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117TH CONGRESS
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H. R. 5961

[Report No. 117-193]

To make revisions in title 5, United States Code, as necessary to keep the title current, and to make technical amendments to improve the United States Code.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 12, 2021

Mr. NEGUSE introduced the following bill; which was referred to the Committee on the Judiciary

NOVEMBER 30, 2021

Reported from the Committee on the Judiciary

A BILL

To make revisions in title 5, United States Code, as necessary to keep the title current, and to make technical amendments to improve the United States Code.

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. TABLE OF CONTENTS.**

4 The table of contents for this Act is as follows:

Sec. 1. Table of contents.

Sec. 2. Purposes; restatement does not change meaning or effect of existing law.

Sec. 3. Revision of title 5, United States Code.

Sec. 4. Technical amendments.

Sec. 5. Transitional and savings provisions.

Sec. 6. Effect of references to title 5 on application of ethics provisions.

Sec. 7. Repeals.

1 **SEC. 2. PURPOSES; RESTATEMENT DOES NOT CHANGE**
 2 **MEANING OR EFFECT OF EXISTING LAW.**

3 (a) PURPOSES.—The purposes of this Act are—

4 (1) to make revisions in title 5, United States
 5 Code, as necessary to keep the title current; and

6 (2) to make technical amendments to improve
 7 the United States Code.

8 (b) RESTATEMENT DOES NOT CHANGE MEANING OR
 9 EFFECT OF EXISTING LAW.—

10 (1) IN GENERAL.—The restatement of existing
 11 law enacted by this Act does not change the mean-
 12 ing or effect of the existing law. The restatement in-
 13 corporates in title 5, United States Code, various
 14 provisions that were enacted separately over a period
 15 of years, reorganizing them, conforming style and
 16 terminology, modernizing obsolete language, and cor-
 17 recting drafting errors. These changes serve to re-
 18 move ambiguities, contradictions, and other imper-
 19 fections, but they do not change the meaning or ef-
 20 fect of the existing law or impair the precedential
 21 value of earlier judicial decisions or other interpreta-
 22 tions.

1 (2) RULE OF CONSTRUCTION.—

2 (A) IN GENERAL.—Notwithstanding the
3 plain meaning rule or other rules of statutory
4 construction, a change in wording made in the
5 restatement of existing law enacted by this Act
6 serves to clarify the existing law as indicated in
7 paragraph (1), but not to change the meaning
8 or effect of the existing law.

9 (B) REVISION NOTES.—Subparagraph (A)
10 applies whether or not a change in wording is
11 explained by a revision note appearing in a con-
12 gressional report accompanying this Act. If
13 such a revision note does appear, a court shall
14 consider the revision note in interpreting the
15 change.

16 **SEC. 3. REVISION OF TITLE 5, UNITED STATES CODE.**

17 (a) ENACTMENT OF CHAPTER 10.—Part I of title 5,
18 United States Code, is amended by inserting after chapter
19 9 the following:

20 **“CHAPTER 10—FEDERAL ADVISORY**
21 **COMMITTEES**

“Sec.

“1001. Definitions.

“1002. Findings and declarations.

“1003. Applicability.

“1004. Responsibilities of congressional committees.

“1005. Responsibilities of the President.

“1006. Responsibilities of the Administrator.

“1007. Responsibilities of agency heads.

“1008. Establishment and purpose of advisory committees.

“1009. Advisory committee procedures.

“1010. Availability of transcripts.

“1011. Fiscal and administrative provisions.

“1012. Responsibilities of Library of Congress.

“1013. Termination of advisory committees.

“1014. Requirements relating to National Academy of Sciences and National Academy of Public Administration.

1 **“§ 1001. Definitions**

2 “In this chapter:

3 “(1) ADMINISTRATOR.—The term ‘Adminis-
4 trator’ means the Administrator of General Services.

5 “(2) ADVISORY COMMITTEE.—

6 “(A) IN GENERAL.—The term ‘advisory
7 committee’ means a committee, board, commis-
8 sion, council, conference, panel, task force, or
9 other similar group, or any subcommittee or
10 other subgroup thereof (hereafter in this para-
11 graph referred to as ‘committee’) that is estab-
12 lished or utilized to obtain advice or rec-
13 ommendations for the President or one or more
14 agencies or officers of the Federal Government
15 and that is—

16 “(i) established by statute or reorga-
17 nization plan;

18 “(ii) established or utilized by the
19 President; or

20 “(iii) established or utilized by one or
21 more agencies.

1 “(B) EXCLUSIONS.—The term ‘advisory
2 committee’ excludes—

3 “(i) a committee that is composed
4 wholly of full-time, or permanent part-
5 time, officers or employees of the Federal
6 Government; and

7 “(ii) a committee that is created by
8 the National Academy of Sciences or the
9 National Academy of Public Administra-
10 tion.

11 “(3) AGENCY.—The term ‘agency’ has the
12 meaning given the term in section 551 of this title.

13 “(4) PRESIDENTIAL ADVISORY COMMITTEE.—
14 The term ‘Presidential advisory committee’ means
15 an advisory committee that advises the President.

16 **“§ 1002. Findings and declarations**

17 “(a) FINDINGS.—Congress finds that there are nu-
18 merous committees, boards, commissions, councils, and
19 similar groups which have been established to advise offi-
20 cers and agencies in the executive branch of the Federal
21 Government and that they are frequently a useful and
22 beneficial means of furnishing expert advice, ideas, and
23 diverse opinions to the Federal Government.

24 “(b) FINDINGS AND DECLARATIONS.—Congress fur-
25 ther finds and declares that—

1 “(1) the need for many existing advisory com-
2 mittees has not been adequately reviewed;

3 “(2) new advisory committees should be estab-
4 lished only when they are determined to be essential
5 and their number should be kept to the minimum
6 necessary;

7 “(3) advisory committees should be terminated
8 when they are no longer carrying out the purposes
9 for which they were established;

10 “(4) standards and uniform procedures should
11 govern the establishment, operation, administration,
12 and duration of advisory committees;

13 “(5) Congress and the public should be kept in-
14 formed with respect to the number, purpose, mem-
15 bership, activities, and cost of advisory committees;
16 and

17 “(6) the function of advisory committees should
18 be advisory only, and all matters under their consid-
19 eration should be determined, in accordance with
20 law, by the official, agency, or officer involved.

21 **“§ 1003. Applicability**

22 “(a) IN GENERAL.—This chapter, and any rule,
23 order, or regulation promulgated under this chapter, shall
24 apply to each advisory committee except to the extent that

1 the Act establishing the advisory committee specifically
2 provides otherwise.

3 “(b) EXEMPTIONS RELATING TO CERTAIN FEDERAL
4 ENTITIES.—Nothing in this chapter shall be construed to
5 apply to an advisory committee established or utilized
6 by—

7 “(1) the Central Intelligence Agency;

8 “(2) the Federal Reserve System; or

9 “(3) the Office of the Director of National In-
10 telligence, if the Director of National Intelligence de-
11 termines that for reasons of national security the ad-
12 visory committee cannot comply with the require-
13 ments of this chapter.

14 “(c) EXEMPTIONS RELATING TO CERTAIN LOCAL
15 AND STATE ENTITIES.—Nothing in this chapter shall be
16 construed to apply to any local civic group whose primary
17 function is that of rendering a public service with respect
18 to a Federal program, or any State or local committee,
19 council, board, commission, or similar group established
20 to advise or make recommendations to State or local offi-
21 cials or agencies.

22 **“§ 1004. Responsibilities of congressional committees**

23 “(a) REVIEW OF ACTIVITIES.—In the exercise of its
24 legislative review function, each standing committee of the
25 Senate and the House of Representatives shall make a

1 continuing review of the activities of each advisory com-
2 mittee under its jurisdiction to determine whether such
3 advisory committee should be abolished or merged with
4 any other advisory committee, whether the responsibilities
5 of such advisory committee should be revised, and whether
6 such advisory committee performs a necessary function
7 not already being performed. Each such standing com-
8 mittee shall take appropriate action to obtain the enact-
9 ment of legislation necessary to carry out the purpose of
10 this subsection.

11 “(b) CONSIDERATION OF LEGISLATION.—In consid-
12 ering legislation establishing, or authorizing the establish-
13 ment of any advisory committee, each standing committee
14 of the Senate and of the House of Representatives shall
15 determine, and report such determination to the Senate
16 or to the House of Representatives, as the case may be,
17 whether the functions of the proposed advisory committee
18 are being or could be performed by one or more agencies
19 or by an advisory committee already in existence, or by
20 enlarging the mandate of an existing advisory committee.
21 Any such legislation shall—

22 “(1) contain a clearly defined purpose for the
23 advisory committee;

24 “(2) require the membership of the advisory
25 committee to be fairly balanced in terms of the

1 points of view represented and the functions to be
2 performed by the advisory committee;

3 “(3) contain appropriate provisions to assure
4 that the advice and recommendations of the advisory
5 committee will not be inappropriately influenced by
6 the appointing authority or by any special interest,
7 but will instead be the result of the advisory commit-
8 tee’s independent judgment;

9 “(4) contain provisions dealing with authoriza-
10 tion of appropriations, the date for submission of re-
11 ports (if any), the duration of the advisory com-
12 mittee, and the publication of reports and other ma-
13 terials, to the extent that the standing committee de-
14 termines the provisions of section 1009 of this chap-
15 ter to be inadequate; and

16 “(5) contain provisions which will assure that
17 the advisory committee will have adequate staff (ei-
18 ther supplied by an agency or employed by it), will
19 be provided adequate quarters, and will have funds
20 available to meet its other necessary expenses.

21 “(c) ADHERENCE TO GUIDELINES.—To the extent
22 they are applicable, the guidelines set out in subsection
23 (b) shall be followed by the President, agency heads, or
24 other Federal officials in creating an advisory committee.

1 **“§ 1005. Responsibilities of the President**

2 “(a) DELEGATION.—The President may delegate re-
3 sponsibility for evaluating and taking action, where appro-
4 priate, with respect to all public recommendations made
5 to the President by Presidential advisory committees.

6 “(b) REPORT ON RESPONSE TO RECOMMENDA-
7 TIONS.—Within 1 year after a Presidential advisory com-
8 mittee submits a public report to the President, the Presi-
9 dent or the President’s delegate shall submit to Congress
10 a report stating either proposals for action or reasons for
11 inaction, with respect to the recommendations contained
12 in the public report.

13 **“§ 1006. Responsibilities of the Administrator**

14 “(a) COMMITTEE MANAGEMENT SECRETARIAT.—
15 The Administrator shall establish and maintain within the
16 General Services Administration a Committee Manage-
17 ment Secretariat, which shall be responsible for all mat-
18 ters relating to advisory committees.

19 “(b) ANNUAL REVIEWS.—

20 “(1) IN GENERAL.—Each year, the Adminis-
21 trator shall conduct a comprehensive review of the
22 activities and responsibilities of each advisory com-
23 mittee to determine—

24 “(A) whether the committee is carrying out
25 its purpose;

1 “(B) whether, consistent with the provi-
2 sions of applicable statutes, the responsibilities
3 assigned to the committee should be revised;

4 “(C) whether the committee should be
5 merged with other advisory committees; or

6 “(D) whether the committee should be
7 abolished.

8 “(2) OBTAINING INFORMATION.—The Adminis-
9 trator may from time to time request such informa-
10 tion as the Administrator deems necessary to carry
11 out functions under this subsection. Agency heads
12 shall cooperate with the Administrator in making
13 the reviews required by this subsection.

14 “(3) RECOMMENDATIONS.—Upon completion of
15 the review, the Administrator shall make rec-
16 ommendations to the President and to either the
17 agency head or Congress with respect to action the
18 Administrator believes should be taken.

19 “(c) ADMINISTRATIVE GUIDELINES AND MANAGE-
20 MENT CONTROLS.—The Administrator shall prescribe ad-
21 ministrative guidelines and management controls applica-
22 ble to advisory committees, and, to the maximum extent
23 feasible, provide advice, assistance, and guidance to advi-
24 sory committees to improve their performance. In carrying
25 out functions under this subsection, the Administrator

1 shall consider the recommendations of each agency head
2 with respect to means of improving the performance of
3 advisory committees whose duties are related to the agen-
4 cy.

5 “(d) GUIDELINES FOR UNIFORM FAIR PAY RATES.—

6 “(1) IN GENERAL.—The Administrator, after
7 study and consultation with the Director of the Of-
8 fice of Personnel Management, shall establish guide-
9 lines with respect to uniform fair rates of pay for
10 comparable services of members, staffs, and consult-
11 ants of advisory committees in a manner that gives
12 appropriate recognition to the responsibilities and
13 qualifications required and other relevant factors.
14 The guidelines shall provide that—

15 “(A) a member of an advisory committee
16 or of the staff of an advisory committee shall
17 not receive compensation at a rate in excess of
18 the maximum rate payable under section 5376
19 of this title;

20 “(B) members of advisory committees,
21 while engaged in the performance of their du-
22 ties away from their homes or regular places of
23 business, may be allowed travel expenses, in-
24 cluding per diem in lieu of subsistence, as au-
25 thorized by section 5703 of this title for persons

1 employed intermittently in the Government
2 service; and

3 “(C) members of advisory committees may
4 be provided services pursuant to section 3102 of
5 this title while in performance of their advisory
6 committee duties if the members—

7 “(i) are blind or deaf or otherwise
8 qualify as individuals with disabilities
9 (within the meaning of section 501 of the
10 Rehabilitation Act of 1973 (29 U.S.C.
11 791)); and

12 “(ii) do not otherwise qualify for as-
13 sistance under section 3102 of this title by
14 reason of being an employee of an agency
15 (within the meaning of section 3102(a)(1)
16 of this title).

17 “(2) PAY FOR FULL-TIME EMPLOYEES.—Noth-
18 ing in this subsection shall prevent an individual
19 from receiving compensation at the rate at which the
20 individual would otherwise be compensated (or was
21 compensated) as a full-time employee of the United
22 States if the individual—

23 “(A) is a full-time employee of the United
24 States without regard to service with an advi-
25 sory committee; or

1 “(B) was a full-time employee of the
2 United States immediately before service with
3 an advisory committee.

4 “(e) BUDGET RECOMMENDATIONS.—The Adminis-
5 trator shall include in budget recommendations a sum-
6 mary of the amounts the Administrator considers nec-
7 essary for the expenses of advisory committees, including
8 the expenses for publication of reports where appropriate.

9 **“§ 1007. Responsibilities of agency heads**

10 “(a) ADMINISTRATIVE GUIDELINES AND MANAGE-
11 MENT CONTROLS.—Each agency head shall establish uni-
12 form administrative guidelines and management controls
13 for advisory committees established by that agency, which
14 shall be consistent with directives of the Administrator
15 under sections 1006 and 1009 of this title. Each agency
16 shall maintain systematic information on the nature, func-
17 tions, and operations of each advisory committee within
18 its jurisdiction.

19 “(b) ADVISORY COMMITTEE MANAGEMENT OFFI-
20 CER.—The head of each agency that has an advisory com-
21 mittee shall designate an Advisory Committee Manage-
22 ment Officer who shall—

23 “(1) exercise control and supervision over the
24 establishment, procedures, and accomplishments of
25 advisory committees established by the agency;

1 “(2) assemble and maintain the reports,
2 records, and other papers of any advisory committee
3 established by the agency during the advisory com-
4 mittee’s existence; and

5 “(3) carry out, on behalf of the agency, the pro-
6 visions of section 552 of this title with respect to
7 such reports, records, and other papers.

8 **“§ 1008. Establishment and purpose of advisory com-**
9 **mittees**

10 “(a) ESTABLISHMENT.—An advisory committee shall
11 not be established unless establishment is—

12 “(1) specifically authorized by statute or by the
13 President; or

14 “(2) determined as a matter of formal record,
15 by the head of the agency involved after consultation
16 with the Administrator, with timely notice published
17 in the Federal Register, to be in the public interest
18 in connection with the performance of duties im-
19 posed on that agency by law.

20 “(b) PURPOSE OF ADVISORY COMMITTEES.—Unless
21 otherwise specifically provided by statute or Presidential
22 directive, advisory committees shall be utilized solely for
23 advisory functions. Determinations of action to be taken
24 and policy to be expressed with respect to matters upon
25 which an advisory committee reports or makes rec-

1 ommendations shall be made solely by the President or
2 an officer of the Federal Government.

3 “(c) ADVISORY COMMITTEE CHARTERS.—

4 “(1) GENERAL REQUIREMENT.—An advisory
5 committee shall not meet or take any action until an
6 advisory committee charter has been filed—

7 “(A) with the Administrator in the case of
8 Presidential advisory committees; or

9 “(B) with—

10 “(i) the head of the agency to whom
11 the advisory committee reports; and

12 “(ii) the standing committees of the
13 Senate and House of Representatives hav-
14 ing legislative jurisdiction over the agency
15 to which the advisory committee reports.

16 “(2) CONTENTS OF CHARTER.—The advisory
17 committee charter shall contain—

18 “(A) the committee’s official designation;

19 “(B) the committee’s objectives and the
20 scope of its activity;

21 “(C) the period of time necessary for the
22 committee to carry out its purposes;

23 “(D) the agency or official to whom the
24 committee reports;

1 “(E) the agency responsible for providing
2 the necessary support for the committee;

3 “(F) a description of the duties for which
4 the committee is responsible, and, if the duties
5 are not solely advisory, a specification of the
6 authority for the duties;

7 “(G) the estimated annual operating costs
8 for the committee in dollars and person-years;

9 “(H) the estimated number and frequency
10 of committee meetings;

11 “(I) the committee’s termination date, if
12 less than 2 years from the date of the commit-
13 tee’s establishment; and

14 “(J) the date the charter is filed.

15 “(3) COPY OF CHARTER TO LIBRARY OF CON-
16 GRESS.—A copy of the advisory committee charter
17 shall be furnished to the Library of Congress.

18 **“§ 1009. Advisory committee procedures**

19 “(a) COMMITTEE MEETINGS.—

20 “(1) OPEN TO PUBLIC.—Each advisory com-
21 mittee meeting shall be open to the public.

22 “(2) NOTICE OF MEETINGS.—Except when the
23 President determines otherwise for reasons of na-
24 tional security, timely notice of each meeting shall be
25 published in the Federal Register, and the Adminis-

1 trator shall prescribe regulations to provide for other
2 types of public notice to insure that all interested
3 persons are notified of each meeting in advance.

4 “(3) PARTICIPATION.—Interested persons shall
5 be permitted to attend, appear before, or file state-
6 ments with any advisory committee, subject to such
7 reasonable rules or regulations as the Administrator
8 may prescribe.

9 “(b) PUBLIC INSPECTION AND COPYING OF
10 RECORDS.—Subject to section 552 of this title, the
11 records, reports, transcripts, minutes, appendixes, working
12 papers, drafts, studies, agenda, or other documents which
13 were made available to or prepared for or by each advisory
14 committee shall be available for public inspection and
15 copying at a single location in the offices of the advisory
16 committee or the agency to which the advisory committee
17 reports until the advisory committee ceases to exist.

18 “(c) MINUTES.—Detailed minutes of each meeting of
19 each advisory committee shall be kept and shall contain
20 a record of the persons present, a complete and accurate
21 description of matters discussed and conclusions reached,
22 and copies of all reports received, issued, or approved by
23 the advisory committee. The accuracy of all minutes shall
24 be certified by the chairman of the advisory committee.

1 “(d) CLOSED SESSIONS.—Paragraphs (1) and (3) of
2 subsection (a) shall not apply to any portion of an advisory
3 committee meeting for which the President, or the head
4 of the agency to which the advisory committee reports, de-
5 termines that such portion of the meeting may be closed
6 to the public in accordance with section 552b(e) of this
7 title. Any such determination shall be in writing and shall
8 contain the reasons for the determination. If such a deter-
9 mination is made, the advisory committee shall issue a re-
10 port, at least annually, setting forth a summary of its ac-
11 tivities and such related matters as would be informative
12 to the public consistent with the policy of section 552(b)
13 of this title.

