever the
21 Chairperson of the Integrity Committee be-
22 comes aware of particularly serious or flagrant
23 problems, abuses, or deficiencies relating to the
24 administration of programs and operations of
25 an Office of Inspector General. The report shall

1 be sent to the Inspector General who leads the
2 Office of Inspector General at which the serious
3 or flagrant problems, abuses, or deficiencies
4 were alleged.

5 “(B) REPORT TO CONGRESS.—The Inspec-
6 tor General of the Office identified by the In-
7 tegrity Committee shall submit any such report
8 to the House Committee on Oversight and Re-
9 form and the Senate Committee on Homeland
10 Security and Governmental Affairs within seven
11 calendar days from the time the Inspector Gen-
12 eral receives the report together with a report
13 by the Inspector General at the Office identified
14 by the Integrity Committee containing any com-
15 ments such Inspector General deems appro-
16 priate.

17 “(15) RULE OF CONSTRUCTION.—

18 “(A) PUBLIC DISCLOSURE OF INFORMA-
19 TION.—Except as provided in subparagraph
20 (B), nothing in this subsection shall be con-
21 strued to authorize the public disclosure of in-
22 formation which is—

23 “(i) prohibited from disclosure by any
24 other provision of law;

1 “(ii) required by Executive order to be
2 protected from disclosure in the interest of
3 national defense or national security or in
4 the conduct of foreign affairs; or

5 “(iii) a part of an ongoing criminal in-
6 vestigation.

7 “(B) PROVISION OF REPORT TO REQUEST-
8 ING MEMBERS OF CONGRESS.—Subject to any
9 other provision of law that would otherwise pro-
10 hibit disclosure of such information, the infor-
11 mation described in subparagraph (A) may be
12 provided to any Member of Congress upon re-
13 quest of the Member.

14 “(16) PROHIBITED DISCLOSURES.—The Integ-
15 rity Committee may not provide or otherwise disclose
16 to Congress or the public any information that re-
17 veals the personally identifiable information of an in-
18 dividual who alleges wrongdoing to the Integrity
19 Committee under this subsection unless the Integrity
20 Committee first obtains the consent of the indi-
21 vidual.”.

22 **SEC. 406. MEMBERSHIP OF INTEGRITY COMMITTEE.**

23 Section 11(d)(2) of the Inspector General Act of
24 1978 (5 U.S.C. App.) is amended—

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

3 “(iv) The individual appointed under
4 subparagraph (C).”; and

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

6 “(C) APPOINTMENT OF FORMER INSPEC-
7 TOR GENERAL TO COMMITTEE.—

8 “(i) APPOINTMENT.—The Chair-
9 person of the Council shall appoint an indi-
10 vidual who prior to the date of such ap-
11 pointment served as an Inspector General
12 (as that position is described in section
13 3(a) and section 8G(a)(6)), and who has
14 upheld the highest standards of integrity
15 and professionalism while serving and since
16 leaving service as an Inspector General, as
17 determined by the Chairperson, to serve as
18 a member of the Committee unless no such
19 individual is available or willing to serve as
20 a member of the Committee at the time of
21 the appointment.

22 “(ii) INITIAL TERM.—The individual
23 appointed under clause (i) shall serve at
24 the pleasure of the Chairperson of the
25 Council for a 2-year term.

1 “(iii) ADDITIONAL TERM.—The Chair-
2 person of the Council may reappoint the
3 individual appointed under clause (i) to
4 serve at the pleasure of the Chairperson of
5 the Council for an additional term not to
6 exceed 2 years.

7 “(iv) COMPENSATION.—

8 “(I) SPECIAL GOVERNMENT EM-
9 PLOYEE DESIGNATION.—The indi-
10 vidual appointed under clause (i) shall
11 be considered a special government
12 employee pursuant to section 202(a)
13 of title 18, United States Code.

