

AMENDMENT TO H.R. 4713

OFFERED BY MR. ROGERS OF ALABAMA

Page 2, line 21, insert “protections” after “civil liberties”.

Page 2, line 25, insert “, procedures,” after “policies”.

Page 2, line 26, insert “relating to civil rights and civil liberties” after “Department”.

Page 3, line 2, insert “relating to civil rights and civil liberties” after “technical assistance”.

Page 3, line 8, insert “at the Department” after “civil liberties”.

Page 3, line 12, insert “inspections,” after “assessments,”.

Page 3, line 14, insert “relating to civil rights and civil liberties” after “Department”.

Page 4, line 18, insert “report and” before “redress”.

Page 4, after line 22, insert the following:

1 (c) COORDINATION WITH INSPECTOR GENERAL.—

1 (1) AUTHORITY TO INVESTIGATE POSSIBLE
2 ABUSES.—The Officer for Civil Rights and Civil Lib-
3 erties may investigate any matter referred to in
4 paragraph (6) or (7) of subsection (b) after fulfilling
5 the coordination requirements under paragraph (2)
6 with respect to such matter.

7 (2) COORDINATION REQUIREMENTS.—

8 (A) REFERRAL OF MATTERS TO INSPEC-
9 TOR GENERAL.—Before initiating any investiga-
10 tion described under paragraph (1), the Officer
11 for Civil Rights and Civil Liberties shall refer
12 the matter and all related complaints, allega-
13 tions, and information to the Inspector General
14 of the Department.

15 (B) INSPECTOR GENERAL RESPONSIBIL-
16 ITIES.—

17 (i) DETERMINATION AND NOTIFICA-
18 TION.—Not later than 30 days after the
19 receipt of a matter referred under subpara-
20 graph (A), the Inspector General shall—

21 (I) make a determination regard-
22 ing whether the Inspector General in-
23 tends to initiate an audit or investiga-
24 tion of the matter referred under sub-
25 paragraph (A); and

1 (II) notify the Officer of such de-
2 termination.

3 (ii) AUDITS AND INVESTIGATIONS.—If
4 the Inspector General notifies the Officer
5 for Civil Rights and Civil Liberties that the
6 Inspector General intends to initiate an
7 audit or investigation, the Inspector Gen-
8 eral shall—

9 (I) initiate such audit or inves-
10 tigate by not later than 90 days after
11 providing such notification; or

12 (II) not later than three days
13 after the end of the 90-day period
14 specified in subclause (I), notify the
15 Officer that such audit or investiga-
16 tion was not initiated.

17 (C) PROVISION OF ASSISTANCE.—At the
18 request of the Inspector General, the Officer for
19 Civil Rights and Civil Liberties may provide as-
20 sistance to the Inspector General on any inves-
21 tigation or audit initiated by the Inspector Gen-
22 eral based on a referral under subparagraph
23 (A).

24 (D) INVESTIGATION BY OFFICER.—The
25 Officer for Civil Rights and Civil Liberties may

1 investigate a matter referred to the Inspector
2 General under subparagraph (A) only if—

3 (i) the Inspector General notifies the
4 Officer for Civil Rights and Civil Liberties
5 that the Inspector General does not intend
6 to initiate an audit or investigation relat-
7 ing to that matter; or

8 (ii) the Inspector General provides no-
9 tification under subparagraph (B)(ii)(II)
10 that an audit or investigation was not initi-
11 ated.

Page 4, line 23, strike “(c)” and insert “(d)”.

Page 5, line 11, strike “Office or” and insert “Of-
fice,”.

Page 5, line 12, insert “, or any other action taken”
before the period.

Page 5, line 20, strike “and”.

Page 5, after line 20, insert the following:

12 (C) shall not include any personally identi-
13 fiable information related to any individual in-
14 volved in such investigation; and

Page 5, line 21, strike “(C)” and insert “(D)”.

Page 5, line 24, strike “COMPOENENTS” and insert “COMPONENTS”.

Page 6, after line 2, insert the following:

1 (4) REPORTS TO CONGRESS.—Upon the conclu-
2 sion of any investigation conducted by the Officer
3 for Civil Rights and Civil Liberties under paragraph
4 (6) or (7) of subsection (b), the Officer shall submit
5 to Congress a report on the investigation, which
6 shall be prepared and submitted without any prior
7 comment or amendment by the Secretary, Deputy
8 Secretary, or any other officer or employee of the
9 Department, unless the Officer seeks such comment.

Page 6, line 3, strike “(d)” and insert “(e)”.

Page 6, line 10, strike “report” and insert “coordinate with and provide information”.

Page 6, line 11, insert “on matters related to civil rights and civil liberties within the components”.

Page 6, line 12, strike “(e)” and insert “(f)”.

Page 6, line 13, strike “shall”.

Page 6, line 14, insert “shall” before “have access”.

Page 6, line 18, insert “and” after the semicolon.

Page 6, beginning on line 19, strike paragraphs (2) and (3) and insert the following:

1 (2) may, to the extent the Officer determines
2 necessary, and subject to the approval of the Sec-
3 retary—

4 (A) issue a subpoena to require the pro-
5 duction, by any person other than a Federal
6 agency, of all information, documents, reports,
7 answers, records, accounts, papers, and other
8 documentary evidence necessary in the perform-
9 ance of the responsibilities of the Officer under
10 this section; and

11 (B) administer to or take from any person
12 an oath, affirmation, or affidavit, whenever nec-
13 essary in the performance of the responsibilities
14 of the Officer under this section.

Page 7, line 7, strike “(f)” and insert “(g)”.

Page 7, beginning on line 12, strike “without any prior comment or amendment by the Secretary, Deputy Secretary, or any other officer or employee of the Department,”.