14 “(e) DESIGNATED OFFICER OR EMPLOYEE OF FED-
15 ERAL GOVERNMENT.—There shall be designated an offi-
16 cer or employee of the Federal Government to chair or
17 attend each meeting of each advisory committee. The offi-
18 cer or employee so designated is authorized, whenever the
19 officer or employee determines it to be in the public inter-
20 est, to adjourn any such meeting. An advisory committee
21 shall not conduct any meeting in the absence of that des-
22 ignated officer or employee of the Federal Government.

23 “(f) CALL FOR MEETING OR ADVANCE APPROVAL.—
24 Advisory committees shall not hold any meetings except
25 at the call of, or with the advance approval of, a des-

1 ignated officer or employee of the Federal Government,
2 and in the case of advisory committees (other than Presi-
3 dential advisory committees), with an agenda approved by
4 such officer or employee.

5 **“§ 1010. Availability of transcripts**

6 “(a) DEFINITION OF AGENCY PROCEEDING.—In this
7 section, the term ‘agency proceeding’ has the meaning
8 given the term in section 551 of this title.

9 “(b) AVAILABILITY.—Agencies and advisory commit-
10 tees shall make available to any person, at actual cost of
11 duplication, copies of transcripts of any agency proceeding
12 or advisory committee meeting.

13 **“§ 1011. Fiscal and administrative provisions**

14 “(a) RECORDS.—Each agency shall keep records that
15 fully disclose the disposition of any funds which may be
16 at the disposal of its advisory committees and the nature
17 and extent of their activities. The General Services Admin-
18 istration, or such other agency as the President may des-
19 ignate, shall maintain financial records with respect to
20 Presidential advisory committees. The Comptroller Gen-
21 eral of the United States, or any authorized representative
22 of the Comptroller General, shall have access to the
23 records for the purpose of audit and examination.

24 “(b) SUPPORT SERVICES.—Each agency shall be re-
25 sponsible for providing support services for each advisory

1 committee established by or reporting to it unless the es-
2 tablishing authority provides otherwise. If an advisory
3 committee reports to more than one agency, only one
4 agency at a time shall be responsible for support services.
5 In the case of Presidential advisory committees, support
6 services may be provided by the General Services Adminis-
7 tration.

8 **“§ 1012. Responsibilities of Library of Congress**

9 “Subject to section 552 of this title, the Adminis-
10 trator shall provide for the filing with the Library of Con-
11 gress of at least 8 copies of each report made by each
12 advisory committee and, where appropriate, background
13 papers prepared by consultants. The Librarian of Con-
14 gress shall establish a depository for the reports and pa-
15 pers and make them available for public inspection and
16 use.

17 **“§ 1013. Termination of advisory committees**

18 “(a) IN GENERAL.—

19 “(1) ADVISORY COMMITTEES IN EXISTENCE ON
20 JANUARY 5, 1973.—Each advisory committee that is
21 in existence on January 5, 1973, shall terminate not
22 later than the expiration of the 2-year period fol-
23 lowing that date unless—

24 “(A) in the case of an advisory committee
25 established by the President or an officer of the

1 Federal Government, such advisory committee
2 is renewed by the President or that officer by
3 appropriate action prior to the expiration of
4 such 2-year period; or

5 “(B) in the case of an advisory committee
6 established by an Act of Congress, its duration
7 is otherwise provided for by law.

8 “(2) ADVISORY COMMITTEES ESTABLISHED
9 AFTER JANUARY 5, 1973.—Each advisory committee
10 established after January 5, 1973, shall terminate
11 not later than the expiration of the 2-year period
12 beginning on the date of its establishment unless—

13 “(A) in the case of an advisory committee
14 established by the President or an officer of the
15 Federal Government such advisory committee is
16 renewed by the President or such officer by ap-
17 propriate action prior to the end of such period;
18 or

19 “(B) in the case of an advisory committee
20 established by an Act of Congress, its duration
21 is otherwise provided for by law.

22 “(b) CHARTERS.—

23 “(1) UPON RENEWAL.—Upon the renewal of an
24 advisory committee, the advisory committee shall file

1 a charter in accordance with section 1008(c) of this
2 title.

3 “(2) UPON EXPIRATION OF SUCCESSIVE 2-YEAR
4 PERIODS.—An advisory committee established by an
5 Act of Congress shall file a charter in accordance
6 with section 1008(c) of this title upon the expiration
7 of each successive 2-year period following the date of
8 enactment of the Act establishing the advisory com-
9 mittee.

10 “(3) PROHIBITION ON ACTION PRIOR TO FILING
11 CHARTER.—An advisory committee required to file a
12 charter under this subsection shall not take any ac-
13 tion (other than preparation and filing of the char-
14 ter) prior to the date on which the charter is filed.

15 “(c) SUCCESSIVE TWO-YEAR PERIODS.—An advisory
16 committee that is renewed by the President or an officer
17 of the Federal Government may be continued only for suc-
18 cessive 2-year periods by appropriate action taken by the
19 President or the officer prior to the date on which the
20 advisory committee would otherwise terminate.

21 **“§ 1014. Requirements relating to National Academy**
22 **of Sciences and National Academy of**
23 **Public Administration**

24 “(a) IN GENERAL.—An agency may not use any ad-
25 vice or recommendation provided by the National Academy

1 of Sciences or National Academy of Public Administration
2 that was developed by use of a committee created by that
3 academy under an agreement with an agency, unless—

4 “(1) the committee was not subject to any ac-
5 tual management or control by an agency or an offi-
6 cer of the Federal Government;

7 “(2) in the case of a committee created after
8 December 17, 1997, the membership of the com-
9 mittee was appointed in accordance with the require-
10 ments described in subsection (b)(1); and

11 “(3) in developing the advice or recommenda-
12 tion, the academy complied with—

13 “(A) subsection (b)(2) through (6), in the
14 case of any advice or recommendation provided
15 by the National Academy of Sciences; or

16 “(B) subsection (b)(2) and (5), in the case
17 of any advice or recommendation provided by
18 the National Academy of Public Administration.

19 “(b) REQUIREMENTS.—The requirements referred to
20 in subsection (a) are as follows:

21 “(1) PUBLIC NOTICE REGARDING AP-
22 POINTEES.—The Academy shall determine and pro-
23 vide public notice of the names and brief biographies
24 of individuals that the Academy appoints or intends
25 to appoint to serve on the committee. The Academy

1 shall determine and provide a reasonable opportunity
2 for the public to comment on appointments before
3 they are made or, if the Academy determines prior
4 comment is not practicable, in the period imme-
5 diately following the appointments. The Academy
6 shall require that any individual the Academy ap-
7 points (or intends to appoint) to serve on the com-
8 mittee inform the Academy of the individual's con-
9 flicts of interest that are relevant to the functions to
10 be performed. The Academy shall make its best ef-
11 forts to ensure that—

12 “(A) no individual appointed to serve on
13 the committee has a conflict of interest that is
14 relevant to the functions to be performed, un-
15 less such conflict is promptly and publicly dis-
16 closed and the Academy determines that the
17 conflict is unavoidable;

18 “(B) the committee membership is fairly
19 balanced as determined by the Academy to be
20 appropriate for the functions to be performed;
21 and

22 “(C) the final report of the Academy will
23 be the result of the Academy's independent
24 judgment.

1 “(2) PUBLIC NOTICE OF COMMITTEE MEET-
2 INGS.—The Academy shall determine and provide
3 public notice of committee meetings that will be
4 open to the public.

5 “(3) DATA-GATHERING MEETINGS.—The Acad-
6 emy shall ensure that meetings of the committee to
7 gather data from individuals who are not officials,
8 agents, or employees of the Academy are open to the
9 public, unless the Academy determines that a meet-
10 ing would disclose matters described in section
11 552(b) of this title. The Academy shall make avail-
12 able to the public, at reasonable charge if appro-
13 priate, written materials presented to the committee
14 by individuals who are not officials, agents, or em-
15 ployees of the Academy, unless the Academy deter-
16 mines that making material available would disclose
17 matters described in section 552(b) of this title.

18 “(4) OTHER MEETINGS.—The Academy shall
19 make available to the public as soon as practicable,
20 at reasonable charge if appropriate, a brief summary
21 of any committee meeting that is not a data-gath-
22 ering meeting, unless the Academy determines that
23 the summary would disclose matters described in
24 section 552(b) of this title. The summary shall iden-
25 tify the committee members present, the topics dis-

1 cussed, materials made available to the committee,
2 and other matters the Academy determines should
3 be included.

4 “(5) FINAL REPORT.—The Academy shall make
5 available to the public its final report, at reasonable
6 charge if appropriate, unless the Academy deter-
7 mines that the report would disclose matters de-
8 scribed in section 552(b) of this title. If the Acad-
9 emy determines that the report would disclose mat-
10 ters described in section 552(b) of this title, the
11 Academy shall make public an abbreviated version of
12 the report that does not disclose those matters.

13 “(6) REVIEWERS OF REPORT.—After publica-
14 tion of the final report, the Academy shall make
15 publicly available the names of the principal review-
16 ers who reviewed the report in draft form and who
17 are not officials, agents, or employees of the Acad-
18 emy.

19 “(c) REGULATIONS.—The Administrator of General
20 Services may issue regulations implementing this sec-
21 tion.”.

22 (b) ENACTMENT OF CHAPTER 4.—Part I of title 5,
23 United States Code, as amended by subsection (a), is
24 amended by inserting after chapter 3 the following:

1 **“CHAPTER 4—INSPECTORS GENERAL**

“Sec.

“401. Definitions.

“402. Establishment and purpose of Offices of Inspector General.

“403. Appointments.

“404. Duties and responsibilities.

“405. Reports.

“406. Authority of Inspector General.

“407. Complaints by employees.

“408. Additional provisions with respect to the Inspector General of the Department of Defense.

“409. Special provisions concerning the Agency for International Development.

“410. Special provisions concerning the Nuclear Regulatory Commission.

“411. Special provisions concerning the Federal Deposit Insurance Corporation.

“412. Special provisions concerning the Department of the Treasury.

“413. Special provisions concerning the Department of Justice.

“414. Special provisions concerning the Corporation for National and Community Service.

“415. Requirements for Federal entities and designated Federal entities.

“416. Additional provisions with respect to Inspectors General of the intelligence community.

“417. Special provisions concerning the Department of Homeland Security.

“418. Rule of construction of special provisions.

“419. Special provisions concerning overseas contingency operations.

“420. Information on websites of Offices of Inspectors General.

“421. Additional provisions with respect to the Department of Energy.

“422. Transfer of functions.

“423. Pay of Inspectors General.

“424. Establishment of the Council of the Inspectors General on Integrity and Efficiency.

2 **“§ 401. Definitions**

3 “In this chapter:

4 “(1) ESTABLISHMENT.—The term ‘establish-

5 ment’ means the Department of Agriculture, Com-

6 merce, Defense, Education, Energy, Health and

7 Human Services, Housing and Urban Development,

8 the Interior, Justice, Labor, State, Transportation,

9 Homeland Security, the Treasury, or Veterans Af-

10 fairs; the Agency for International Development, the

11 Community Development Financial Institutions

12 Fund, the Environmental Protection Agency, the

1 Federal Communications Commission, the Federal
2 Emergency Management Agency, the General Serv-
3 ices Administration, the National Aeronautics and
4 Space Administration, the Nuclear Regulatory Com-
5 mission, the Office of Personnel Management, the
6 Railroad Retirement Board, the Federal Deposit In-
7 surance Corporation, the Small Business Adminis-
8 tration, the Corporation for National and Commu-
9 nity Service, the Social Security Administration, the
10 Federal Housing Finance Agency, the Tennessee
11 Valley Authority, the Export-Import Bank of the
12 United States, the Commissions established under
13 section 15301 of title 40, the National Security
14 Agency, or the National Reconnaissance Office, as
15 the case may be.

16 “(2) FEDERAL AGENCY.—The term ‘Federal
17 agency’ means an agency as defined in section
18 552(f) of this title (including an establishment as
19 defined in paragraph (1)), but shall not be construed
20 to include the Government Accountability Office.

21 “(3) HEAD OF THE ESTABLISHMENT.—The
22 term ‘head of the establishment’ means the Sec-
23 retary of Agriculture, Commerce, Defense, Edu-
24 cation, Energy, Health and Human Services, Hous-
25 ing and Urban Development, the Interior, Labor,

1 State, Transportation, Homeland Security, the
2 Treasury, or Veterans Affairs; the Attorney General;
3 the Administrator of the Agency for International
4 Development, Environmental Protection, General
5 Services, National Aeronautics and Space, Small
6 Business, or the Federal Emergency Management
7 Agency; the Director of the Office of Personnel
8 Management; the Chairman of the Nuclear Regu-
9 latory Commission, the Federal Communications
10 Commission, or the Railroad Retirement Board; the
11 Chief Executive Officer of the Corporation for Na-
12 tional and Community Service; the Administrator of
13 the Community Development Financial Institutions
14 Fund; the Chairperson of the Federal Deposit Insur-
15 ance Corporation; the Commissioner of Social Secu-
16 rity, Social Security Administration; the Director of
17 the Federal Housing Finance Agency; the Board of
18 Directors of the Tennessee Valley Authority; the
19 President of the Export-Import Bank of the United
20 States; the Federal Cochairpersons of the Commis-
21 sions established under section 15301 of title 40; the
22 Director of the National Security Agency; or the Di-
23 rector of the National Reconnaissance Office; as the
24 case may be.

1 “(4) INSPECTOR GENERAL.—The term ‘Inspec-
2 tor General’ means the Inspector General of an es-
3 tablishment.

4 “(5) OFFICE.—The term ‘Office’ means the Of-
5 fice of Inspector General of an establishment.

6 **“§ 402. Establishment and purpose of Offices of In-
7 spectator General**

8 “(a) ESTABLISHMENT.—

9 “(1) IN GENERAL.—Subject to paragraph (2),
10 in each of the establishments listed in section 401(1)
11 of this title, there is established an Office of Inspec-
12 tor General.

13 “(2) DEPARTMENT OF THE TREASURY.—In the
14 establishment of the Department of the Treasury,
15 there is established—

16 “(A) an Office of Inspector General of the
17 Department of the Treasury; and

18 “(B) an Office of Treasury Inspector Gen-
19 eral for Tax Administration.

20 “(b) PURPOSE.—The offices established under sub-
21 section (a) are established in order to create independent
22 and objective units—

23 “(1) to conduct and supervise audits and inves-
24 tigations relating to the programs and operations of

1 the establishments listed in section 401(1) of this
2 title;

3 “(2) to provide leadership and coordination and
4 recommend policies for activities designed—

5 “(A) to promote economy, efficiency, and
6 effectiveness in the administration of those pro-
7 grams and operations; and

8 “(B) to prevent and detect fraud and
9 abuse in those programs and operations; and

10 “(3) to provide a means for keeping the head
11 of the establishments and Congress fully and cur-
12 rently informed about problems and deficiencies re-
13 lating to the administration of those programs and
14 operations and the necessity for and progress of cor-
15 rective action.

16 **“§ 403. Appointments**

17 “(a) IN GENERAL.—There shall be at the head of
18 each Office an Inspector General who shall be appointed
19 by the President, by and with the advice and consent of
20 the Senate, without regard to political affiliation and sole-
21 ly on the basis of integrity and demonstrated ability in
22 accounting, auditing, financial analysis, law, management
23 analysis, public administration, or investigations. Each In-
24 spector General shall report to and be under the general
25 supervision of the head of the establishment involved or,

1 to the extent such authority is delegated, the officer next
2 in rank below such head, but shall not report to, or be
3 subject to supervision by, any other officer of the estab-
4 lishment. Neither the head of the establishment nor the
5 officer next in rank below the head shall prevent or pro-
6 hibit the Inspector General from initiating, carrying out,
7 or completing any audit or investigation, or from issuing
8 any subpoena during the course of any audit or investiga-
9 tion.

10 “(b) REMOVAL OR TRANSFER.—An Inspector Gen-
11 eral may be removed from office by the President. If an
12 Inspector General is removed from office or is transferred
13 to another position or location within an establishment,
14 the President shall communicate in writing the reasons for
15 any such removal or transfer to both Houses of Congress,
16 not later than 30 days before the removal or transfer.
17 Nothing in this subsection shall prohibit a personnel ac-
18 tion otherwise authorized by law, other than transfer or
19 removal.

20 “(c) NOT EMPLOYEE DETERMINING POLICY.—For
21 the purposes of section 7324 of this title, an Inspector
22 General shall not be considered to be an employee who
23 determines policies to be pursued by the United States in
24 the nationwide administration of Federal laws.

1 “(d) ASSISTANT INSPECTORS GENERAL AND WHIS-
2 TLEBLOWER PROTECTION COORDINATOR.—

3 “(1) IN GENERAL.—Each Inspector General
4 shall, in accordance with applicable laws and regula-
5 tions governing the civil service—

6 “(A) appoint an Assistant Inspector Gen-
7 eral for Auditing who shall have the responsi-
8 bility for supervising the performance of audit-
9 ing activities relating to programs and oper-
10 ations of the establishment;

11 “(B) appoint an Assistant Inspector Gen-
12 eral for Investigations who shall have the re-
13 sponsibility for supervising the performance of
14 investigative activities relating to such pro-
15 grams and operations; and

16 “(C) designate a Whistleblower Protection
17 Coordinator who shall—

18 “(i) educate agency employees—

19 “(I) about prohibitions against
20 retaliation for protected disclosures;
21 and

22 “(II) who have made or are con-
23 templating making a protected disclo-
24 sure about the rights and remedies

1 against retaliation for protected dis-
2 losures, including—

3 “(aa) the means by which
4 employees may seek review of
5 any allegation of reprisal, includ-
6 ing the roles of the Office of the
7 Inspector General, the Office of
8 Special Counsel, the Merit Sys-
9 tems Protection Board, and any
10 other relevant entities; and

11 “(bb) general information
12 about the timeliness of such
13 cases, the availability of any al-
14 ternative dispute mechanisms,
15 and avenues for potential relief;

16 “(ii) assist the Inspector General in
17 promoting the timely and appropriate han-
18 dling and consideration of protected diselo-
19 sures and allegations of reprisal, to the ex-
20 tent practicable, by the Inspector General;
21 and

22 “(iii) assist the Inspector General in
23 facilitating communication and coordina-
24 tion with the Special Counsel, the Council
25 of the Inspectors General on Integrity and

1 Efficiency, the establishment, Congress,
2 and any other relevant entity regarding the
3 timely and appropriate handling and con-
4 sideration of protected disclosures, allega-
5 tions of reprisal, and general matters re-
6 garding the implementation and adminis-
7 tration of whistleblower protection laws,
8 rules, and regulations.

9 “(2) WHISTLEBLOWER PROTECTION COORDI-
10 NATOR NOT TO ACT AS LEGAL REPRESENTATIVE,
11 AGENT, OR ADVOCATE.—The Whistleblower Protec-
12 tion Coordinator shall not act as a legal representa-
13 tive, agent, or advocate of the employee or former
14 employee.

15 “(3) WHISTLEBLOWER PROTECTION COORDI-
16 NATOR ACCESS TO INSPECTOR GENERAL.—The
17 Whistleblower Protection Coordinator shall have di-
18 rect access to the Inspector General as needed to ac-
19 complish the requirements of this subsection.

20 “(4) WHISTLEBLOWER PROTECTION COORDI-
21 NATOR EXCEPTION FOR INTELLIGENCE ACTIVITY.—
22 For the purposes of this section, the requirement of
23 the designation of a Whistleblower Protection Coordi-
24 nator under paragraph (1)(C) shall not apply to—

1 “(A) any agency that is an element of the
2 intelligence community (as defined in section
3 3(4) of the National Security Act of 1947 (50
4 U.S.C. 3003(4))); or

5 “(B) as determined by the President, any
6 executive agency or unit thereof the principal
7 function of which is the conduct of foreign in-
8 telligence or counter intelligence activities.

9 “(e) RATE OF PAY.—The annual rate of basic pay
10 for an Inspector General (as defined under section 401
11 of this title) shall be the rate payable for level III of the
12 Executive Schedule under section 5314 of this title, plus
13 3 percent.

14 “(f) PROHIBITION ON CASH AWARDS.—An Inspector
15 General (as defined under section 401 or 415(a) of this
16 title) may not receive any cash award or cash bonus, in-
17 cluding any cash award under chapter 45 of this title.