14 “(II) COMPENSATION AND TRAV-
15 EL EXPENSES.—An individual ap-
16 pointed under clause (i) may not re-
17 ceive compensation at a rate in excess
18 of the rate of basic pay for level IV of
19 the executive schedule under section
20 5315 of title 5, United States Code,
21 and any such individual, while en-
22 gaged in the performance of their du-
23 ties away from their homes or regular
24 places of business, may be allowed
25 travel expenses, including per diem in

1 lieu of subsistence, as authorized by
2 section 5703 of such title for persons
3 employed intermittently in the Gov-
4 ernment service.

5 “(III) ACCEPTANCE OF VOLUN-
6 TEER SERVICES.—The Chairperson of
7 the Council may accept volunteer serv-
8 ices from the individual appointed
9 under this subparagraph without re-
10 gard to section 1342 of title 31,
11 United States Code.

12 “(IV) PROVISIONS RELATING TO
13 REEMPLOYMENT.—

14 “(aa) The Chairperson of
15 the Council may reemploy annu-
16 itants.

17 “(bb) The employment of
18 annuitants under this paragraph
19 shall be subject to the provisions
20 of section 9902(g) of title 5,
21 United States Code, as if the
22 Council was the Department of
23 Defense.”.

1 **SEC. 407. REQUIREMENT TO REFER ALLEGATIONS OF**
2 **WRONGDOING AGAINST INSPECTOR GEN-**
3 **ERAL TO INTEGRITY COMMITTEE.**

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

6 (1) in subparagraph (A), in the heading, by
7 striking “REQUIREMENT” and inserting “ALLEGA-
8 TIONS AGAINST STAFF MEMBERS”;

9 (2) by redesignating subparagraphs (B) and
10 (C) as subparagraphs (C) and (D), respectively; and

11 (3) by inserting after subparagraph (A) the fol-
12 lowing:

13 “(B) ALLEGATIONS AGAINST INSPECTORS
14 GENERAL.—An Inspector General shall refer to
15 the Integrity Committee any allegation of
16 wrongdoing against that Inspector General.”.

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

21 **SEC. 408. REQUIREMENT TO REPORT FINAL DISPOSITION**
22 **TO CONGRESS.**

23 Section 11(d)(8) of the Inspector General Act of
24 1978 (5 U.S.C. App.) is amended—

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

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

10 **TITLE V—ADDITIONAL AUTHOR-**
11 **ITY PROVISIONS FOR INSPEC-**
12 **TORS GENERAL**

13 **SEC. 501. SHORT TITLE.**

14 This title may be cited as the “IG Subpoena Author-
15 ity Act”.

16 **SEC. 502. ADDITIONAL AUTHORITY PROVISIONS FOR IN-**
17 **SPECTORS GENERAL.**

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

20 (1) by inserting after section 6 the following
21 new section:

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

23 **“(a) TESTIMONIAL SUBPOENA AUTHORITY.—**In ad-
24 dition to the authority otherwise provided by this Act and
25 in accordance with the requirements of this section, each

1 Inspector General, in carrying out the provisions of this
2 Act (or in the case of an Inspector General or Special In-
3 spector General not established under this Act, the provi-
4 sions of the authorizing statute), is authorized to require
5 by subpoena the attendance and testimony of witnesses
6 as necessary in the performance of the functions assigned
7 to the Inspector General by this Act (or in the case of
8 an Inspector General or Special Inspector General not es-
9 tablished under this Act, the functions assigned by the au-
10 thorizing statute), which in the case of contumacy or re-
11 fusal to obey, such subpoena shall be enforceable by order
12 of any appropriate United States district court. An Inspec-
13 tor General may not require by subpoena the attendance
14 and testimony of any Federal employee or employee of a
15 designated Federal entity, but may use other authorized
16 procedures.

17 “(b) LIMITATION OF DELEGATION.—The authority
18 to issue a subpoena under subsection (a) may only be dele-
19 gated to an official performing the functions and duties
20 of the Inspector General when an Inspector General posi-
21 tion is vacant or when the Inspector General is unable to
22 perform the functions and duties of the Office.

23 “(c) PANEL REVIEW BEFORE ISSUANCE.—

24 “(1) APPROVAL REQUIRED.—

1 “(A) REQUEST FOR APPROVAL BY SUB-
2 POENA PANEL.—Before the issuance of a sub-
3 poena described in subsection (a), an Inspector
4 General shall submit a request for approval to
5 issue a subpoena to a panel (in this section, re-
6 ferred to as the ‘Subpoena Panel’), which shall
7 be comprised of three Inspectors General of the
8 Council of the Inspectors General on Integrity
9 and Efficiency, who shall be designated by the
10 Inspector General serving as Chairperson of the
11 Council.

12 “(B) PROTECTION FROM DISCLOSURE.—
13 The information contained in the request sub-
14 mitted by an Inspector General under subpara-
15 graph (A) and the identification of a witness
16 shall be protected from disclosure to the extent
17 permitted by law. Any request for disclosure of
18 such information shall be submitted to the In-
19 specter General requesting the subpoena.

20 “(2) TIME TO RESPOND.—

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

1 “(B) ADDITIONAL INFORMATION FOR
2 PANEL.—If the Subpoena Panel determines
3 that additional information is necessary to ap-
4 prove or deny a request submitted by an In-
5 spector General under paragraph (1)(A), the
6 Subpoena Panel shall request such information
7 from the Inspector General and shall approve or
8 deny the request submitted by the Inspector
9 General under paragraph (1)(A) not later than
10 20 calendar days after the submission of the re-
11 quest under such paragraph.

12 “(3) DENIAL BY PANEL.—If a majority of the
13 Subpoena Panel denies the approval of a subpoena,
14 that subpoena may not be issued.

15 “(d) NOTICE TO ATTORNEY GENERAL.—

16 “(1) IN GENERAL.—If the Subpoena Panel ap-
17 proves a subpoena under subsection (c), the Inspec-
18 tor General shall notify the Attorney General that
19 the Inspector General intends to issue the subpoena.

20 “(2) DENIAL FOR INTERFERENCE WITH AN ON-
21 GOING INVESTIGATION.—Not later than 10 calendar
22 days after the date on which the Attorney General
23 is notified pursuant to paragraph (1), the Attorney
24 General may object to the issuance of the subpoena

1 because the subpoena will interfere with an ongoing
2 investigation and the subpoena may not be issued.

3 “(3) ISSUANCE OF SUBPOENA APPROVED.—If
4 the Attorney General declines to object or fails to
5 object to the issuance of the subpoena during the
6 10-day period described in paragraph (2), the In-
7 specter General may issue the subpoena.

8 “(e) GUIDELINES.—The Chairperson of the Council
9 of the Inspectors General on Integrity and Efficiency, in
10 consultation with the Attorney General, shall prescribe
11 guidelines to carry out this section.

12 “(f) INSPECTOR GENERAL DEFINED.—For purposes
13 of this section, the term ‘Inspector General’ includes each
14 Inspector General established under this Act and each In-
15 specter General or Special Inspector General not estab-
16 lished under this Act.

17 “(g) APPLICABILITY.—The provisions of this section
18 shall not affect the exercise of authority by an Inspector
19 General of testimonial subpoena authority established
20 under another provision of law.”;

21 (2) in section 5(a)—

22 (A) in paragraph (21)(B), by striking “;
23 and” and inserting a semicolon;

24 (B) in paragraph (22), by striking the pe-
25 riod at the end and inserting “; and”; and

1 (C) by inserting at the end the following
2 new paragraph:

3 “(23) a description of the use of subpoenas for
4 the attendance and testimony of witnesses author-
5 ized under section 6A.”; and

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

8 **TITLE VI—INVESTIGATIONS OF**
9 **DEPARTMENT OF JUSTICE**
10 **PERSONNEL**

11 **SEC. 601. SHORT TITLE.**

12 This title may be cited as the “Inspector General Ac-
13 cess Act”.

14 **SEC. 602. INVESTIGATIONS OF DEPARTMENT OF JUSTICE**
15 **PERSONNEL.**

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

18 (1) in subsection (b)—

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

21 (B) by striking paragraph (3);