18 “(g) LEGAL ADVICE.—Each Inspector General shall,
19 in accordance with applicable laws and regulations gov-
20 erning the civil service, obtain legal advice from a counsel
21 either reporting directly to the Inspector General or an-
22 other Inspector General.

23 **“§ 404. Duties and responsibilities**

24 “(a) IN GENERAL.—It shall be the duty and responsi-
25 bility of each Inspector General, with respect to the estab-

1 lishment within which the Inspector General’s Office is es-
2 tablished—

3 “(1) to provide policy direction for and to con-
4 duct, supervise, and coordinate audits and investiga-
5 tions relating to the programs and operations of the
6 establishment;

7 “(2) to review existing and proposed legislation
8 and regulations relating to programs and operations
9 of the establishment and to make recommendations
10 in the semiannual reports required by section 405(b)
11 of this title concerning the impact of the legislation
12 and regulations on the economy and efficiency in the
13 administration of programs and operations adminis-
14 tered or financed by the establishment, or the pre-
15 vention and detection of fraud and abuse in the pro-
16 grams and operations;

17 “(3) to recommend policies for, and to conduct,
18 supervise, or coordinate other activities carried out
19 or financed by, the establishment for the purpose of
20 promoting economy and efficiency in the administra-
21 tion of, or preventing and detecting fraud and abuse
22 in, its programs and operations;

23 “(4) to recommend policies for the establish-
24 ment, and to conduct, supervise, or coordinate rela-
25 tionships between the establishment and other Fed-

1 eral agencies, State and local governmental agencies,
2 and nongovernmental entities, with respect to—

3 “(A) all matters relating to the promotion
4 of economy and efficiency in the administration
5 of, or the prevention and detection of fraud and
6 abuse in, programs and operations administered
7 or financed by the establishment; or

8 “(B) the identification and prosecution of
9 participants in fraud or abuse referred to in
10 subparagraph (A); and

11 “(5) to keep the head of the establishment and
12 Congress fully and currently informed, by means of
13 the reports required by section 405 of this title and
14 otherwise, concerning fraud and other serious prob-
15 lems, abuses, and deficiencies relating to the admin-
16 istration of programs and operations administered or
17 financed by the establishment, to recommend correc-
18 tive action concerning the problems, abuses, and de-
19 ficiencies, and to report on the progress made in im-
20 plementing the corrective action.

21 “(b) STANDARDS AND GUIDELINES.—

22 “(1) IN GENERAL.—In carrying out the respon-
23 sibilities specified in subsection (a)(1), each Inspec-
24 tor General shall—

1 “(A) comply with standards established by
2 the Comptroller General of the United States
3 for audits of Federal establishments, organiza-
4 tions, programs, activities, and functions;

5 “(B) establish guidelines for determining
6 when it shall be appropriate to use non-Federal
7 auditors; and

8 “(C) take appropriate steps to ensure that
9 any work performed by non-Federal auditors
10 complies with the standards established by the
11 Comptroller General as described in paragraph
12 (1).

13 “(2) **REVIEWS PERFORMED EXCLUSIVELY BY**
14 **AUDIT ENTITIES IN FEDERAL GOVERNMENT.**—For
15 purposes of determining compliance with paragraph
16 (1)(A) with respect to whether internal quality con-
17 trols are in place and operating and whether estab-
18 lished audit standards, policies, and procedures are
19 being followed by Offices of Inspector General of es-
20 tablishments defined under section 401 of this title,
21 Offices of Inspector General of designated Federal
22 entities defined under section 415(a) of this title,
23 and any audit office established within a Federal en-
24 tity defined under section 415(a) of this title, re-
25 views shall be performed exclusively by an audit en-

1 tity in the Federal Government, including the Gov-
2 ernment Accountability Office or the Office of In-
3 spector General of each establishment defined under
4 section 401 of this title, or the Office of Inspector
5 General of each designated Federal entity defined
6 under section 415(a) of this title.

7 “(c) EFFECTIVE COORDINATION AND COOPERA-
8 TION.—In carrying out the duties and responsibilities es-
9 tablished under this chapter, each Inspector General shall
10 give particular regard to the activities of the Comptroller
11 General of the United States with a view toward avoiding
12 duplication and ensuring effective coordination and co-
13 operation.

14 “(d) REPORTING VIOLATION OF FEDERAL CRIMINAL
15 LAW.—In carrying out the duties and responsibilities es-
16 tablished under this chapter, each Inspector General shall
17 report expeditiously to the Attorney General whenever the
18 Inspector General has reasonable grounds to believe there
19 has been a violation of Federal criminal law.

20 “(e) RECOMMENDATIONS FOR CORRECTIVE AC-
21 TIONS.—

22 “(1) SUBMISSION OF DOCUMENTS.—In carrying
23 out the duties and responsibilities established under
24 this chapter, whenever an Inspector General issues

1 a recommendation for corrective action to the agen-
2 cy, the Inspector General—

3 “(A) shall submit the document making a
4 recommendation for corrective action to—

5 “(i) the head of the establishment;

6 “(ii) the congressional committees of
7 jurisdiction; and

8 “(iii) if the recommendation for cor-
9 rective action was initiated upon request
10 by an individual or entity other than the
11 Inspector General, that individual or enti-
12 ty;

13 “(B) may submit the document making a
14 recommendation for corrective action to any
15 Member of Congress upon request; and

16 “(C) not later than 3 days after the rec-
17 ommendation for corrective action is submitted
18 in final form to the head of the establishment,
19 post the document making a recommendation
20 for corrective action on the website of the Office
21 of Inspector General.

22 “(2) PUBLIC DISCLOSURE OTHERWISE PROHIB-
23 ITED BY LAW.—Nothing in this subsection shall be
24 construed as authorizing an Inspector General to

1 publicly disclose information otherwise prohibited
2 from disclosure by law.

3 **“§ 405. Reports**

4 “(a) DEFINITIONS.—In this section:

5 “(1) DISALLOWED COST.—The term ‘disallowed
6 cost’ means a questioned cost that management, in
7 a management decision, has sustained or agreed
8 should not be charged to the Government.

9 “(2) FINAL ACTION.—The term ‘final action’
10 means—

11 “(A) the completion of all actions that the
12 management of an establishment has concluded,
13 in its management decision, are necessary with
14 respect to the findings and recommendations in-
15 cluded in an audit report; and

16 “(B) in the event that the management of
17 an establishment concludes no action is nec-
18 essary, final action occurs when a management
19 decision has been made.

20 “(3) MANAGEMENT DECISION.—The term
21 ‘management decision’ means the evaluation by the
22 management of an establishment of the findings and
23 recommendations included in an audit report and
24 the issuance of a final decision by management con-
25 cerning its response to the findings and rec-

1 ommendations, including actions concluded to be
2 necessary.

3 “(4) QUESTIONED COST.—The term ‘questioned
4 cost’ means a cost that is questioned by the Office
5 because of—

6 “(A) an alleged violation of a provision of
7 a law, regulation, contract, grant, cooperative
8 agreement, or other agreement or document
9 governing the expenditure of funds;

10 “(B) a finding that, at the time of the
11 audit, the cost is not supported by adequate
12 documentation; or

13 “(C) a finding that the expenditure of
14 funds for the intended purpose is unnecessary
15 or unreasonable.

16 “(5) RECOMMENDATION THAT FUNDS BE PUT
17 TO BETTER USE.—The term ‘recommendation that
18 funds be put to better use’ means a recommendation
19 by the Office that funds could be used more effi-
20 ciently if management of an establishment took ac-
21 tions to implement and complete the recommenda-
22 tion, including—

23 “(A) reductions in outlays;

24 “(B) deobligation of funds from programs
25 or operations;

1 “(C) withdrawal of interest subsidy costs
2 on loans or loan guarantees, insurance, or
3 bonds;

4 “(D) costs not incurred by implementing
5 recommended improvements related to the oper-
6 ations of the establishment, a contractor, or
7 grantee;

8 “(E) avoidance of unnecessary expendi-
9 tures noted in preaward reviews of contract or
10 grant agreements; or

11 “(F) any other savings which are specifi-
12 cally identified.

13 “(6) SENIOR GOVERNMENT EMPLOYEE.—The
14 term ‘senior Government employee’ means—

15 “(A) an officer or employee in the execu-
16 tive branch (including a special Government
17 employee as defined in section 202 of title 18)
18 who occupies a position classified at or above
19 GS–15 of the General Schedule or, in the case
20 of positions not under the General Schedule, for
21 which the rate of basic pay is equal to or great-
22 er than 120 percent of the minimum rate of
23 basic pay payable for GS–15 of the General
24 Schedule; and

1 “(B) any commissioned officer in the
2 Armed Forces in pay grades O–6 and above.

3 “(7) UNSUPPORTED COST.—The term ‘unsup-
4 ported cost’ means a cost that is questioned by the
5 Office because the Office found that, at the time of
6 the audit, such cost is not supported by adequate
7 documentation.

8 “(b) SEMIANNUAL REPORTS.—Each Inspector Gen-
9 eral shall, not later than April 30 and October 31 of each
10 year, prepare semiannual reports summarizing the activi-
11 ties of the Office during the immediately preceding 6-
12 month periods ending March 31 and September 30. The
13 reports shall include, but need not be limited to—

14 “(1) a description of significant problems,
15 abuses, and deficiencies relating to the administra-
16 tion of programs and operations of such establish-
17 ment disclosed by such activities during the report-
18 ing period;

19 “(2) a description of the recommendations for
20 corrective action made by the Office during the re-
21 porting period with respect to significant problems,
22 abuses, or deficiencies identified pursuant to para-
23 graph (1);

24 “(3) an identification of each significant rec-
25 ommendation described in previous semiannual re-

1 ports on which corrective action has not been com-
2 pleted;

3 “(4) a summary of matters referred to prose-
4 cutive authorities and the prosecutions and convic-
5 tions which have resulted;

6 “(5) a summary of each report made to the
7 head of the establishment under section 406(c)(2) of
8 this title during the reporting period;

9 “(6) a listing, subdivided according to subject
10 matter, of each audit report, inspection report, and
11 evaluation report issued by the Office during the re-
12 porting period and for each report, where applicable,
13 the total dollar value of questioned costs (including
14 a separate category for the dollar value of unsup-
15 ported costs) and the dollar value of recommenda-
16 tions that funds be put to better use;

17 “(7) a summary of each particularly significant
18 report;

19 “(8) statistical tables showing the total number
20 of audit reports, inspection reports, and evaluation
21 reports and the total dollar value of questioned costs
22 (including a separate category for the dollar value of
23 unsupported costs), for reports—

1 “(A) for which no management decision
2 had been made by the commencement of the re-
3 porting period;

4 “(B) which were issued during the report-
5 ing period;

6 “(C) for which a management decision was
7 made during the reporting period, including—

8 “(i) the dollar value of disallowed
9 costs; and

10 “(ii) the dollar value of costs not dis-
11 allowed; and

12 “(D) for which no management decision
13 has been made by the end of the reporting pe-
14 riod;

15 “(9) statistical tables showing the total number
16 of audit reports, inspection reports, and evaluation
17 reports and the dollar value of recommendations
18 that funds be put to better use by management, for
19 reports—

20 “(A) for which no management decision
21 had been made by the commencement of the re-
22 porting period;

23 “(B) which were issued during the report-
24 ing period;

1 “(C) for which a management decision was
2 made during the reporting period, including—

3 “(i) the dollar value of recommenda-
4 tions that were agreed to by management;
5 and

6 “(ii) the dollar value of recommenda-
7 tions that were not agreed to by manage-
8 ment; and

9 “(D) for which no management decision
10 has been made by the end of the reporting pe-
11 riod;

12 “(10) a summary of each audit report, inspec-
13 tion report, and evaluation report issued before the
14 commencement of the reporting period—

15 “(A) for which no management decision
16 has been made by the end of the reporting pe-
17 riod (including the date and title of each such
18 report), an explanation of the reasons such
19 management decision has not been made, and a
20 statement concerning the desired timetable for
21 achieving a management decision on each such
22 report;

23 “(B) for which no establishment comment
24 was returned within 60 days of providing the
25 report to the establishment; and

1 “(C) for which there are any outstanding
2 unimplemented recommendations, including the
3 aggregate potential cost savings of those rec-
4 ommendations;

5 “(11) a description and explanation of the rea-
6 sons for any significant revised management decision
7 made during the reporting period;

8 “(12) information concerning any significant
9 management decision with which the Inspector Gen-
10 eral is in disagreement;

11 “(13) the information described under section
12 804(b) of the Federal Financial Management Im-
13 provement Act of 1996 (Public Law 104–208,
14 §101(f) [title VIII], 31 U.S.C. 3512 note);

15 “(14)(A) an appendix containing the results of
16 any peer review conducted by another Office of In-
17 spector General during the reporting period; or

18 “(B) if no peer review was conducted within
19 that reporting period, a statement identifying the
20 date of the last peer review conducted by another
21 Office of Inspector General;

22 “(15) a list of any outstanding recommenda-
23 tions from any peer review conducted by another Of-
24 fice of Inspector General that have not been fully
25 implemented, including a statement describing the

1 status of the implementation and why implementa-
2 tion is not complete;

3 “(16) a list of any peer reviews conducted by
4 the Inspector General of another Office of the In-
5 spector General during the reporting period, includ-
6 ing a list of any outstanding recommendations made
7 from any previous peer review (including any peer
8 review conducted before the reporting period) that
9 remain outstanding or have not been fully imple-
10 mented;

11 “(17) statistical tables showing—

12 “(A) the total number of investigative re-
13 ports issued during the reporting period;

14 “(B) the total number of persons referred
15 to the Department of Justice for criminal pros-
16 ecution during the reporting period;

17 “(C) the total number of persons referred
18 to State and local prosecuting authorities for
19 criminal prosecution during the reporting pe-
20 riod; and

21 “(D) the total number of indictments and
22 criminal informations during the reporting pe-
23 riod that resulted from any prior referral to
24 prosecuting authorities;

1 “(18) a description of the metrics used for de-
2 veloping the data for the statistical tables under
3 paragraph (17);

4 “(19) a report on each investigation conducted
5 by the Office involving a senior Government em-
6 ployee where allegations of misconduct were substan-
7 tiated, including the name of the senior government
8 official (as defined by the department or agency) if
9 already made public by the Office, and a detailed de-
10 scription of—

11 “(A) the facts and circumstances of the in-
12 vestigation; and

13 “(B) the status and disposition of the mat-
14 ter, including—

15 “(i) if the matter was referred to the
16 Department of Justice, the date of the re-
17 ferral; and

18 “(ii) if the Department of Justice de-
19 clined the referral, the date of the declina-
20 tion;

21 “(20)(A) a detailed description of any instance
22 of whistleblower retaliation, including information
23 about the official found to have engaged in retalia-
24 tion; and

1 “(B) what, if any, consequences the establish-
2 ment actually imposed to hold the official described
3 in subparagraph (A) accountable;

4 “(21) a detailed description of any attempt by
5 the establishment to interfere with the independence
6 of the Office, including—

7 “(A) with budget constraints designed to
8 limit the capabilities of the Office; and

9 “(B) incidents where the establishment has
10 resisted or objected to oversight activities of the
11 Office or restricted or significantly delayed ac-
12 cess to information, including the justification
13 of the establishment for such action; and

14 “(22) detailed descriptions of the particular cir-
15 cumstances of each—

16 “(A) inspection, evaluation, and audit con-
17 ducted by the Office that is closed and was not
18 disclosed to the public; and

19 “(B) investigation conducted by the Office
20 involving a senior Government employee that is
21 closed and was not disclosed to the public.

22 “(c) FURNISHING SEMIANNUAL REPORTS TO HEAD
23 OF ESTABLISHMENT AND CONGRESS.—Semiannual re-
24 ports of each Inspector General shall be furnished to the
25 head of the establishment involved not later than April 30

1 and October 31 of each year and shall be transmitted by
2 the head of the establishment to the appropriate commit-
3 tees or subcommittees of the Congress within 30 days
4 after receipt of the report, together with a report by the
5 head of the establishment containing—

6 “(1) any comments the head of the establish-
7 ment determines appropriate;

8 “(2) statistical tables showing the total number
9 of audit reports, inspection reports, and evaluation
10 reports and the dollar value of disallowed costs, for
11 reports—

12 “(A) for which final action had not been
13 taken by the commencement of the reporting
14 period;

15 “(B) on which management decisions were
16 made during the reporting period;

17 “(C) for which final action was taken dur-
18 ing the reporting period, including—

19 “(i) the dollar value of disallowed
20 costs that were recovered by management
21 through collection, offset, property in lieu
22 of cash, or otherwise; and

23 “(ii) the dollar value of disallowed
24 costs that were written off by manage-
25 ment; and

1 “(D) for which no final action has been
2 taken by the end of the reporting period;

3 “(3) statistical tables showing the total number
4 of audit reports, inspection reports, and evaluation
5 reports and the dollar value of recommendations
6 that funds be put to better use by management
7 agreed to in a management decision, for reports—

8 “(A) for which final action had not been
9 taken by the commencement of the reporting
10 period;

11 “(B) on which management decisions were
12 made during the reporting period;

13 “(C) for which final action was taken dur-
14 ing the reporting period, including—

15 “(i) the dollar value of recommenda-
16 tions that were actually completed; and

17 “(ii) the dollar value of recommenda-
18 tions that management has subsequently
19 concluded should not or could not be im-
20 plemented or completed; and

21 “(D) for which no final action has been
22 taken by the end of the reporting period;

23 “(4) whether the establishment entered into a
24 settlement agreement with the official described in
25 subsection (b)(20)(A), which shall be reported re-

1 regardless of any confidentiality agreement relating to
2 the settlement agreement; and

3 “(5) a statement with respect to audit reports
4 on which management decisions have been made but
5 final action has not been taken, other than audit re-
6 ports on which a management decision was made
7 within the preceding year, containing—

8 “(A) a list of such audit reports and the
9 date each such report was issued;

10 “(B) the dollar value of disallowed costs
11 for each report;

12 “(C) the dollar value of recommendations
13 that funds be put to better use agreed to by
14 management for each report; and

15 “(D) an explanation of the reasons final
16 action has not been taken with respect to each
17 audit report;

18 except that the statement may exclude any audit re-
19 ports that are under formal administrative or judi-
20 cial appeal or upon which management of an estab-
21 lishment has agreed to pursue a legislative solution,
22 but the statement shall identify the number of re-
23 ports in each category so excluded.

24 “(d) REPORTS AVAILABLE TO PUBLIC.—Within 60
25 days of the transmission of the semiannual reports of each

1 Inspector General to Congress, the head of each establish-
2 ment shall make copies of the report available to the public
3 upon request and at a reasonable cost. Within 60 days
4 after the transmission of the semiannual reports of each
5 establishment head to Congress, the head of each estab-
6 lishment shall make copies of the report available to the
7 public upon request and at a reasonable cost.

8 “(e) REPORTING SERIOUS PROBLEMS, ABUSES, OR
9 DEFICIENCIES.—Each Inspector General shall report im-
10 mediately to the head of the establishment involved when-
11 ever the Inspector General becomes aware of particularly
12 serious or flagrant problems, abuses, or deficiencies relat-
13 ing to the administration of programs and operations of
14 the establishment. The head of the establishment shall
15 transmit any such report to the appropriate committees
16 or subcommittees of Congress within 7 calendar days, to-
17 gether with a report by the head of the establishment con-
18 taining any comments the establishment head deems ap-
19 propriate.

20 “(f) LIMITATION ON PUBLIC DISCLOSURE OF INFOR-
21 MATION.—

22 “(1) IN GENERAL.—Nothing in this section
23 shall be construed to authorize the public disclosure
24 of information that is—

1 “(A) specifically prohibited from disclosure
2 by any other provision of law;

3 “(B) specifically required by Executive
4 order to be protected from disclosure in the in-
5 terest of national defense or national security or
6 in the conduct of foreign affairs; or

7 “(C) a part of an ongoing criminal inves-
8 tigation.