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

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

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

7 **TITLE VII—OFFICE OF INSPEC-**
8 **TOR GENERAL WHISTLE-**
9 **BLOWER COMPLAINTS**

10 **SEC. 701. SHORT TITLE.**

11 This title may be cited as the “Enhanced Whistle-
12 blower Engagement Act”.

13 **SEC. 702. OFFICE OF INSPECTOR GENERAL WHISTLE-**
14 **BLOWER COMPLAINTS.**

15 (a) WHISTLEBLOWER PROTECTION COORDINATOR.—
16 Section 3(d)(1)(C) of the Inspector General Act of 1978
17 (5 U.S.C. App.) is amended—

18 (1) in clause (i), in the matter preceding sub-
19 clause (I), by inserting “, including employees of
20 that Office of Inspector General” after “employees”;
21 and

22 (2) in clause (iii), by inserting “(including the
23 Integrity Committee of that Council)” after “and
24 Efficiency”.

1 (b) COUNCIL OF THE INSPECTORS GENERAL ON IN-
2 TEGRITY AND EFFICIENCY.—Section 11(c)(5)(B) of the
3 Inspector General Act of 1978 (5 U.S.C. App.) is amended
4 by striking “, allegations of reprisal,” and inserting the
5 following: “and allegations of reprisal (including the timely
6 and appropriate handling and consideration of protected
7 disclosures and allegations of reprisal that are internal to
8 an Office of Inspector General)”.

9 **TITLE VIII—NOTICE OF ONGO-**
10 **ING INVESTIGATIONS WHEN**
11 **THERE IS A CHANGE IN STA-**
12 **TUS OF INSPECTOR GENERAL**

13 **SEC. 801. NOTICE OF ONGOING INVESTIGATIONS WHEN**
14 **THERE IS A CHANGE IN STATUS OF INSPEC-**
15 **TOR GENERAL.**

16 (a) CHANGE IN STATUS OF INSPECTOR GENERAL OF
17 ESTABLISHMENT.—Section 3 of the Inspector General Act
18 of 1978 (5 U.S.C. App.) is amended by inserting at the
19 end the following:

20 “(f) Not later than 15 days after an Inspector Gen-
21 eral is removed, placed on paid or unpaid non-duty status,
22 or transferred to another position or location within an
23 establishment, the acting Inspector General shall submit
24 to the Committee on Oversight and Reform of the House
25 of Representatives and the Committee on Homeland Secu-

1 rity and Governmental Affairs of the Senate, a list of all
2 audits and investigations being conducted, supervised, co-
3 ordinated by the Office at the time the Inspector General
4 was removed, placed on paid or unpaid non-duty status,
5 or transferred.”.

6 (b) CHANGE IN STATUS OF INSPECTOR OF DES-
7 IGNATED FEDERAL ENTITY.—Section 8G(e) of the In-
8 spector General Act of 1978 (5 U.S.C. App.) is amended
9 by inserting at the end the following:

10 “(3) Not later than 15 days after an Inspector Gen-
11 eral is removed, placed on paid or unpaid non-duty status,
12 or transferred to another position or location within an
13 designated Federal entity, the acting Inspector General
14 shall submit to the Committee on Oversight and Reform
15 of the House of Representatives and the Committee on
16 Homeland Security and Governmental Affairs of the Sen-
17 ate, a list of all audits and investigations being conducted,
18 supervised, coordinated by the Office at the time the In-
19 spector General was removed, placed on paid or unpaid
20 non-duty status, or transferred.”.

1 **TITLE IX—COUNCIL OF THE IN-**
2 **SPECTORS GENERAL ON IN-**
3 **TEGRITY AND EFFICIENCY**
4 **APPROPRIATION**

5 **SEC. 901. CIGIE APPROPRIATION.**

6 (a) AVAILABILITY OF APPROPRIATED FUNDS.—Sec-
7 tion 11(c)(3) of the Inspector General Act of 1978 (5
8 U.S.C. App.) is amended by adding at the end the fol-
9 lowing:

10 “(D) AUTHORIZATION OF APPROPRIA-
11 TIONS.—In addition to any funds available in
12 the Inspectors General Council Fund estab-
13 lished under subparagraph (B), there are au-
14 thorized to be appropriated such sums as may
15 be necessary, to remain available until ex-
16 pended, to carry out the functions and duties of
17 the Council under this subsection.”.