9 “(2) CRIMINAL INVESTIGATION INFORMATION
10 IN PUBLIC RECORDS.—Notwithstanding paragraph
11 (1)(C), any report under this section may be dis-
12 closed to the public in a form which includes infor-
13 mation with respect to a part of an ongoing criminal
14 investigation if such information has been included
15 in a public record.

16 “(3) NO AUTHORIZATION TO WITHHOLD INFOR-
17 MATION FROM CONGRESS.—Except to the extent and
18 in the manner provided under section 6103(f) of the
19 Internal Revenue Code of 1986 (26 U.S.C. 6103(f)),
20 nothing in this section or in any other provision of
21 this chapter shall be construed to authorize or per-
22 mit the withholding of information from Congress,
23 or from any committee or subcommittee of Congress.

24 “(4) PROVISION OF INFORMATION TO MEMBERS
25 OF CONGRESS.—Subject to any other provision of

1 law that would otherwise prohibit disclosure of such
2 information, the information described in paragraph
3 (1) may be provided to any Member of Congress
4 upon request.

5 “(5) PROTECTION OF PERSONALLY IDENTIFI-
6 ABLE INFORMATION OF WHISTLEBLOWERS.—An Of-
7 fice may not provide to Congress or the public any
8 information that reveals the personally identifiable
9 information of a whistleblower under this section un-
10 less the Office first obtains the consent of the whis-
11 tleblower.

12 **“§ 406. Authority of Inspector General**

13 “(a) IN GENERAL.—In addition to the authority oth-
14 erwise provided by this chapter, each Inspector General,
15 in carrying out the provisions of this chapter, is author-
16 ized—

17 “(1)(A) to have timely access to all records, re-
18 ports, audits, reviews, documents, papers, rec-
19 ommendations, or other materials available to the
20 applicable establishment which relate to the pro-
21 grams and operations with respect to which that In-
22 spector General has responsibilities under this chap-
23 ter;

24 “(B) to have access under subparagraph (A)
25 notwithstanding any other provision of law, except

1 pursuant to any provision of law enacted by Con-
2 gress that expressly—

3 “(i) refers to the Inspector General; and

4 “(ii) limits the right of access of the Inspector
5 General; and

6 “(C) except as provided in subsection (i), with
7 regard to Federal grand jury materials protected
8 from disclosure pursuant to rule 6(e) of the Federal
9 Rules of Criminal Procedure, to have timely access
10 to such information if the Attorney General grants
11 the request in accordance with subsection (h);

12 “(2) to make such investigations and reports
13 relating to the administration of the programs and
14 operations of the applicable establishment as are, in
15 the judgment of the Inspector General, necessary or
16 desirable;

17 “(3) to request such information or assistance
18 as may be necessary for carrying out the duties and
19 responsibilities provided by this chapter from any
20 Federal, State, or local governmental agency or unit
21 thereof;

22 “(4) to require by subpoena the production of
23 all information, documents, reports, answers,
24 records, accounts, papers, and other data in any me-
25 dium (including electronically stored information), as

1 well as any tangible thing and documentary evidence
2 necessary in the performance of the functions as-
3 signed by this chapter, which subpoena, in the case
4 of contumacy or refusal to obey, shall be enforceable
5 by order of any appropriate United States district
6 court, but procedures other than subpoenas shall be
7 used by the Inspector General to obtain documents
8 and information from Federal agencies;

9 “(5) to administer to or take from any person
10 an oath, affirmation, or affidavit, whenever nec-
11 essary in the performance of the functions assigned
12 by this chapter, which oath, affirmation, or affidavit
13 when administered or taken by or before an em-
14 ployee of an Office of Inspector General designated
15 by the Inspector General shall have the same force
16 and effect as if administered or taken by or before
17 an officer having a seal;

18 “(6) to have direct and prompt access to the
19 head of the establishment involved when necessary
20 for any purpose pertaining to the performance of
21 functions and responsibilities under this chapter;

22 “(7) to select, appoint, and employ such officers
23 and employees as may be necessary for carrying out
24 the functions, powers, and duties of the Office sub-
25 ject to the provisions of this title, governing appoint-

1 ments in the competitive service, and the provisions
2 of chapter 51 and subchapter III of chapter 53 of
3 this title relating to classification and General
4 Schedule pay rates;

5 “(8) to obtain services as authorized by section
6 3109 of this title, at daily rates not to exceed the
7 maximum rate payable under section 5376 of this
8 title; and

9 “(9) to the extent and in such amounts as may
10 be provided in advance by appropriations Acts, to
11 enter into contracts and other arrangements for au-
12 dits, studies, analyses, and other services with public
13 agencies and with private persons, and to make such
14 payments as may be necessary to carry out the pro-
15 visions of this chapter.

16 “(b) PUBLIC DISCLOSURE OTHERWISE PROHIBITED
17 BY LAW.—Nothing in this section shall be construed as
18 authorizing an Inspector General to publicly disclose infor-
19 mation otherwise prohibited from disclosure by law.

20 “(c) REQUESTS FOR INFORMATION.—

21 “(1) COMPLIANCE IN GENERAL.—Upon request
22 of an Inspector General for information or assist-
23 ance under subsection (a)(3), the head of any Fed-
24 eral agency involved shall, insofar as is practicable
25 and not in contravention of any existing statutory

1 restriction or regulation of the Federal agency from
2 which the information is requested, furnish to the
3 Inspector General, or to an authorized designee, the
4 requested information or assistance.

5 “(2) UNREASONABLE REFUSAL.—Whenever in-
6 formation or assistance requested under subsection
7 (a)(1) or (a)(3) is, in the judgment of an Inspector
8 General, unreasonably refused or not provided, the
9 Inspector General shall report the circumstances to
10 the head of the establishment involved without delay.

11 “(d) OFFICE SPACE AND SUPPLIES.—Each head of
12 an establishment shall provide the Office within the estab-
13 lishment with appropriate and adequate office space at
14 central and field office locations of the establishment, to-
15 gether with such equipment, office supplies, and commu-
16 nications facilities and services as may be necessary for
17 the operation of the offices, and shall provide necessary
18 maintenance services for the offices and the equipment
19 and facilities provided.

20 “(e) APPLYING CERTAIN PROVISIONS.—

21 “(1) EACH OFFICE CONSIDERED SEPARATE
22 AGENCY.—

23 “(A) For purposes of applying the provi-
24 sions of law identified in subparagraph (B)—

1 “(i) each Office of Inspector General
2 shall be considered to be a separate agen-
3 cy; and

4 “(ii) the Inspector General who is the
5 head of an office referred to in clause (i)
6 shall, with respect to that office, have the
7 functions, powers, and duties of an agency
8 head or appointing authority under such
9 provisions.

10 “(B) This paragraph applies with respect
11 to the following provisions of this title:

12 “(i) Subchapter II of chapter 35.

13 “(ii) Sections 8335(b), 8336, 8344,
14 8414, 8425(b), and 8468.

15 “(iii) All provisions relating to the
16 Senior Executive Service (as determined by
17 the Office of Personnel Management), sub-
18 ject to paragraph (2).

19 “(2) APPLYING SECTION 4507(b).—For pur-
20 poses of applying section 4507(b) of this title, para-
21 graph (1)(A)(ii) shall be applied by substituting ‘the
22 Council of the Inspectors General on Integrity and
23 Efficiency (established by section 424 of this title)
24 shall’ for ‘the Inspector General who is the head of

1 an office referred to in clause (i) shall, with respect
2 to that office,'.

3 “(f) ADDITIONAL AUTHORITY.—

4 “(1) IN GENERAL.—In addition to the authority
5 otherwise provided by this chapter, each Inspector
6 General, any Assistant Inspector General for Inves-
7 tigation under such an Inspector General, and any
8 special agent supervised by such an Assistant In-
9 spector General may be authorized by the Attorney
10 General to—

11 “(A) carry a firearm while engaged in offi-
12 cial duties as authorized under this chapter or
13 other statute, or as expressly authorized by the
14 Attorney General;

15 “(B) make an arrest without a warrant
16 while engaged in official duties as authorized
17 under this chapter or other statute, or as ex-
18 pressly authorized by the Attorney General, for
19 any offense against the United States com-
20 mitted in the presence of such Inspector Gen-
21 eral, Assistant Inspector General, or agent, or
22 for any felony cognizable under the laws of the
23 United States if such Inspector General, Assist-
24 ant Inspector General, or agent has reasonable
25 grounds to believe that the person to be ar-

1 rested has committed or is committing such fel-
2 ony; and

3 “(C) seek and execute warrants for arrest,
4 search of a premises, or seizure of evidence
5 issued under the authority of the United States
6 upon probable cause to believe that a violation
7 has been committed.

8 “(2) DETERMINATION.—The Attorney General
9 may authorize exercise of the powers under this sub-
10 section only upon an initial determination that—

11 “(A) the affected Office of Inspector Gen-
12 eral is significantly hampered in the perform-
13 ance of responsibilities established by this chap-
14 ter as a result of the lack of such powers;

15 “(B) available assistance from other law
16 enforcement agencies is insufficient to meet the
17 need for such powers; and

18 “(C) adequate internal safeguards and
19 management procedures exist to ensure proper
20 exercise of such powers.

21 “(3) EXEMPTIONS FROM REQUIREMENT OF INI-
22 TIAL DETERMINATION OF ELIGIBILITY.—The In-
23 spector General offices of the Department of Com-
24 merce, Department of Education, Department of
25 Energy, Department of Health and Human Services,

1 Department of Homeland Security, Department of
2 Housing and Urban Development, Department of
3 the Interior, Department of Justice, Department of
4 Labor, Department of State, Department of Trans-
5 portation, Department of the Treasury, Department
6 of Veterans' Affairs, Agency for International Devel-
7 opment, Environmental Protection Agency, Federal
8 Deposit Insurance Corporation, Federal Emergency
9 Management Agency, General Services Administra-
10 tion, National Aeronautics and Space Administra-
11 tion, Nuclear Regulatory Commission, Office of Per-
12 sonnel Management, Railroad Retirement Board,
13 Small Business Administration, Social Security Ad-
14 ministration, and the Tennessee Valley Authority are
15 exempt from the requirement of paragraph (2) for
16 an initial determination of eligibility by the Attorney
17 General.

18 “(4) GUIDELINES.—The Attorney General shall
19 promulgate, and revise as appropriate, guidelines
20 which shall govern the exercise of the law enforce-
21 ment powers established under paragraph (1).

22 “(5) RESCINDING OR SUSPENDING POWERS.—

23 “(A) POWERS AUTHORIZED FOR AN OF-
24 FICE OF INSPECTOR GENERAL.—Powers au-
25 thorized for an Office of Inspector General

1 under paragraph (1) may be rescinded or sus-
2 pended upon a determination by the Attorney
3 General that any of the requirements under
4 paragraph (2) is no longer satisfied or that the
5 exercise of authorized powers by that Office of
6 Inspector General has not complied with the
7 guidelines promulgated by the Attorney General
8 under paragraph (4).

9 “(B) POWERS AUTHORIZED TO BE EXER-
10 CISED BY AN INDIVIDUAL.—Powers authorized
11 to be exercised by any individual under para-
12 graph (1) may be rescinded or suspended with
13 respect to that individual upon a determination
14 by the Attorney General that such individual
15 has not complied with guidelines promulgated
16 by the Attorney General under paragraph (4).

17 “(6) NOT REVIEWABLE.—A determination by
18 the Attorney General under paragraph (2) or (5)
19 shall not be reviewable in or by any court.

20 “(7) MEMORANDUM OF UNDERSTANDING.—To
21 ensure the proper exercise of the law enforcement
22 powers authorized by this subsection, the Offices of
23 Inspector General described under paragraph (3)
24 shall, not later than 180 days after November 25,
25 2002, collectively enter into a memorandum of un-

1 derstanding to establish an external review process
2 for ensuring that adequate internal safeguards and
3 management procedures continue to exist within
4 each Office and within any Office that later receives
5 an authorization under paragraph (2). The review
6 process shall be established in consultation with the
7 Attorney General, who shall be provided with a copy
8 of the memorandum of understanding that estab-
9 lishes the review process. Under the review process,
10 the exercise of the law enforcement powers by each
11 Office of Inspector General shall be reviewed periodi-
12 cally by another Office of Inspector General or by a
13 committee of Inspectors General. The results of each
14 review shall be communicated in writing to the appli-
15 cable Inspector General and to the Attorney Gen-
16 eral.

17 “(8) NOT A LIMITATION ON OTHER LAW EN-
18 FORCEMENT POWERS.—No provision of this sub-
19 section shall limit the exercise of law enforcement
20 powers established under any other statutory author-
21 ity, including United States Marshals Service special
22 deputation.

23 “(9) DEFINITION OF INSPECTOR GENERAL.—In
24 this subsection, the term ‘Inspector General’ means
25 an Inspector General appointed under section 403 of

1 this title or an Inspector General appointed under
2 section 415 of this title.

3 “(g) BUDGETS.—

4 “(1) INSPECTOR GENERAL’S BUDGET ESTIMATE
5 AND REQUEST TRANSMITTED TO HEAD OF ESTAB-
6 LISHMENT OR DESIGNATED FEDERAL ENTITY.—For
7 each fiscal year, an Inspector General shall transmit
8 a budget estimate and request to the head of the es-
9 tablishment or designated Federal entity to which
10 the Inspector General reports. The budget request
11 shall specify the aggregate amount of funds re-
12 quested for such fiscal year for the operations of
13 that Inspector General and shall specify the amount
14 requested for all training needs, including a certifi-
15 cation from the Inspector General that the amount
16 requested satisfies all training requirements for the
17 Inspector General’s office for that fiscal year, and
18 any resources necessary to support the Council of
19 the Inspectors General on Integrity and Efficiency.
20 Resources necessary to support the Council of the
21 Inspectors General on Integrity and Efficiency shall
22 be specifically identified and justified in the budget
23 request.

24 “(2) HEAD OF ESTABLISHMENT OR DES-
25 IGNATED FEDERAL ENTITY’S PROPOSED BUDGET

1 TRANSMITTED TO PRESIDENT.—In transmitting a
2 proposed budget to the President for approval, the
3 head of each establishment or designated Federal
4 entity shall include—

5 “(A) an aggregate request for the Inspec-
6 tor General;

7 “(B) amounts for Inspector General train-
8 ing;

9 “(C) amounts for support of the Council of
10 the Inspectors General on Integrity and Effi-
11 ciency; and

12 “(D) any comments of the affected Inspec-
13 tor General with respect to the proposal.

14 “(3) PRESIDENT’S BUDGET SUBMITTED TO
15 CONGRESS.—The President shall include in each
16 budget of the United States Government submitted
17 to Congress—

18 “(A) a separate statement of the budget
19 estimate prepared in accordance with paragraph
20 (1);

21 “(B) the amount requested by the Presi-
22 dent for each Inspector General;

23 “(C) the amount requested by the Presi-
24 dent for training of Inspectors General;

1 “(D) the amount requested by the Presi-
2 dent for support for the Council of the Inspec-
3 tors General on Integrity and Efficiency; and

4 “(E) any comments of the affected Inspec-
5 tor General with respect to the proposal if the
6 Inspector General concludes that the budget
7 submitted by the President would substantially
8 inhibit the Inspector General from performing
9 the duties of the office.

10 “(h) FEDERAL GRAND JURY MATERIALS.—

11 “(1) NOTIFICATION OF ATTORNEY GENERAL OF
12 REQUEST.—If the Inspector General of an establish-
13 ment submits a request to the head of the establish-
14 ment for Federal grand jury materials pursuant to
15 subsection (a)(1), the head of the establishment
16 shall immediately notify the Attorney General of
17 such request.

18 “(2) DETERMINATION BY ATTORNEY GEN-
19 ERAL.—Not later than 15 days after the date on
20 which a request is submitted to the Attorney Gen-
21 eral under paragraph (1), the Attorney General shall
22 determine whether to grant or deny the request for
23 Federal grand jury materials and shall immediately
24 notify the head of the establishment of such deter-
25 mination. The Attorney General shall grant the re-

1 quest unless the Attorney General determines that
2 granting access to the Federal grand jury materials
3 would be likely to—

4 “(A) interfere with an ongoing criminal in-
5 vestigation or prosecution;

6 “(B) interfere with an undercover oper-
7 ation;

8 “(C) result in disclosure of the identity of
9 a confidential source, including a protected wit-
10 ness;

11 “(D) pose a serious threat to national se-
12 curity; or

13 “(E) result in significant impairment of
14 the trade or economic interests of the United
15 States.

16 “(3) COMMENTS.—

17 “(A) REQUIREMENT TO INFORM INSPEC-
18 TOR GENERAL OF DETERMINATION BY ATTOR-
19 NEY GENERAL.—The head of the establishment
20 shall inform the Inspector General of the estab-
21 lishment of the determination made by the At-
22 torney General with respect to the request for
23 Federal grand jury materials.

24 “(B) SUBMISSION OF COMMENTS BY IN-
25 SPECTOR GENERAL.—The Inspector General of

1 the establishment described under subpara-
2 graph (A) may submit comments on the deter-
3 mination submitted pursuant to such subpara-
4 graph to the committees listed under paragraph
5 (4) that the Inspector General considers appro-
6 priate.

7 “(4) STATEMENT OF ATTORNEY GENERAL RE-
8 GARDING DENIAL OF REQUEST.—Not later than 30
9 days after notifying the head of an establishment of
10 a denial pursuant to paragraph (2), the Attorney
11 General shall submit a statement that the request
12 for Federal grand jury materials by the Inspector
13 General was denied and the reason for the denial to
14 each of the following:

15 “(A) The Committee on Homeland Secu-
16 rity and Governmental Affairs, the Committee
17 on the Judiciary, and the Select Committee on
18 Intelligence of the Senate.

19 “(B) The Committee on Oversight and Re-
20 form, the Committee on the Judiciary, and the
21 Permanent Select Committee on Intelligence of
22 the House of Representatives.

23 “(C) Other appropriate committees and
24 subcommittees of Congress.

1 “(i) NON-APPLICABILITY OF CERTAIN PROVISIONS
2 TO REQUESTS FROM INSPECTOR GENERAL OF DEPART-
3 MENT OF JUSTICE.—Subsections (a)(1)(C) and (h) shall
4 not apply to requests from the Inspector General of the
5 Department of Justice.

6 “(j) COMPUTERIZED COMPARISONS.—

7 “(1) DEFINITIONS.—In this subsection, the
8 terms ‘agency’, ‘matching program’, ‘record’, and
9 ‘system of records’ have the meanings given those
10 terms in section 552a(a) of title 5.

11 “(2) NON-CONSIDERATION OF COMPUTERIZED
12 COMPARISONS AS MATCHING PROGRAMS.—For pur-
13 poses of section 552a of title 5 or any other provi-
14 sion of law, a computerized comparison of two or
15 more automated Federal systems of records, or a
16 computerized comparison of a Federal system of
17 records with other records or non-Federal records,
18 performed by an Inspector General or by an agency
19 in coordination with an Inspector General in con-
20 ducting an audit, investigation, inspection, evalua-
21 tion, or other review authorized under this chapter
22 shall not be considered a matching program.

23 “(3) LIMITATION.—Nothing in this subsection
24 shall be construed to impede the exercise by an In-

1 specter General of any matching program authority
2 established under any other provision of law.

3 “(k) NON-APPLICABILITY OF FEDERAL INFORMA-
4 TION POLICY.—Subchapter I of chapter 35 of title 44
5 shall not apply to the collection of information during the
6 conduct of an audit, investigation, inspection, evaluation,
7 or other review conducted by the Council of the Inspectors
8 General on Integrity and Efficiency or any Office of In-
9 spector General, including any Office of Special Inspector
10 General.

11 **“§ 407. Complaints by employees**

12 “(a) RECEIPT AND INVESTIGATION.—The Inspector
13 General may receive and investigate complaints or infor-
14 mation from an employee of the establishment concerning
15 the possible existence of an activity constituting a violation
16 of law, rules, or regulations, or mismanagement, gross
17 waste of funds, abuse of authority, or a substantial and
18 specific danger to the public health and safety.

19 “(b) PROHIBITION ON DISCLOSURE OF IDENTITY.—
20 The Inspector General shall not, after receipt of a com-
21 plaint or information from an employee, disclose the iden-
22 tity of the employee without the consent of the employee,
23 unless the Inspector General determines the disclosure is
24 unavoidable during the course of the investigation.