18 (b) REMOVING COUNCIL FUNDING FROM INDI-
19 VIDUAL INSPECTOR GENERAL BUDGET REQUESTS.—Sec-
20 tion 6(g) of the Inspector General Act of 1978 is amend-
21 ed—

22 (1) in paragraph (1), by striking “, and any re-
23 sources necessary to support the Council of the In-
24 spectors General on Integrity and Efficiency. Re-
25 sources necessary to support the Council of the In-

1 spectors General on Integrity and Efficiency shall be
2 specifically identified and justified in the budget re-
3 quest”; and

4 (2) in paragraph (2)—

5 (A) in subparagraph (B), by adding “and”
6 after the semicolon;

7 (B) by striking subparagraph (C); and

8 (C) by redesignating subparagraph (D) as
9 subparagraph (C).

10 (c) EFFECTIVE DATE.—The amendments made by
11 subsection (b) shall take effect on the date that is 30 days
12 after the date of receipt by the Council of the Inspectors
13 General on Integrity and Efficiency of an appropriation
14 for the Council to carry out the functions and duties of
15 the Council under section 11 of the Inspector General Act
16 (5 U.S.C. App. 11), as amended under this section.

17 **TITLE X—NOTICE OF REFUSAL**
18 **TO PROVIDE INSPECTORS**
19 **GENERAL ACCESS**

20 **SEC. 1001. NOTICE OF REFUSAL TO PROVIDE INFORMATION**
21 **OR ASSISTANCE TO INSPECTORS GENERAL.**

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

1 “(3) If the information or assistance that is the sub-
2 ject of a report under paragraph (2) is not provided to
3 the Inspector General by the date that is 30 days after
4 the report is made, the Inspector General shall submit a
5 notice that the information or assistance requested is
6 being unreasonably refused or not provided by the head
7 of the establishment involved or the head of the Federal
8 agency involved, as applicable, to—

9 “(A) the Committee in the House of Represent-
10 atives and the Committee in the Senate that has ju-
11 risdiction over the establishment involved or the
12 Federal agency involved, as applicable;

13 “(B) the Committee on Oversight and Reform
14 of the House of Representatives; and

15 “(C) the Committee on Homeland Security and
16 Governmental Affairs of the Senate.”.

17 **TITLE XI—ENHANCEMENTS TO**
18 **INSPECTOR GENERAL TRAINING**

19 **SEC. 1101. SHORT TITLE.**

20 This title may be cited as the “Inspector General
21 Training Enhancement Act”.

22 **SEC. 1102. ENHANCEMENTS TO INSPECTOR GENERAL**
23 **TRAINING.**

24 Section 11(c)(1)(E) of the Inspector General Act of
25 1978 (5 U.S.C. App.) is amended by inserting “and estab-

1 lish minimum standards and best practices for training
2 to ensure all Inspectors General receive training to carry
3 out the duties, responsibilities, and authorities under this
4 Act and on emerging areas of the law of relevance to In-
5 spectors General and the work of their offices as identified
6 by the Council” after “Inspector General”.

7 **TITLE XII—BUDGETARY**
8 **EFFECTS**

9 **SEC. 1201. DETERMINATION OF BUDGETARY EFFECTS.**

10 The budgetary effects of this Act, for the purpose of
11 complying with the Statutory Pay-As-You-Go Act of 2010,
12 shall be determined by reference to the latest statement
13 titled “Budgetary Effects of PAYGO Legislation” for this
14 Act, submitted for printing in the Congressional Record
15 by the Chairman of the House Budget Committee, pro-
16 vided that such statement has been submitted prior to the
17 vote on passage.

18 **TITLE XIII—SEVERABILITY**

19 **SEC. 1301. SEVERABILITY.**

20 If any provision of this Act (or the application of that
21 provision to particular persons or circumstances) is held
22 invalid or found to be unconstitutional the remainder of
23 this Act (or the application of that provision to other per-
24 sons or circumstances) shall not be affected.