1 “(c) PROHIBITION ON REPRISAL.—Any employee
2 who has authority to take, direct others to take, rec-
3 ommend, or approve any personnel action, shall not, with
4 respect to that authority, take or threaten to take any ac-
5 tion against any employee as a reprisal for making a com-
6 plaint or disclosing information to an Inspector General,
7 unless the complaint was made or the information dis-
8 closed with the knowledge that it was false or with willful
9 disregard for its truth or falsity.

10 **“§ 408. Additional provisions with respect to the In-**
11 **Inspector General of the Department of De-**
12 **fense**

13 “(a) INSPECTOR GENERAL.—A member of the
14 Armed Forces, active or reserve, shall not be appointed
15 Inspector General of the Department of Defense.

16 “(b) AUTHORITY OF SECRETARY OF DEFENSE.—

17 “(1) IN GENERAL.—Notwithstanding the last
18 two sentences of section 403(a) of this title, the In-
19 spector General shall be under the authority, direc-
20 tion, and control of the Secretary of Defense with
21 respect to audits or investigations, or the issuance of
22 subpoenas, which require access to information con-
23 cerning—

24 “(A) sensitive operational plans;

25 “(B) intelligence matters;

1 “(C) counterintelligence matters;

2 “(D) ongoing criminal investigations by
3 other administrative units of the Department of
4 Defense related to national security; or

5 “(E) other matters the disclosure of which
6 would constitute a serious threat to national se-
7 curity.

8 “(2) AUTHORITY TO PROHIBIT AUDIT OR IN-
9 VESTIGATION.—With respect to the information de-
10 scribed in paragraph (1), the Secretary of Defense
11 may prohibit the Inspector General from initiating,
12 carrying out, or completing any audit or investiga-
13 tion, from accessing information described in para-
14 graph (1), or from issuing any subpoena, after the
15 Inspector General has decided to initiate, carry out,
16 or complete such audit or investigation, access such
17 information, or to issue such subpoena, if the Sec-
18 retary determines that such prohibition is necessary
19 to preserve the national security interests of the
20 United States.

21 “(3) STATEMENT CONCERNING EXERCISE OF
22 POWER.—If the Secretary of Defense exercises any
23 power under paragraph (1) or (2), the Inspector
24 General shall submit a statement concerning that ex-
25 ercise of power within 30 days to the Committee on

1 Armed Services and the Committee on Homeland
2 Security and Governmental Affairs of the Senate
3 and the Committee on Armed Services and the Com-
4 mittee on Oversight and Reform of the House of
5 Representatives and to other appropriate committees
6 or subcommittees of the Congress.

7 “(4) STATEMENT OF REASONS FOR EXERCISE
8 OF POWER.—The Secretary shall, within 30 days
9 after submission of a statement under paragraph
10 (3), transmit a statement of the reasons for the ex-
11 ercise of power under paragraph (1) or (2) to the
12 congressional committees specified in paragraph (3)
13 and to other appropriate committees or subcommit-
14 tees.

15 “(c) ADDITIONAL DUTIES AND RESPONSIBILITIES.—
16 In addition to the other duties and responsibilities speci-
17 fied in this chapter, the Inspector General of the Depart-
18 ment of Defense shall—

19 “(1) be the principal adviser to the Secretary of
20 Defense for matters relating to the prevention and
21 detection of fraud, waste, and abuse in the programs
22 and operations of the Department;

23 “(2) initiate, conduct, and supervise such audits
24 and investigations in the Department of Defense (in-

1 including the military departments) as the Inspector
2 General considers appropriate;

3 “(3) provide policy direction for audits and in-
4 vestigations relating to fraud, waste, and abuse and
5 program effectiveness;

6 “(4) investigate fraud, waste, and abuse uncov-
7 ered as a result of other contract and internal au-
8 dits, as the Inspector General considers appropriate;

9 “(5) develop policy, monitor and evaluate pro-
10 gram performance, and provide guidance with re-
11 spect to all Department activities relating to crimi-
12 nal investigation programs;

13 “(6) monitor and evaluate the adherence of De-
14 partment auditors to internal audit, contract audit,
15 and internal review principles, policies, and proce-
16 dures;

17 “(7) develop policy, evaluate program perform-
18 ance, and monitor actions taken by all components
19 of the Department in response to contract audits, in-
20 ternal audits, internal review reports, and audits
21 conducted by the Comptroller General of the United
22 States;

23 “(8) request assistance as needed from other
24 audit, inspection, and investigative units of the De-

1 partment of Defense (including military depart-
2 ments);

3 “(9) give particular regard to the activities of
4 the internal audit, inspection, and investigative units
5 of the military departments with a view toward
6 avoiding duplication and ensuring effective coordina-
7 tion and cooperation; and

8 “(10) conduct, or approve arrangements for the
9 conduct of, external peer reviews of Department of
10 Defense audit agencies in accordance with, and in
11 such frequency as provided by, Government auditing
12 standards as established by the Comptroller General
13 of the United States.

14 “(d) REPORTING VIOLATIONS OF CHAPTER 47 OF
15 TITLE 10.—Notwithstanding section 404(d) of this title,
16 the Inspector General of the Department of Defense shall
17 expeditiously report suspected or alleged violations of
18 chapter 47 of title 10 (Uniform Code of Military Justice),
19 to the Secretary of the military department concerned or
20 the Secretary of Defense.

21 “(e) MEMBER OF ARMED FORCES DEEMED TO BE
22 EMPLOYEE.—For the purposes of section 407 of this title,
23 a member of the Armed Forces shall be deemed to be an
24 employee of the Department of Defense, except that, when
25 the Coast Guard operates as a service of another depart-

1 ment or agency of the Federal Government, a member of
2 the Coast Guard shall be deemed to be an employee of
3 that department or agency.

4 “(f) REPORTS.—

5 “(1) REPORTS TRANSMITTED TO CONGRES-
6 SIONAL COMMITTEES.—Each semiannual report pre-
7 pared by the Inspector General of the Department
8 of Defense under section 405(b) of this title shall be
9 transmitted by the Secretary of Defense to the Com-
10 mittees on Armed Services and on Homeland Secu-
11 rity and Governmental Affairs of the Senate and the
12 Committees on Armed Services and on Oversight
13 and Reform of the House of Representatives and to
14 other appropriate committees or subcommittees of
15 Congress. Each report shall include—

16 “(A) information concerning the numbers
17 and types of contract audits conducted by the
18 Department during the reporting period; and

19 “(B) information concerning any Depart-
20 ment of Defense audit agency that, during the
21 reporting period, has either received a failed
22 opinion from an external peer review or is over-
23 due for an external peer review required to be
24 conducted in accordance with subsection
25 (c)(10).

1 “(2) ADDITIONAL REPORTS TRANSMITTED TO
2 CONGRESSIONAL COMMITTEES.—Any report required
3 to be transmitted by the Secretary of Defense to the
4 appropriate committees or subcommittees of the
5 Congress under section 405(e) of this title shall also
6 be transmitted, within the 7-day period specified in
7 section 405(e) of this title, to the congressional com-
8 mittees specified in paragraph (1).

9 “(g) NON-APPLICABILITY OF SECTION 1385 OF
10 TITLE 18.—The provisions of section 1385 of title 18,
11 shall not apply to audits and investigations conducted by,
12 under the direction of, or at the request of the Inspector
13 General of the Department of Defense to carry out the
14 purposes of this chapter.

15 “(h) GENERAL COUNSEL TO INSPECTOR GENERAL
16 OF DEPARTMENT OF DEFENSE.—

17 “(1) IN GENERAL.—There is a General Counsel
18 to the Inspector General of the Department of De-
19 fense, who shall be appointed by the Inspector Gen-
20 eral of the Department of Defense.

21 “(2) DUTIES AND FUNCTIONS.—

22 “(A) Notwithstanding section 140(b) of
23 title 10, the General Counsel is the chief legal
24 officer of the Office of the Inspector General.

1 “(B) The Inspector General is the exclu-
2 sive legal client of the General Counsel.

3 “(C) The General Counsel shall perform
4 such functions as the Inspector General may
5 prescribe.

6 “(D) The General Counsel shall serve at
7 the discretion of the Inspector General.

8 “(3) OFFICE OF GENERAL COUNSEL.—There is
9 an Office of the General Counsel to the Inspector
10 General of the Department of Defense. The Inspec-
11 tor General may appoint to the Office to serve as
12 staff of the General Counsel such legal counsel as
13 the Inspector General considers appropriate.

14 “(i) AUTHORITY TO REQUIRE ATTENDANCE AND
15 TESTIMONY OF WITNESSES.—

16 “(1) SUBPOENA.—The Inspector General of the
17 Department of Defense is authorized to require by
18 subpoena the attendance and testimony of witnesses
19 as necessary in the performance of functions as-
20 signed to the Inspector General by this chapter, ex-
21 cept that the Inspector General shall use procedures
22 other than subpoenas to obtain attendance and testi-
23 mony from Federal employees.

24 “(2) ENFORCEMENT.—A subpoena issued
25 under this subsection, in the case of contumacy or

1 refusal to obey, shall be enforceable by order of any
2 appropriate United States district court.

3 “(3) NOTIFICATION.—The Inspector General
4 shall notify the Attorney General 7 days before
5 issuing any subpoena under this section.

6 **“§ 409. Special provisions concerning the Agency for**
7 **International Development**

8 “(a) DEFINITION OF AGENCY FOR INTERNATIONAL
9 DEVELOPMENT.—As used in this chapter, the term ‘Agen-
10 cy for International Development’ includes any successor
11 agency primarily responsible for administering part I of
12 the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et
13 seq.).

14 “(b) MEMBERS OF FOREIGN SERVICE.—In addition
15 to the officers and employees provided for in section
16 406(a)(7) of this title, members of the Foreign Service
17 may, at the request of the Inspector General of the Agency
18 for International Development, be assigned as employees
19 of the Inspector General. Members of the Foreign Service
20 so assigned shall be responsible solely to the Inspector
21 General, and the Inspector General (or the Inspector Gen-
22 eral’s designee) shall prepare the performance evaluation
23 reports for the members assigned as employees of the In-
24 spector General.

1 “(c) FIELD OFFICES.—In establishing and staffing
2 field offices pursuant to section 406(d) of this title, the
3 Administrator of the Agency for International Develop-
4 ment shall not be bound by overseas personnel ceilings.

5 “(d) ADDITIONAL OFFICER.—The Inspector General
6 of the Agency for International Development shall be in
7 addition to the officers provided for in section 624(a) of
8 the Foreign Assistance Act of 1961 (22 U.S.C. 2384(a)).

9 **“§ 410. Special provisions concerning the Nuclear**
10 **Regulatory Commission**

11 “(a) DELEGATION.—The Chairman of the Commis-
12 sion may delegate the authority specified in the 2d sen-
13 tence of section 403(a) of this title to another member
14 of the Nuclear Regulatory Commission, but shall not dele-
15 gate such authority to any other officer or employee of
16 the Commission.

17 “(b) PERSONNEL.—Notwithstanding paragraphs (7)
18 and (8) of section 406(a) of this title, the Inspector Gen-
19 eral of the Nuclear Regulatory Commission is authorized
20 to select, appoint, and employ such officers and employees
21 as may be necessary for carrying out the functions, pow-
22 ers, and duties of the Office of Inspector General and to
23 obtain the temporary or intermittent services of experts
24 or consultants or an organization of experts or consult-
25 ants, subject to the applicable laws and regulations that

1 govern such selections, appointments, and employment,
2 and the obtaining of such services, within the Nuclear
3 Regulatory Commission.

4 **“§ 411. Special provisions concerning the Federal De-**
5 **posit Insurance Corporation**

6 “(a) DELEGATION.—The Chairperson of the Federal
7 Deposit Insurance Corporation may delegate the authority
8 specified in the 2d sentence of section 403(a) of this title
9 to the Vice Chairperson of the Board of Directors of the
10 Federal Deposit Insurance Corporation, but may not dele-
11 gate such authority to any other officer or employee of
12 the Corporation.

13 “(b) PERSONNEL.—Notwithstanding paragraphs (7)
14 and (8) of section 406(a) of this title, the Inspector Gen-
15 eral of the Federal Deposit Insurance Corporation may
16 select, appoint, and employ such officers and employees
17 as may be necessary for carrying out the functions, pow-
18 ers, and duties of the Office of Inspector General and may
19 obtain the temporary or intermittent services of experts
20 or consultants or an organization of experts or consult-
21 ants, subject to the applicable laws and regulations that
22 govern such selections, appointments, and employment,
23 and the obtaining of such services, within the Federal De-
24 posit Insurance Corporation.

1 **“§ 412. Special provisions concerning the Department**
2 **of the Treasury**

3 “(a) IN GENERAL.—

4 “(1) AUTHORITY OF SECRETARY OF TREASURY
5 OVER CERTAIN AUDITS AND INVESTIGATIONS.—Not-
6 withstanding the 2d sentence and last sentence of
7 section 403(a) of this title, the Inspector General of
8 the Department of the Treasury shall be under the
9 authority, direction, and control of the Secretary of
10 the Treasury with respect to audits or investigations,
11 or the issuance of subpoenas, which require access to
12 sensitive information concerning—

13 “(A) ongoing criminal investigations or
14 proceedings;

15 “(B) undercover operations;

16 “(C) the identity of confidential sources,
17 including protected witnesses;

18 “(D) deliberations and decisions on policy
19 matters, including documented information
20 used as a basis for making policy decisions, the
21 disclosure of which could reasonably be ex-
22 pected to have a significant influence on the
23 economy or market behavior;

24 “(E) intelligence or counterintelligence
25 matters; or

1 “(F) other matters the disclosure of which
2 would constitute a serious threat to national se-
3 curity or to the protection of any person or
4 property authorized protection by section 3056
5 of title 18, section 3056A of title 18, or any
6 provision of the Presidential Protection Assist-
7 ance Act of 1976 (Public Law 94–524, 18
8 U.S.C. 3056 note).

9 “(2) AUTHORITY OF SECRETARY OF TREASURY
10 TO PROHIBIT CARRYING OUT OR COMPLETING CER-
11 TAIN AUDITS AND INVESTIGATIONS.—With respect
12 to the information described under paragraph (1),
13 the Secretary of the Treasury may prohibit the In-
14 spector General of the Department of the Treasury
15 from carrying out or completing any audit or inves-
16 tigation, from accessing information described in
17 paragraph (1), or from issuing any subpoena, after
18 such Inspector General has decided to initiate, carry
19 out, or complete such audit or investigation, access
20 such information, or to issue such subpoena, if the
21 Secretary determines that such prohibition is nec-
22 essary to prevent the disclosure of any information
23 described under paragraph (1) or to prevent signifi-
24 cant impairment to the national interests of the
25 United States.

1 “(3) NOTIFICATION AND STATEMENT OF REA-
2 SONS FOR EXERCISE OF POWER.—If the Secretary
3 of the Treasury exercises any power under para-
4 graph (1) or (2), the Secretary of the Treasury shall
5 notify the Inspector General of the Department of
6 the Treasury in writing, stating the reasons for such
7 exercise. Within 30 days after receipt of any such
8 notice, the Inspector General of the Department of
9 the Treasury shall transmit a copy of such notice to
10 the Committee on Homeland Security and Govern-
11 mental Affairs and the Committee on Finance of the
12 Senate and the Committee on Oversight and Reform
13 and the Committee on Ways and Means of the
14 House of Representatives, and to other appropriate
15 committees or subcommittees of the Congress.

16 “(4) EXCEPTION RELATING TO TREASURY IN-
17 SPECTOR GENERAL FOR TAX ADMINISTRATION.—
18 The Secretary of the Treasury may not exercise any
19 power under paragraph (1) or (2) with respect to
20 the Treasury Inspector General for Tax Administra-
21 tion.

22 “(b) OVERSIGHT RESPONSIBILITY FOR INTERNAL
23 INVESTIGATIONS.—

24 “(1) IN GENERAL.—In carrying out the duties
25 and responsibilities specified in this chapter, the In-

1 spectator General of the Department of the Treasury
2 shall have oversight responsibility for the internal in-
3 vestigations performed by the Office of Internal Af-
4 fairs of the Tax and Trade Bureau. The head of
5 such office shall promptly report to the Inspector
6 General of the Department of the Treasury the sig-
7 nificant activities being carried out by such office.

8 “(2) EXERCISE OF DUTIES AND RESPONSIBIL-
9 ITIES.—The Inspector General of the Department of
10 the Treasury shall exercise all duties and respon-
11 sibilities of an Inspector General for the Department
12 of the Treasury other than the duties and respon-
13 sibilities exercised by the Treasury Inspector General
14 for Tax Administration.

15 “(3) ESTABLISHMENT OF PROCEDURES.—The
16 Secretary of the Treasury shall establish procedures
17 under which the Inspector General of the Depart-
18 ment of the Treasury and the Treasury Inspector
19 General for Tax Administration will—

20 “(A) determine how audits and investiga-
21 tions are allocated in cases of overlapping juris-
22 diction; and

23 “(B) provide for coordination, cooperation,
24 and efficiency in the conduct of such audits and
25 investigations.

1 “(c) AUDITS AND INVESTIGATIONS IN DEPARTMENT
2 OF TREASURY.—Notwithstanding subsection (b), the In-
3 spector General of the Department of the Treasury may
4 initiate, conduct and supervise such audits and investiga-
5 tions in the Department of the Treasury (including the
6 bureau referred to in subsection (b)) as the Inspector Gen-
7 eral of the Department of the Treasury considers appro-
8 priate.

9 “(d) AUTHORITY TO PROVIDE WRITTEN NOTICE TO
10 TAX AND TRADE BUREAU.—If the Inspector General of
11 the Department of the Treasury initiates an audit or in-
12 vestigation under subsection (c) concerning the bureau re-
13 ferred to in subsection (b), the Inspector General of the
14 Department of the Treasury may provide the head of the
15 office of such bureau referred to in subsection (b) with
16 written notice that the Inspector General of the Depart-
17 ment of the Treasury has initiated such an audit or inves-
18 tigation. If the Inspector General of the Department of
19 the Treasury issues a notice under the preceding sentence,
20 no other audit or investigation shall be initiated into the
21 matter under audit or investigation by the Inspector Gen-
22 eral of the Department of the Treasury, and any other
23 audit or investigation of such matter shall cease.

24 “(e) TREASURY INSPECTOR GENERAL FOR TAX AD-
25 MINISTRATION.—

1 “(1) ACCESS TO RETURNS AND RETURN INFOR-
2 MATION.—The Treasury Inspector General for Tax
3 Administration shall have access to returns and re-
4 turn information, as defined in section 6103(b) of
5 the Internal Revenue Code of 1986 (26 U.S.C.
6 6103(b)), only in accordance with the provisions of
7 section 6103 of the Internal Revenue Code of 1986
8 (26 U.S.C. 6103) and this chapter.

9 “(2) STANDARDIZED RECORDS AND ACCOUNT-
10 INGS.—The Internal Revenue Service shall maintain
11 the same system of standardized records or account-
12 ings of all requests from the Treasury Inspector
13 General for Tax Administration for inspection or
14 disclosure of returns and return information (includ-
15 ing the reasons for and dates of such requests), and
16 of returns and return information inspected or dis-
17 closed pursuant to such requests, as described under
18 section 6103(p)(3)(A) of the Internal Revenue Code
19 of 1986 (26 U.S.C. 6103(p)(3)(A)). Such system of
20 standardized records or accountings shall also be
21 available for examination in the same manner as
22 provided under section 6103(p)(3) of the Internal
23 Revenue Code of 1986 (26 U.S.C. 6103(p)(3)).

24 “(3) SAFEGUARDS AND CONDITIONS.—The
25 Treasury Inspector General for Tax Administration

1 shall be subject to the same safeguards and condi-
2 tions for receiving returns and return information as
3 are described under section 6103(p)(4) of the Inter-
4 nal Revenue Code of 1986 (26 U.S.C. 6103(p)(4)).

5 “(f) AUDIT OR INVESTIGATION SHALL NOT AFFECT
6 FINAL DECISION UNDER SECTION 6406 OF INTERNAL
7 REVENUE CODE OF 1986.—An audit or investigation con-
8 ducted by the Inspector General of the Department of the
9 Treasury or the Treasury Inspector General for Tax Ad-
10 ministration shall not affect a final decision of the Sec-
11 retary of the Treasury or the Secretary’s delegate under
12 section 6406 of the Internal Revenue Code of 1986 (26
13 U.S.C. 6406).

14 “(g) REPORTS.—

15 “(1) REPORTS TO CONGRESSIONAL COMMIT-
16 TEES.—Any report required to be transmitted by the
17 Secretary of the Treasury to the appropriate com-
18 mittees or subcommittees of the Congress under sec-
19 tion 405(e) of this title shall also be transmitted,
20 within the 7-day period specified under such section,
21 to the Committee on Homeland Security and Gov-
22 ernmental Affairs and the Committee on Finance of
23 the Senate and the Committee on Oversight and Re-
24 form and the Committee on Ways and Means of the
25 House of Representatives.

1 “(2) REPORTS MADE BY TREASURY INSPECTOR
2 GENERAL FOR TAX ADMINISTRATION TO CONGRES-
3 SIONAL COMMITTEES.—Any report made by the
4 Treasury Inspector General for Tax Administration
5 that is required to be transmitted by the Secretary
6 of the Treasury to the appropriate committees or
7 subcommittees of Congress under section 405(e) of
8 this title shall also be transmitted, within the 7-day
9 period specified under such subsection, to the Inter-
10 nal Revenue Service Oversight Board and the Com-
11 missioner of Internal Revenue.

12 “(h) DUTIES AND RESPONSIBILITIES OF TREASURY
13 INSPECTOR GENERAL FOR TAX ADMINISTRATION.—The
14 Treasury Inspector General for Tax Administration shall
15 exercise all duties and responsibilities of an Inspector Gen-
16 eral of an establishment with respect to the Department
17 of the Treasury and the Secretary of the Treasury on all
18 matters relating to the Internal Revenue Service. The
19 Treasury Inspector General for Tax Administration shall
20 have sole authority under this chapter to conduct an audit
21 or investigation of the Internal Revenue Service Oversight
22 Board and the Chief Counsel for the Internal Revenue
23 Service.

24 “(i) ABILITY TO LEAD LARGE AND COMPLEX ORGA-
25 NIZATION.—In addition to the requirements of the 1st

1 sentence of section 403(a) of this title, the Treasury In-
2 spector General for Tax Administration should have dem-
3 onstrated ability to lead a large and complex organization.

4 “(j) PROHIBITION ON APPOINTMENT OF EMPLOYEE
5 OF INTERNAL REVENUE SERVICE TO CERTAIN POSI-
6 TIONS.—An individual appointed to the position of Treas-
7 ury Inspector General for Tax Administration, the Assist-
8 ant Inspector General for Auditing of the Office of the
9 Treasury Inspector General for Tax Administration under
10 section 403(d)(1)(B)(i) of this title (or, effective Novem-
11 ber 27, 2017, section 403(d)(2)(B)(i) of this title), the As-
12 sistant Inspector General for Investigations of the Office
13 of the Treasury Inspector General for Tax Administration
14 under section 403(d)(1)(B)(ii) of this title (or, effective
15 November 27, 2017, section 403(d)(2)(B)(ii) of this title),
16 or any position of Deputy Inspector General of the Office
17 of the Treasury Inspector General for Tax Administration
18 may not be an employee of the Internal Revenue Service—

19 “(1) during the 2-year period preceding the
20 date of appointment to such position; or

21 “(2) during the 5-year period following the date
22 such individual ends service in such position.

23 “(k) ADDITIONAL DUTIES AND RESPONSIBILITIES.—

24 “(1) IN GENERAL.—In addition to the duties
25 and responsibilities exercised by an inspector general

1 of an establishment, the Treasury Inspector General
2 for Tax Administration—

3 “(A) shall have the duty to enforce crimi-
4 nal provisions under section 7608(b) of the In-
5 ternal Revenue Code of 1986 (26 U.S.C.
6 7608(b));

7 “(B) in addition to the functions author-
8 ized under section 7608(b)(2) of the Internal
9 Revenue Code of 1986 (26 U.S.C. 7608(b)(2)),
10 may carry firearms;

11 “(C) shall be responsible for protecting the
12 Internal Revenue Service against external at-
13 tempts to corrupt or threaten employees of the
14 Internal Revenue Service, but shall not be re-
15 sponsible for the conducting of background
16 checks and the providing of protection to the
17 Commissioner of Internal Revenue; and

18 “(D) may designate any employee in the
19 Office of the Treasury Inspector General for
20 Tax Administration to enforce such laws and
21 perform such functions referred to under sub-
22 paragraphs (A), (B), and (C).

23 “(2) REPORTING VIOLATIONS.—

24 “(A) REPORTING REASONABLE GROUNDS
25 TO BELIEVE A VIOLATION OF FEDERAL CRIMI-

1 NAL LAW OCCURRED.—In performing a law en-
2 forcement function under paragraph (1), the
3 Treasury Inspector General for Tax Adminis-
4 tration shall report any reasonable grounds to
5 believe there has been a violation of Federal
6 criminal law to the Attorney General at an ap-
7 propriate time as determined by the Treasury
8 Inspector General for Tax Administration, not-
9 withstanding section 404(d) of this title.

10 “(B) REPORTING PROBLEMS, ABUSES, OR
11 DEFICIENCIES.—In the administration of sec-
12 tion 405(e) of this title and subsection (g)(2) of
13 this section, the Secretary of the Treasury may
14 transmit the required report with respect to the
15 Treasury Inspector General for Tax Adminis-
16 tration at an appropriate time as determined by
17 the Secretary, if the problem, abuse, or defi-
18 ciency relates to—

19 “(i) the performance of a law enforce-
20 ment function under paragraph (1); and

21 “(ii) sensitive information concerning
22 matters under subsection (a)(1)(A)
23 through (F).

24 “(3) LIMITATION.—Nothing in this subsection
25 shall be construed to affect the authority of any

1 other person to carry out or enforce any provision
2 specified in paragraph (1).

3 “(1) REQUEST FOR AUDIT OR INVESTIGATION RE-
4 LATING TO INTERNAL REVENUE SERVICE.—

5 “(1) IN GENERAL.—The Commissioner of In-
6 ternal Revenue or the Internal Revenue Service
7 Oversight Board may request, in writing, the Treas-
8 ury Inspector General for Tax Administration to
9 conduct an audit or investigation relating to the In-
10 ternal Revenue Service. If the Treasury Inspector
11 General for Tax Administration determines not to
12 conduct such audit or investigation, the Inspector
13 General shall timely provide a written explanation
14 for such determination to the person making the re-
15 quest.

16 “(2) REPORTS.—

17 “(A) FINAL REPORT OF AUDIT.—Any final
18 report of an audit conducted by the Treasury
19 Inspector General for Tax Administration shall
20 be timely submitted by the Inspector General to
21 the Commissioner of Internal Revenue and the
22 Internal Revenue Service Oversight Board.

23 “(B) PERIODIC LIST OF INVESTIGATIONS
24 FOR WHICH FINAL REPORT COMPLETED.—The
25 Treasury Inspector General for Tax Adminis-

1 tration shall periodically submit to the Commis-
2 sioner and Board a list of investigations for
3 which a final report has been completed by the
4 Inspector General and shall provide a copy of
5 any such report upon request of the Commis-
6 sioner or Board.

7 “(C) APPLICABILITY.—This paragraph ap-
8 plies regardless of whether the applicable audit
9 or investigation is requested under paragraph
10 (1).

11 **“§ 413. Special provisions concerning the Department**
12 **of Justice**

13 “(a) IN GENERAL.—

14 “(1) AUTHORITY OF ATTORNEY GENERAL OVER
15 CERTAIN AUDITS AND INVESTIGATIONS.—Notwith-
16 standing the 2d sentence and last sentence of section
17 403(a) of this title, the Inspector General shall be
18 under the authority, direction, and control of the At-
19 torney General with respect to audits or investiga-
20 tions, or the issuance of subpoenas, which require
21 access to sensitive information concerning—

22 “(A) ongoing civil or criminal investiga-
23 tions or proceedings;

24 “(B) undercover operations;

1 “(C) the identity of confidential sources,
2 including protected witnesses;

3 “(D) intelligence or counterintelligence
4 matters; or

5 “(E) other matters the disclosure of which
6 would constitute a serious threat to national se-
7 curity.

8 “(2) AUTHORITY OF ATTORNEY GENERAL TO
9 PROHIBIT CARRYING OUT OR COMPLETING CERTAIN
10 AUDITS AND INVESTIGATIONS.—With respect to the
11 information described under paragraph (1), the At-
12 torney General may prohibit the Inspector General
13 from carrying out or completing any audit or inves-
14 tigation, from accessing information described in
15 paragraph (1), or from issuing any subpoena, after
16 such Inspector General has decided to initiate, carry
17 out, or complete such audit or investigation, access
18 such information, or to issue such subpoena, if the
19 Attorney General determines that such prohibition is
20 necessary to prevent the disclosure of any informa-
21 tion described under paragraph (1) or to prevent
22 significant impairment to the national interests of
23 the United States.

24 “(3) NOTIFICATION AND STATEMENT OF REA-
25 SONS FOR EXERCISE OF POWER.—If the Attorney

1 General exercises any power under paragraph (1) or
2 (2), the Attorney General shall notify the Inspector
3 General in writing, stating the reasons for such exer-
4 cise. Within 30 days after receipt of any such notice,
5 the Inspector General shall transmit a copy of such
6 notice to the Committee on Homeland Security and
7 Governmental Affairs and the Committee on the Ju-
8 diciary of the Senate and the Committee on Over-
9 sight and Reform and the Committee on the Judici-
10 ary of the House of Representatives, and to other
11 appropriate committees or subcommittees of the
12 Congress.

13 “(b) CARRYING OUT DUTIES AND RESPONSIBIL-
14 ITIES.—In carrying out the duties and responsibilities
15 specified in this chapter, the Inspector General of the De-
16 partment of Justice—

17 “(1) may initiate, conduct and supervise such
18 audits and investigations in the Department of Jus-
19 tice as the Inspector General considers appropriate;

20 “(2) except as specified in subsection (a) and
21 paragraph (3), may investigate allegations of crimi-
22 nal wrongdoing or administrative misconduct by an
23 employee of the Department of Justice, or may, in
24 the discretion of the Inspector General, refer such
25 allegations to the Office of Professional Responsi-

1 bility or the internal affairs office of the appropriate
2 component of the Department of Justice;

3 “(3) shall refer to the Counsel, Office of Profes-
4 sional Responsibility of the Department of Justice,
5 allegations of misconduct involving Department at-
6 torneys, investigators, or law enforcement personnel,
7 where the allegations relate to the exercise of the au-
8 thority of an attorney to investigate, litigate, or pro-
9 vide legal advice, except that no such referral shall
10 be made if the attorney is employed in the Office of
11 Professional Responsibility;

12 “(4) may investigate allegations of criminal
13 wrongdoing or administrative misconduct by a per-
14 son who is the head of any agency or component of
15 the Department of Justice; and

16 “(5) shall forward the results of any investiga-
17 tion conducted under paragraph (4), along with any
18 appropriate recommendation for disciplinary action,
19 to the Attorney General.

20 “(c) REPORTS.—Any report required to be trans-
21 mitted by the Attorney General to the appropriate com-
22 mittees or subcommittees of the Congress under section
23 405(e) of this title shall also be transmitted, within the
24 7-day period specified under that section, to the Com-
25 mittee on the Judiciary and the Committee on Homeland

1 Security and Governmental Affairs of the Senate and the
2 Committee on the Judiciary and the Committee on Over-
3 sight and Reform of the House of Representatives.

4 “(d) REGULATION TO ENSURE REPORTING OF CER-
5 TAIN ALLEGATIONS TO INSPECTOR GENERAL.—The At-
6 torney General shall ensure by regulation that any compo-
7 nent of the Department of Justice receiving a nonfrivolous
8 allegation of criminal wrongdoing or administrative mis-
9 conduct by an employee of the Department of Justice, ex-
10 cept with respect to allegations described in subsection
11 (b)(3), shall report that information to the Inspector Gen-
12 eral.

13 **“§ 414. Special provisions concerning the Corporation**
14 **for National and Community Service**

15 “(a) PERSONNEL.—Notwithstanding the provisions
16 of paragraphs (7) and (8) of section 406(a) of this title,
17 it is within the exclusive jurisdiction of the Inspector Gen-
18 eral of the Corporation for National and Community Serv-
19 ice to—

20 “(1) appoint and determine the compensation of
21 such officers and employees in accordance with sec-
22 tion 195(b) of the National and Community Service
23 Act of 1990 (42 U.S.C. 12651f(b)); and

1 “(2) procure the temporary and intermittent
2 services of and compensate such experts and consult-
3 ants, in accordance with section 3109(b) of this title,
4 as may be necessary to carry out the functions, powers,
5 and duties of the Inspector General.

6 “(b) REPORTS TO BOARD OF DIRECTORS.—Not later
7 than the date on which the Chief Executive Officer of the
8 Corporation for National and Community Service trans-
9 mits any report to the Congress under subsection (b) or
10 (c) of section 405 of this title, the Chief Executive Officer
11 shall transmit such report to the Board of Directors of
12 such Corporation.

13 “(c) REVIEW OF AUDIT REPORTS BY BOARD OF DI-
14 RECTORS.—Not later than the date on which the Chief
15 Executive Officer of the Corporation for National and
16 Community Service transmits a report described under
17 section 405(c) of this title to the Board of Directors as
18 provided under subsection (b) of this section, the Chief
19 Executive Officer shall also transmit any audit report
20 which is described in the statement required under section
21 405(c)(4) to the Board of Directors. All such audit reports
22 shall be placed on the agenda for review at the next sched-
23 uled meeting of the Board of Directors following such
24 transmittal. The Chief Executive Officer of the Corpora-

1 tion shall be present at such meeting to provide any infor-
2 mation relating to such audit reports.

3 “(d) REPORT OF PROBLEM, ABUSE, OR DEFICIENCY
4 TO BOARD OF DIRECTORS.—Not later than the date on
5 which the Inspector General of the Corporation for Na-
6 tional and Community Service reports a problem, abuse,
7 or deficiency under section 405(e) of this title to the Chief
8 Executive Officer of the Corporation, the Chief Executive
9 Officer shall report such problem, abuse, or deficiency to
10 the Board of Directors.

11 **“§ 415. Requirements for Federal entities and des-
12 ignated Federal entities**

13 “(a) DEFINITIONS.—Notwithstanding section 401 of
14 this title, in this section:

15 “(1) DESIGNATED FEDERAL ENTITY.—

16 “(A) IN GENERAL.—The term ‘designated
17 Federal entity’ means Amtrak, the Appalachian
18 Regional Commission, the Board of Governors
19 of the Federal Reserve System and the Bureau
20 of Consumer Financial Protection, the Com-
21 mittee for Purchase From People Who Are
22 Blind or Severely Disabled, the Commodity Fu-
23 tures Trading Commission, the Consumer Prod-
24 uct Safety Commission, the Corporation for
25 Public Broadcasting, the Defense Intelligence

1 Agency, the Denali Commission, the Equal Em-
2 ployment Opportunity Commission, the Farm
3 Credit Administration, the Federal Election
4 Commission, the Election Assistance Commis-
5 sion, the Federal Labor Relations Authority,
6 the Federal Maritime Commission, the Federal
7 Trade Commission, the Legal Services Corpora-
8 tion, the National Archives and Records Admin-
9 istration, the National Credit Union Adminis-
10 tration, the National Endowment for the Arts,
11 the National Endowment for the Humanities,
12 the National Geospatial-Intelligence Agency, the
13 National Labor Relations Board, the National
14 Science Foundation, the Peace Corps, the Pen-
15 sion Benefit Guaranty Corporation, the Securi-
16 ties and Exchange Commission, the Smithso-
17 nian Institution, the United States Inter-
18 national Development Finance Corporation, the
19 United States International Trade Commission,
20 the Postal Regulatory Commission, and the
21 United States Postal Service.

22 “(B) AMTRAK.—Effective at the beginning
23 of the first fiscal year after a fiscal year for
24 which Amtrak receives no Federal subsidy, sub-

1 paragraph (A) is amended by striking ‘Am-
2 trak,’.

3 “(2) FEDERAL ENTITY.—The term ‘Federal en-
4 tity’ means any Government corporation (within the
5 meaning of section 103(1) of this title), any Govern-
6 ment controlled corporation (within the meaning of
7 section 103(2) of this title), or any other entity in
8 the executive branch of the Government, or any
9 independent regulatory agency, but does not in-
10 clude—

11 “(A) an establishment (as defined under
12 section 401 of this title) or part of an establish-
13 ment;

14 “(B) a designated Federal entity (as de-
15 fined under paragraph (1) of this subsection) or
16 part of a designated Federal entity;

17 “(C) the Executive Office of the President;

18 “(D) the Central Intelligence Agency;

19 “(E) the Government Accountability Of-
20 fice; or

21 “(F) any entity in the judicial or legislative
22 branches of the Government, including the Ad-
23 ministrative Office of the United States Courts
24 and the Architect of the Capitol and any activi-

1 ties under the direction of the Architect of the
2 Capitol.

3 “(3) HEAD OF THE DESIGNATED FEDERAL EN-
4 TITY.—The term ‘head of the designated Federal en-
5 tity’ means the board or commission of the des-
6 ignated Federal entity, or in the event the des-
7 ignated Federal entity does not have a board or
8 commission, any person or persons designated by
9 statute as the head of a designated Federal entity
10 and if no such designation exists, the chief policy-
11 making officer or board of a designated Federal en-
12 tity as identified in the list published pursuant to
13 subsection (h)(1) of this section, except that—

14 “(A) with respect to the National Science
15 Foundation, such term means the National
16 Science Board;

17 “(B) with respect to the United States
18 Postal Service, such term means the Governors
19 (within the meaning of section 102(3) of title
20 39);

21 “(C) with respect to the Federal Labor Re-
22 lations Authority, such term means the mem-
23 bers of the Authority (described under section
24 7104 of this title);

1 “(D) with respect to the Committee for
2 Purchase From People Who Are Blind or Se-
3 verely Disabled, such term means the Chairman
4 of the Committee for Purchase From People
5 Who Are Blind or Severely Disabled;

6 “(E) with respect to the National Archives
7 and Records Administration, such term means
8 the Archivist of the United States;

9 “(F) with respect to the National Credit
10 Union Administration, such term means the
11 National Credit Union Administration Board
12 (described under section 102 of the Federal
13 Credit Union Act (12 U.S.C. 1752a));

14 “(G) with respect to the National Endow-
15 ment of the Arts, such term means the Na-
16 tional Council on the Arts;

17 “(H) with respect to the National Endow-
18 ment for the Humanities, such term means the
19 National Council on the Humanities;

20 “(I) with respect to the Peace Corps, such
21 term means the Director of the Peace Corps;
22 and

23 “(J) with respect to the United States
24 International Development Finance Corpora-
25 tion, such term means the Board of Directors

1 of the United States International Development
2 Finance Corporation.

3 “(4) HEAD OF THE FEDERAL ENTITY.—The
4 term ‘head of the Federal entity’ means any person
5 or persons designated by statute as the head of a
6 Federal entity, and if no such designation exists, the
7 chief policymaking officer or board of a Federal enti-
8 ty as identified in the list published pursuant to sub-
9 section (h)(1) of this section.

10 “(5) INSPECTOR GENERAL.—The term ‘Inspec-
11 tor General’ means an Inspector General of a des-
12 ignated Federal entity.

13 “(6) OFFICE OF INSPECTOR GENERAL.—The
14 term ‘Office of Inspector General’ means an Office
15 of Inspector General of a designated Federal entity.

16 “(b) OFFICE OF INSPECTOR GENERAL IN EACH DES-
17 IGNATED FEDERAL ENTITY.—Not later than 180 days
18 after October 18, 1988, there shall be established and
19 maintained in each designated Federal entity an Office of
20 Inspector General. The head of the designated Federal en-
21 tity shall transfer to such office the offices, units, or other
22 components, and the functions, powers, or duties thereof,
23 that such head determines are properly related to the
24 functions of the Office of Inspector General and would,
25 if so transferred, further the purposes of this section.

1 There shall not be transferred to such office any program
2 operating responsibilities.

3 “(c) APPOINTMENT OF INSPECTOR GENERAL.—Ex-
4 cept as provided under subsection (f) of this section, the
5 Inspector General shall be appointed by the head of the
6 designated Federal entity in accordance with the applica-
7 ble laws and regulations governing appointments within
8 the designated Federal entity. Each Inspector General
9 shall be appointed without regard to political affiliation
10 and solely on the basis of integrity and demonstrated abil-
11 ity in accounting, auditing, financial analysis, law, man-
12 agement analysis, public administration, or investigations.
13 For purposes of implementing this section, the Chairman
14 of the Board of Governors of the Federal Reserve System
15 shall appoint the Inspector General of the Board of Gov-
16 ernors of the Federal Reserve System and the Bureau of
17 Consumer Financial Protection. The Inspector General of
18 the Board of Governors of the Federal Reserve System
19 and the Bureau of Consumer Financial Protection shall
20 have all of the authorities and responsibilities provided by
21 this Act with respect to the Bureau of Consumer Financial
22 Protection, as if the Bureau were part of the Board of
23 Governors of the Federal Reserve System.

24 “(d) SUPERVISION.—

1 “(1) IN GENERAL.—Each Inspector General
2 shall report to and be under the general supervision
3 of the head of the designated Federal entity, but
4 shall not report to, or be subject to supervision by,
5 any other officer or employee of such designated
6 Federal entity. Except as provided in paragraph (2),
7 the head of the designated Federal entity shall not
8 prevent or prohibit the Inspector General from initi-
9 ating, carrying out, or completing any audit or in-
10 vestigation, or from issuing any subpoena during the
11 course of any audit or investigation.

12 “(2) EXCEPTION RELATING TO INTELLIGENCE
13 COMMUNITY.—

14 “(A) IN GENERAL.—The Secretary of De-
15 fense, in consultation with the Director of Na-
16 tional Intelligence, may prohibit the inspector
17 general of an element of the intelligence com-
18 munity specified in subparagraph (D) from ini-
19 tiating, carrying out, or completing any audit or
20 investigation, or from accessing information
21 available to an element of the intelligence com-
22 munity specified in subparagraph (D), if the
23 Secretary determines that the prohibition is
24 necessary to protect vital national security in-
25 terests of the United States.

1 “(B) STATEMENT OF REASONS FOR EXER-
2 CISE OF AUTHORITY.—If the Secretary exer-
3 cises the authority under subparagraph (A), the
4 Secretary shall submit to the committees of
5 Congress specified in subparagraph (E) an ap-
6 propriately classified statement of the reasons
7 for the exercise of such authority not later than
8 7 days after the exercise of such authority.

9 “(C) NOTIFICATION TO INSPECTOR GEN-
10 ERAL.—At the same time the Secretary submits
11 under subparagraph (B) a statement on the ex-
12 ercise of the authority in subparagraph (A) to
13 the committees of Congress specified in sub-
14 paragraph (E), the Secretary shall notify the
15 inspector general of such element of the sub-
16 mittal of such statement and, to the extent con-
17 sistent with the protection of intelligence
18 sources and methods, provide such inspector
19 general with a copy of such statement. Such in-
20 spector general may submit to such committees
21 of Congress any comments on a notice or state-
22 ment received by the inspector general under
23 this subparagraph that the inspector general
24 considers appropriate.

1 “(D) ELEMENTS OF THE INTELLIGENCE
2 COMMUNITY.—The elements of the intelligence
3 community specified in this subparagraph are
4 as follows:

5 “(i) The Defense Intelligence Agency.

6 “(ii) The National Geospatial-Intel-
7 ligence Agency.

8 “(iii) The National Reconnaissance
9 Office.

10 “(iv) The National Security Agency.

11 “(E) COMMITTEES OF CONGRESS.—The
12 committees of Congress specified in this sub-
13 paragraph are—

14 “(i) the Committee on Armed Services
15 and the Select Committee on Intelligence
16 of the Senate; and

17 “(ii) the Committee on Armed Serv-
18 ices and the Permanent Select Committee
19 on Intelligence of the House of Represent-
20 atives.

21 “(e) REMOVAL.—

22 “(1) BOARD, CHAIRMAN OF COMMITTEE, OR
23 COMMISSION IS HEAD OF DESIGNATED FEDERAL EN-
24 TITY.—In the case of a designated Federal entity for
25 which a board, chairman of a committee, or commis-

1 sion is the head of the designated Federal entity, a
2 removal under this subsection may only be made
3 upon the written concurrence of a $\frac{2}{3}$ majority of the
4 board, committee, or commission.

5 “(2) INSPECTOR GENERAL REMOVED OR
6 TRANSFERRED.—If an Inspector General is removed
7 from office or is transferred to another position or
8 location within a designated Federal entity, the head
9 of the designated Federal entity shall communicate
10 in writing the reasons for any such removal or trans-
11 fer to both Houses of Congress, not later than 30
12 days before the removal or transfer. Nothing in this
13 subsection shall prohibit a personnel action other-
14 wise authorized by law, other than transfer or re-
15 moval.

16 “(f) UNITED STATES POSTAL SERVICE.—

17 “(1) APPOINTMENT.—For purposes of carrying
18 out subsection (c) with respect to the United States
19 Postal Service, the appointment provisions of section
20 202(e) of title 39 shall be applied.

21 “(2) OVERSIGHT RESPONSIBILITY OF INSPEC-
22 TOR GENERAL FOR ACTIVITIES OF POSTAL INSPEC-
23 TION SERVICE.—In carrying out the duties and re-
24 sponsibilities specified in this chapter, the Inspector
25 General of the United States Postal Service (herein-

1 after in this subsection referred to as the ‘Inspector
2 General’) shall have oversight responsibility for all
3 activities of the Postal Inspection Service, including
4 any internal investigation performed by the Postal
5 Inspection Service. The Chief Postal Inspector shall
6 promptly report the significant activities being car-
7 ried out by the Postal Inspection Service to such In-
8 spector General.

9 “(3) AUDITS AND INVESTIGATIONS.—

10 “(A) AUTHORITY, DIRECTION, AND CON-
11 TROL OF GOVERNORS.—

12 “(i) ACCESS TO SENSITIVE INFORMA-
13 TION.—Notwithstanding subsection (d),
14 the Inspector General shall be under the
15 authority, direction, and control of the
16 Governors with respect to audits or inves-
17 tigations, or the issuance of subpoenas,
18 which require access to sensitive informa-
19 tion concerning—

20 “(I) ongoing civil or criminal in-
21 vestigations or proceedings;

22 “(II) undercover operations;

23 “(III) the identity of confidential
24 sources, including protected witnesses;

1 “(IV) intelligence or counterintel-
2 ligence matters; or

3 “(V) other matters the disclosure
4 of which would constitute a serious
5 threat to national security.

6 “(ii) AUTHORITY TO PROHIBIT IN-
7 SPECTOR GENERAL FROM CARRYING OUT
8 OR COMPLETING AUDIT OR INVESTIGA-
9 TION.—With respect to the information de-
10 scribed under clause (i), the Governors
11 may prohibit the Inspector General from
12 carrying out or completing any audit or in-
13 vestigation, or from issuing any subpoena,
14 after such Inspector General has decided
15 to initiate, carry out, or complete such
16 audit or investigation or to issue such sub-
17 poena, if the Governors determine that
18 such prohibition is necessary to prevent the
19 disclosure of any information described
20 under clause (i) or to prevent significant
21 impairment to the national interests of the
22 United States.

23 “(iii) NOTIFICATION OF REASONS FOR
24 EXERCISE OF POWER.—If the Governors
25 exercise any power under clause (i) or (ii),

1 the Governors shall notify the Inspector
2 General in writing, stating the reasons for
3 such exercise. Within 30 days after receipt
4 of any such notice, the Inspector General
5 shall transmit a copy of such notice to the
6 Committee on Homeland Security and
7 Governmental Affairs of the Senate and
8 the Committee on Oversight and Reform of
9 the House of Representatives, and to other
10 appropriate committees or subcommittees
11 of the Congress.

12 “(B) INITIATING, CONDUCTING, AND SU-
13 PERVISING AUDITS AND INVESTIGATIONS.—In
14 carrying out the duties and responsibilities
15 specified in this chapter, the Inspector Gen-
16 eral—

17 “(i) may initiate, conduct, and super-
18 vise such audits and investigations in the
19 United States Postal Service as the Inspec-
20 tor General considers appropriate; and

21 “(ii) shall give particular regard to
22 the activities of the Postal Inspection Serv-
23 ice with a view toward avoiding duplication
24 and ensuring effective coordination and co-
25 operation.

1 “(C) REPORTING SERIOUS PROBLEMS,
2 ABUSES, OR DEFICIENCIES.—Any report re-
3 quired to be transmitted by the Governors to
4 the appropriate committees or subcommittees of
5 the Congress under section 405(e) of this title
6 shall also be transmitted, within the 7-day pe-
7 riod specified under such section, to the Com-
8 mittee on Homeland Security and Govern-
9 mental Affairs of the Senate and the Committee
10 on Oversight and Reform of the House of Rep-
11 resentatives.

12 “(4) LIMITATION.—Nothing in this chapter
13 shall restrict, eliminate, or otherwise adversely affect
14 any of the rights, privileges, or benefits of either em-
15 ployees of the United States Postal Service, or labor
16 organizations representing employees of the United
17 States Postal Service, under chapter 12 of title 39,
18 the National Labor Relations Act, any handbook or
19 manual affecting employee labor relations with the
20 United States Postal Service, or any collective bar-
21 gaining agreement.

22 “(5) DEFINITION OF GOVERNORS.—In this sub-
23 section, the term ‘Governors’ has the meaning given
24 the term by section 102(3) of title 39.

1 “(6) AUTHORIZATION OF APPROPRIATIONS.—

2 There are authorized to be appropriated, out of the
3 Postal Service Fund, such sums as may be necessary
4 for the Office of Inspector General of the United
5 States Postal Service.

6 “(g) SPECIAL APPLICATION.—

7 “(1) SECTIONS 404, 405, 406, AND 407.—Sections
8 404, 405, 406 (other than paragraphs (7) and (8)
9 of section 406(a)), and 407 of this title shall apply
10 to each Inspector General and Office of Inspector
11 General of a designated Federal entity, and such
12 sections shall be applied to each designated Federal
13 entity and head of the designated Federal entity (as
14 defined under subsection (a)) by substituting—

15 “(A) ‘designated Federal entity’ for ‘estab-
16 lishment’; and

17 “(B) ‘head of the designated Federal enti-
18 ty’ for ‘head of the establishment’.

19 “(2) PERSONNEL.—In addition to the other au-
20 thorities specified in this chapter, an Inspector Gen-
21 eral is authorized to select, appoint, and employ
22 such officers and employees as may be necessary for
23 carrying out the functions, powers, and duties of the
24 Office of Inspector General and to obtain the tem-
25 porary or intermittent services of experts or consult-

1 ants or an organization of experts or consultants,
2 subject to the applicable laws and regulations that
3 govern such selections, appointments, and employ-
4 ment, and the obtaining of such services, within the
5 designated Federal entity.

6 “(3) APPLICATION OF SECTION 412(a).—Not-
7 withstanding the last sentence of subsection (d)(1)
8 of this section, the provisions of subsection (a) of
9 section 412 of this title (other than the provisions of
10 subparagraphs (A), (B), (C), and (E) of subsection
11 (a)(1) of section 412 of this title) shall apply to the
12 Inspector General of the Board of Governors of the
13 Federal Reserve System and the Bureau of Con-
14 sumer Financial Protection and the Chairman of the
15 Board of Governors of the Federal Reserve System
16 in the same manner as such provisions apply to the
17 Inspector General of the Department of the Treas-
18 ury and the Secretary of the Treasury, respectively.

19 “(4) COUNSEL.—Each Inspector General
20 shall—

21 “(A) in accordance with applicable laws
22 and regulations governing appointments within
23 the designated Federal entity, appoint a Coun-
24 sel to the Inspector General who shall report to
25 the Inspector General;

1 “(B) obtain the services of a counsel ap-
2 pointed by and directly reporting to another In-
3 specter General on a reimbursable basis; or

4 “(C) obtain the services of appropriate
5 staff of the Council of the Inspectors General
6 on Integrity and Efficiency on a reimbursable
7 basis.

8 “(h) ANNUAL LISTING AND REPORT.—

9 “(1) LISTING.—Each year, the Director of the
10 Office of Management and Budget, after consulta-
11 tion with the Comptroller General of the United
12 States, shall publish in the Federal Register a list of
13 the Federal entities and designated Federal entities
14 and if the designated Federal entity is not a board
15 or commission, include the head of each such entity
16 (as defined under subsection (a)).

17 “(2) REPORT.—On October 31 of each year,
18 the head of each Federal entity (as defined under
19 subsection (a)) shall prepare and transmit to the Di-
20 rector of the Office of Management and Budget and
21 to each House of the Congress a report that—

22 “(A) states whether there has been estab-
23 lished in the Federal entity an office that meets
24 the requirements of this section;

1 “(B) specifies the actions taken by the
2 Federal entity otherwise to ensure that audits
3 are conducted of its programs and operations in
4 accordance with the standards for audit of gov-
5 ernmental organizations, programs, activities,
6 and functions issued by the Comptroller Gen-
7 eral of the United States, and includes a list of
8 each audit report completed by a Federal or
9 non-Federal auditor during the reporting period
10 and a summary of any particularly significant
11 findings; and

12 “(C) summarizes any matters relating to
13 the personnel, programs, and operations of the
14 Federal entity referred to prosecutive authori-
15 ties, including a summary description of any
16 preliminary investigation conducted by or at the
17 request of the Federal entity concerning these
18 matters, and the prosecutions and convictions
19 which have resulted.

20 **“§ 416. Additional provisions with respect to Inspec-**
21 **tors General of the intelligence commu-**
22 **nity**

23 “(a) DEFINITIONS.—In this section:

24 “(1) INTELLIGENCE COMMITTEES.—The term
25 ‘intelligence committees’ means the Permanent Se-

1 lect Committee on Intelligence of the House of Rep-
2 resentatives and the Select Committee on Intel-
3 ligence of the Senate.

4 “(2) URGENT CONCERN.—The term ‘urgent
5 concern’ means any of the following:

6 “(A) A serious or flagrant problem, abuse,
7 violation of law or Executive order, or defi-
8 ciency relating to the funding, administration,
9 or operations of an intelligence activity involv-
10 ing classified information, but does not include
11 differences of opinions concerning public policy
12 matters.

13 “(B) A false statement to Congress, or a
14 willful withholding from Congress, on an issue
15 of material fact relating to the funding, admin-
16 istration, or operation of an intelligence activ-
17 ity.

18 “(C) An action, including a personnel ac-
19 tion described in section 2302(a)(2)(A) of this
20 title constituting reprisal or threat of reprisal
21 prohibited under section 407(c) of this title in
22 response to an employee’s reporting an urgent
23 concern in accordance with this section.

24 “(b) COMPLAINT OR INFORMATION WITH RESPECT
25 TO URGENT CONCERN.—

1 “(1) TO WHOM REPORTS MAY BE MADE.—

2 “(A) INSPECTOR GENERAL OF DEPART-
3 MENT OF DEFENSE.—An employee of the De-
4 fense Intelligence Agency, the National
5 Geospatial-Intelligence Agency, the National
6 Reconnaissance Office, or the National Security
7 Agency, or of a contractor of any of those
8 Agencies, who intends to report to Congress a
9 complaint or information with respect to an ur-
10 gent concern may report the complaint or infor-
11 mation to the Inspector General of the Depart-
12 ment of Defense (or designee).

13 “(B) INSPECTOR GENERAL OF INTEL-
14 LIGENCE COMMUNITY.—An employee of an ele-
15 ment of the intelligence community, an em-
16 ployee assigned or detailed to an element of the
17 intelligence community, or an employee of a
18 contractor to the intelligence community, who
19 intends to report to Congress a complaint or in-
20 formation with respect to an urgent concern
21 may report such complaint or information to
22 the Inspector General of the Intelligence Com-
23 munity.

24 “(C) INSPECTOR GENERAL OF DEPART-
25 MENT OF JUSTICE.—An employee of the Fed-

1 eral Bureau of Investigation, or of a contractor
2 of the Bureau, who intends to report to Con-
3 gress a complaint or information with respect to
4 an urgent concern may report the complaint or
5 information to the Inspector General of the De-
6 partment of Justice (or designee).

7 “(D) OTHER APPROPRIATE INSPECTOR
8 GENERAL.—Any other employee of, or con-
9 tractor to, an executive agency, or element or
10 unit thereof, determined by the President under
11 section 2302(a)(2)(C)(ii) of this title, to have as
12 its principal function the conduct of foreign in-
13 telligence or counterintelligence activities, who
14 intends to report to Congress a complaint or in-
15 formation with respect to an urgent concern
16 may report the complaint or information to the
17 appropriate Inspector General (or designee)
18 under this chapter, section 17 of the Central
19 Intelligence Agency Act of 1949 (50 U.S.C.
20 3517), or section 103H(k) of the National Se-
21 curity Act of 1947 (50 U.S.C. 3033(k)).

22 “(2) DESIGNEE TO REPORT COMPLAINT OR IN-
23 FORMATION TO INSPECTOR GENERAL WITHIN 7
24 DAYS.—If a designee of an Inspector General under
25 this section receives a complaint or information of

1 an employee with respect to an urgent concern, that
2 designee shall report the complaint or information to
3 the Inspector General within 7 calendar days of re-
4 ceipt.

5 “(3) DESIGNEEES OF INSPECTOR GENERAL OF
6 DEPARTMENT OF DEFENSE.—The Inspectors Gen-
7 eral of the Defense Intelligence Agency, the National
8 Geospatial-Intelligence Agency, the National Recon-
9 naissance Office, and the National Security Agency
10 shall be designees of the Inspector General of the
11 Department of Defense for purposes of this section.

12 “(c) INITIAL DETERMINATIONS AND TRANSMIT-
13 TALS.—

14 “(1) CREDIBILITY.—Not later than the end of
15 the 14-calendar day period beginning on the date of
16 receipt of an employee complaint or information
17 under subsection (b), the Inspector General shall de-
18 termine whether the complaint or information ap-
19 pears credible. Upon making such a determination,
20 the Inspector General shall transmit to the head of
21 the establishment notice of that determination, to-
22 gether with the complaint or information.

23 “(2) CONFLICT OF INTEREST.—If the head of
24 an establishment determines that a complaint or in-
25 formation transmitted under paragraph (1) would

1 create a conflict of interest for the head of the estab-
2 lishment, the head of the establishment shall return
3 the complaint or information to the Inspector Gen-
4 eral with that determination and the Inspector Gen-
5 eral shall make the transmission to the Director of
6 National Intelligence and, if the establishment is
7 within the Department of Defense, to the Secretary
8 of Defense. In such a case, the requirements of this
9 section for the head of the establishment apply to
10 each recipient of the Inspector General's trans-
11 mission.

12 “(d) FORWARDING TRANSMITTALS.—Upon receipt of
13 a transmittal from the Inspector General under subsection
14 (c), the head of the establishment shall, within 7 calendar
15 days of such receipt, forward such transmittal to the intel-
16 ligence committees, together with any comments the head
17 of the establishment considers appropriate.

18 “(e) SUBMITTING COMPLAINT OR INFORMATION TO
19 CONGRESS.—

20 “(1) IN GENERAL.—If the Inspector General
21 does not find credible under subsection (c) a com-
22 plaint or information submitted to the Inspector
23 General under subsection (b), or does not transmit
24 the complaint or information to the head of the es-
25 tablishment in accurate form under subsection (c),

1 the employee (subject to paragraph (2)) may submit
2 the complaint or information to Congress by con-
3 tacting either or both of the intelligence committees
4 directly.

5 “(2) LIMITATION.—The employee may contact
6 the intelligence committees directly as described in
7 paragraph (1) only if the employee—

8 “(A) before making such a contact, fur-
9 nishes to the head of the establishment,
10 through the Inspector General, a statement of
11 the employee’s complaint or information and
12 notice of the employee’s intent to contact the
13 intelligence committees directly; and

14 “(B) obtains and follows from the head of
15 the establishment, through the Inspector Gen-
16 eral, direction on how to contact the intelligence
17 committees in accordance with appropriate se-
18 curity practices.

19 “(3) INTELLIGENCE COMMITTEE RECEIPT OF
20 COMPLAINT OR INFORMATION.—A member or em-
21 ployee of one of the intelligence committees who re-
22 ceives a complaint or information under paragraph
23 (1) does so in that member or employee’s official ca-
24 pacity as a member or employee of that committee.

1 “(f) NOTIFICATION.—The Inspector General shall
2 notify an employee who reports a complaint or information
3 under this section of each action taken under this section
4 with respect to the complaint or information. Such notice
5 shall be provided not later than 3 days after any such ac-
6 tion is taken.

7 “(g) NO JUDICIAL REVIEW.—An action taken by the
8 head of an establishment or an Inspector General under
9 subsections (b) through (f) shall not be subject to judicial
10 review.

11 “(h) NOTICE OF SUBMISSION AND DATE.—An indi-
12 vidual who has submitted a complaint or information to
13 an Inspector General under this section may notify any
14 member of the Permanent Select Committee on Intel-
15 ligence of the House of Representatives or the Select Com-
16 mittee on Intelligence of the Senate, or a staff member
17 of either such Committee, of the fact that such individual
18 has made a submission to that particular Inspector Gen-
19 eral, and of the date on which such submission was made.

20 **“§ 417. Special provisions concerning the Department**
21 **of Homeland Security**

22 “(a) IN GENERAL.—

23 “(1) AUTHORITY OF SECRETARY OF HOMELAND
24 SECURITY OVER CERTAIN AUDITS AND INVESTIGA-
25 TIONS.—Notwithstanding the 2d sentence and last

1 sentence of section 403(a) of this title, the Inspector
2 General of the Department of Homeland Security
3 shall be under the authority, direction, and control
4 of the Secretary of Homeland Security with respect
5 to audits or investigations, or the issuance of sub-
6 poenas, that require access to sensitive information
7 concerning—

8 “(A) intelligence, counterintelligence, or
9 counterterrorism matters;

10 “(B) ongoing criminal investigations or
11 proceedings;

12 “(C) undercover operations;

13 “(D) the identity of confidential sources,
14 including protected witnesses;

15 “(E) other matters the disclosure of which
16 would, in the Secretary’s judgment, constitute a
17 serious threat to the protection of any person or
18 property authorized protection by section 3056
19 of title 18, section 3056A of title 18, or any
20 provision of the Presidential Protection Assist-
21 ance Act of 1976 (18 U.S.C. 3056 note); or

22 “(F) other matters the disclosure of which
23 would constitute a serious threat to national se-
24 curity.

1 “(2) AUTHORITY OF SECRETARY OF HOMELAND
2 SECURITY TO PROHIBIT CARRYING OUT OR COM-
3 PLETING AUDITS OR INVESTIGATIONS.—With re-
4 spect to the information described in paragraph (1),
5 the Secretary of Homeland Security may prohibit
6 the Inspector General of the Department of Home-
7 land Security from carrying out or completing any
8 audit or investigation, from accessing information
9 described in paragraph (1), or from issuing any sub-
10 poena, after such Inspector General has decided to
11 initiate, carry out, or complete such audit or inves-
12 tigation, access such information, or to issue such
13 subpoena, if the Secretary determines that such pro-
14 hibition is necessary to prevent the disclosure of any
15 information described in paragraph (1), to preserve
16 the national security, or to prevent a significant im-
17 pairment to the interests of the United States.

18 “(3) NOTIFICATION OF EXERCISE OF POWER.—
19 If the Secretary of Homeland Security exercises any
20 power under paragraph (1) or (2), the Secretary
21 shall notify the Inspector General of the Department
22 of Homeland Security in writing within 7 days, stat-
23 ing the reasons for such exercise. Within 30 days
24 after receipt of any such notice, the Inspector Gen-
25 eral shall transmit to the President of the Senate,

1 the Speaker of the House of Representatives, and
2 appropriate committees and subcommittees of Con-
3 gress the following—

4 “(A) a copy of such notice; and

5 “(B) a written response to such notice that
6 includes a statement regarding whether the In-
7 spector General agrees or disagrees with such
8 exercise, and the reasons for any disagreement.

9 “(b) NOT A LIMITATION ON CONGRESSIONAL ACCESS
10 TO INFORMATION.—The exercise of authority by the Sec-
11 retary described in subsection (a)(2) should not be con-
12 strued as limiting the right of Congress or any committee
13 of Congress to access any information it seeks.

14 “(c) AUTHORITY OF INSPECTOR GENERAL TO INI-
15 TIATE, CONDUCT, AND SUPERVISE AUDITS AND INVES-
16 TIGATIONS.—Subject to the conditions established in sub-
17 sections (a) and (b), in carrying out the duties and respon-
18 sibilities specified in this chapter, the Inspector General
19 of the Department of Homeland Security may initiate,
20 conduct, and supervise such audits and investigations in
21 the Department of Homeland Security as the Inspector
22 General considers appropriate.

23 “(d) REPORTS.—Any report required to be trans-
24 mitted by the Secretary of Homeland Security to the ap-
25 propriate committees or subcommittees of Congress under

1 section 405(e) of this title shall be transmitted, within the
2 7-day period specified in section 405(e) of this title, to
3 the President of the Senate, the Speaker of the House of
4 Representatives, and appropriate committees and sub-
5 committees of Congress.

6 “(e) OVERSIGHT RESPONSIBILITY.—Notwith-
7 standing any other provision of law, in carrying out the
8 duties and responsibilities specified in this chapter, the In-
9 spector General of the Department of Homeland Security
10 shall have oversight responsibility for the internal inves-
11 tigation performed by the Office of Internal Affairs of
12 the United States Customs Service, the Office of Inspec-
13 tions of the United States Secret Service, the Bureau of
14 Border Security, and the Bureau of Citizenship and Immi-
15 gration Services. The head of each such office or bureau
16 shall promptly report to the Inspector General the signifi-
17 cant activities being carried out by such office or bureau.

18 “(f) DESIGNATED SENIOR OFFICIAL.—

19 “(1) IN GENERAL.—The Inspector General of
20 the Department of Homeland Security shall des-
21 ignate a senior official within the Office of Inspector
22 General, who shall be a career member of the civil
23 service at the equivalent to the GS–15 level or a ca-
24 reer member of the Senior Executive Service, to per-
25 form the functions described in paragraph (2).

1 “(2) FUNCTIONS.—The senior official des-
2 ignated under paragraph (1) shall—

3 “(A) coordinate the activities of the Office
4 of Inspector General with respect to investiga-
5 tions of abuses of civil rights or civil liberties;

6 “(B) receive and review complaints and in-
7 formation from any source alleging abuses of
8 civil rights and civil liberties by employees or
9 officials of the Department and employees or
10 officials of independent contractors or grantees
11 of the Department;

12 “(C) initiate investigations of alleged
13 abuses of civil rights or civil liberties by employ-
14 ees or officials of the Department and employ-
15 ees or officials of independent contractors or
16 grantees of the Department;

17 “(D) ensure that personnel within the Of-
18 fice of Inspector General receive sufficient
19 training to conduct effective civil rights and
20 civil liberties investigations;

21 “(E) consult with the Officer for Civil
22 Rights and Civil Liberties regarding—

23 “(i) alleged abuses of civil rights or
24 civil liberties; and

1 “(ii) any policy recommendations re-
2 garding civil rights and civil liberties that
3 may be founded upon an investigation by
4 the Office of Inspector General;

5 “(F) provide the Officer for Civil Rights
6 and Civil Liberties with information regarding
7 the outcome of investigations of alleged abuses
8 of civil rights and civil liberties;

9 “(G) refer civil rights and civil liberties
10 matters that the Inspector General decides not
11 to investigate to the Officer for Civil Rights and
12 Civil Liberties;

13 “(H) ensure that the Office of the Inspec-
14 tor General publicizes and provides convenient
15 public access to information regarding—

16 “(i) the procedure to file complaints
17 or comments concerning civil rights and
18 civil liberties matters; and

19 “(ii) the status of corrective actions
20 taken by the Department in response to
21 Office of the Inspector General reports;
22 and

23 “(I) inform the Officer for Civil Rights and
24 Civil Liberties of any weaknesses, problems,

1 and deficiencies within the Department relating
2 to civil rights or civil liberties.

3 **“§ 418. Rule of construction of special provisions**

4 “The special provisions under section 408, 409, 410,
5 411, 412, 413, 414, 416, or 421 of this title relate only
6 to the establishment named in such section and no infer-
7 ence shall be drawn from the presence or absence of a
8 provision in any such section with respect to an establish-
9 ment not named in such section or with respect to a des-
10 igned Federal entity as defined under section 415(a) of
11 this title.

12 **“§ 419. Special provisions concerning overseas con-**
13 **tingency operations**

14 “(a) ADDITIONAL RESPONSIBILITIES OF CHAIR OF
15 COUNCIL OF INSPECTORS GENERAL ON INTEGRITY AND
16 EFFICIENCY.—The Chair of the Council of Inspectors
17 General on Integrity and Efficiency (CIGIE) shall, in con-
18 sultation with the members of the Council, have the addi-
19 tional responsibilities specified in subsection (b) with re-
20 spect to the Inspectors General specified in subsection (c)
21 upon the earlier of—

22 “(1) the commencement or designation of a
23 military operation as an overseas contingency oper-
24 ation that exceeds 60 days; or

1 “(2) receipt of a notification under section
2 113(n) of title 10 with respect to an overseas contin-
3 gency operation.

4 “(b) SPECIFIC RESPONSIBILITIES.—The responsibil-
5 ities specified in this subsection are the following:

6 “(1) DESIGNATE LEAD INSPECTOR GENERAL.—
7 In consultation with the Inspectors General specified
8 in subsection (c), to designate a lead Inspector Gen-
9 eral in accordance with subsection (d) to discharge
10 the authorities of the lead Inspector General for the
11 overseas contingency operation concerned as set
12 forth in subsection (d).

13 “(2) RESOLVE CONFLICTS OF JURISDICTION.—
14 To resolve conflicts of jurisdiction among the Inspec-
15 tors General specified in subsection (c) on investiga-
16 tions, inspections, and audits with respect to such
17 contingency operation in accordance with subsection
18 (d)(2)(B).

19 “(3) IDENTIFY OFFICE PERSONNEL.—To assist
20 in identifying for the lead inspector general for such
21 contingency operation, Inspectors General and in-
22 spector general office personnel available to assist
23 the lead Inspector General and the other Inspectors
24 General specified in subsection (c) on matters relat-
25 ing to such contingency operation.

1 “(c) INSPECTORS GENERAL.—The Inspectors Gen-
2 eral specified in this subsection are the Inspectors General
3 as follows:

4 “(1) The Inspector General of the Department
5 of Defense.

6 “(2) The Inspector General of the Department
7 of State.

8 “(3) The Inspector General of the United
9 States Agency for International Development.

10 “(d) LEAD INSPECTOR GENERAL FOR OVERSEAS
11 CONTINGENCY OPERATION.—

12 “(1) DESIGNATION.—A lead Inspector General
13 for an overseas contingency operation shall be des-
14 ignated by the Chair of the Council of Inspectors
15 General on Integrity and Efficiency under subsection
16 (b)(1) not later than 30 days after the earlier of—

17 “(A) the commencement or designation of
18 the military operation concerned as an overseas
19 contingency operation that exceeds 60 days; or

20 “(B) receipt of a notification under section
21 113(n) of title 10 with respect to an overseas
22 contingency operation.

23 The lead Inspector General for a contingency oper-
24 ation shall be designated from among the Inspectors
25 General specified in subsection (c).

1 “(2) RESPONSIBILITIES.—The lead Inspector
2 General for an overseas contingency operation shall
3 have the following responsibilities:

4 “(A) APPOINT ASSOCIATE INSPECTOR GEN-
5 ERAL.—To appoint, from among the offices of
6 the other Inspectors General specified in sub-
7 section (c), an Inspector General to act as asso-
8 ciate Inspector General for the contingency op-
9 eration who shall act in a coordinating role to
10 assist the lead Inspector General in the dis-
11 charge of responsibilities under this subsection.

12 “(B) STRATEGIC PLAN TO CONDUCT COM-
13 PREHENSIVE OVERSIGHT.—To develop and
14 carry out, in coordination with the offices of the
15 other Inspectors General specified in subsection
16 (c), a joint strategic plan to conduct com-
17 prehensive oversight over all aspects of the con-
18 tingency operation and to ensure through either
19 joint or individual audits, inspections, and in-
20 vestigations, independent and effective oversight
21 of all programs and operations of the Federal
22 Government in support of the contingency oper-
23 ation.

24 “(C) ACCURACY OF INFORMATION.—To re-
25 view and ascertain the accuracy of information

1 provided by Federal agencies relating to obliga-
2 tions and expenditures, costs of programs and
3 projects, accountability of funds, and the award
4 and execution of major contracts, grants, and
5 agreements in support of the contingency oper-
6 ation.

7 “(D) JURISDICTIONAL MATTERS.—

8 “(i) NO INSPECTOR GENERAL WITH
9 PRINCIPAL JURISDICTION.—If none of the
10 Inspectors General specified in subsection
11 (c) has principal jurisdiction over a matter
12 with respect to the contingency operation,
13 to identify and coordinate with the Inspec-
14 tor General who has principal jurisdiction
15 over the matter to ensure effective over-
16 sight.

17 “(ii) MORE THAN ONE INSPECTOR
18 GENERAL WITH JURISDICTION.—If more
19 than one of the Inspectors General speci-
20 fied in subsection (c) has jurisdiction over
21 a matter with respect to the contingency
22 operation, to determine principal jurisdic-
23 tion for discharging oversight responsibil-
24 ities in accordance with this chapter with
25 respect to such matter.

1 “(iii) INVESTIGATIONS.—

2 “(I) REQUEST BY INSPECTOR GEN-
3 ERAL WITH PRINCIPAL JURISDICTION.—

4 Upon written request by the Inspector
5 General with principal jurisdiction over a
6 matter with respect to the contingency op-
7 eration, and with the approval of the lead
8 Inspector General, an Inspector General
9 specified in subsection (c) may provide in-
10 vestigative support or conduct an inde-
11 pendent investigation of an allegation of
12 criminal activity by any United States per-
13 sonnel, contractor, subcontractor, grantee,
14 or vendor in the applicable theater of oper-
15 ations.

16 “(II) NO INSPECTOR GENERAL WITH
17 PRINCIPAL JURISDICTION.—In the case of
18 a determination by the lead Inspector Gen-
19 eral that no Inspector General has prin-
20 cipal jurisdiction over a matter with re-
21 spect to the contingency operation, the
22 lead Inspector General may—

23 “(aa) conduct an independent in-
24 vestigation of an allegation described
25 in subclause (I); or

1 “(bb) request that an Inspector
2 General specified in subsection (c)
3 conduct such investigation.

4 “(E) PERSONNEL.—To employ, or author-
5 ize the employment by the other Inspectors
6 General specified in subsection (c), on a tem-
7 porary basis using the authorities in section
8 3161 of this title (without regard to subsection
9 (b)(2) of that section), such auditors, investiga-
10 tors, and other personnel as the lead Inspector
11 General considers appropriate to assist the lead
12 Inspector General and such other Inspectors
13 General on matters relating to the contingency
14 operation.

15 “(F) REPORT ON ACTIVITY.—To submit to
16 Congress on a bi-annual basis, and to make
17 available on an internet website available to the
18 public, a report on the activities of the lead In-
19 specter General and the other Inspectors Gen-
20 eral specified in subsection (c) with respect to
21 the contingency operation, including—

22 “(i) the status and results of inves-
23 tigations, inspections, and audits and of
24 referrals to the Department of Justice; and

1 “(ii) overall plans for the review of the
2 contingency operation by inspectors gen-
3 eral, including plans for investigations, in-
4 spections, and audits.

5 “(G) REPORT ON CONTINGENCY OPER-
6 ATION.—To submit to Congress on a quarterly
7 basis, and to make available on an Internet
8 website available to the public, a report on the
9 contingency operation.

10 “(H) OTHER RESPONSIBILITIES.—To
11 carry out such other responsibilities relating to
12 the coordination and efficient and effective dis-
13 charge by the Inspectors General specified in
14 subsection (c) of duties relating to the contin-
15 gency operation as the lead Inspector General
16 shall specify.

17 “(I) ENHANCING COOPERATION.—To en-
18 hance cooperation among Inspectors General
19 and encourage comprehensive oversight of the
20 contingency operation, any Inspector General
21 responsible for conducting oversight of any pro-
22 gram or operation performed in support of the
23 contingency operation may, to the maximum ex-
24 tent practicable and consistent with the duties,

1 responsibilities, policies, and procedures of that
2 Inspector General—

3 “(i) coordinate such oversight activi-
4 ties with the lead Inspector General; and

5 “(ii) provide information requested by
6 the lead Inspector General relating to the
7 responsibilities of the lead Inspector Gen-
8 eral described in subparagraphs (B), (C),
9 and (G).

10 “(3) EMPLOYMENT OF ANNUITANTS.—

11 “(A) IN GENERAL.—The lead Inspector
12 General for an overseas contingency operation
13 may employ, or authorize the employment by
14 the other Inspectors General specified in sub-
15 section (c) of, annuitants covered by section
16 9902(g) of this title, for purposes of assisting
17 the lead Inspector General in discharging re-
18 sponsibilities under this subsection with respect
19 to the contingency operation.

20 “(B) DEEMED DEPARTMENT OF DE-
21 FENSE.—The employment of annuitants under
22 this paragraph shall be subject to the provisions
23 of section 9902(g) of this title as if the lead In-
24 spector General concerned was the Department
25 of Defense.

1 “(C) FOREIGN SERVICE ANNUITANTS.—

2 “(i) CONTINUANCE OF ANNUITY.—An
3 annuitant receiving an annuity under the
4 Foreign Service Retirement and Disability
5 System or the Foreign Service Pension
6 System under chapter 8 of title I of the
7 Foreign Service Act of 1980 (22 U.S.C.
8 4041 et seq.) who is reemployed under this
9 subsection—

10 “(I) shall continue to receive the
11 annuity; and

12 “(II) shall not be considered a
13 participant for purposes of chapter 8
14 of title I of the Foreign Service Act of
15 1980 (22 U.S.C. 4041 et seq.) or an
16 employee for purposes of subchapter
17 III of chapter 83 or chapter 84 of this
18 title.

19 “(ii) ELECTION REGARDING REEM-
20 PLOYMENT.—An annuitant described in
21 clause (i) may elect in writing for the re-
22 employment of the annuitant under this
23 subsection to be subject to section 824 of
24 the Foreign Service Act of 1980 (22
25 U.S.C. 4064). A reemployed annuitant

1 shall make an election under this clause
2 not later than 90 days after the date of the
3 reemployment of the annuitant.

4 “(4) DISCHARGE OF RESPONSIBILITIES IN AC-
5 CORDANCE WITH CHAPTER.—The lead Inspector
6 General for an overseas contingency operation shall
7 discharge the responsibilities for the contingency op-
8 eration under this subsection in a manner consistent
9 with the authorities and requirements of this chapter
10 generally and the authorities and requirements ap-
11 plicable to the Inspectors General specified in sub-
12 section (c) under this chapter.

13 “(5) COMPETITIVE STATUS FOR APPOINT-
14 MENT.—

15 “(A) IN GENERAL.—A person employed by
16 a lead Inspector General for an overseas contin-
17 gency operation under this section shall acquire
18 competitive status for appointment to any posi-
19 tion in the competitive service for which the em-
20 ployee possesses the required qualifications
21 upon the completion of 2 years of continuous
22 service as an employee under this section.

23 “(B) LIMITATION.—No person who is first
24 employed as described in subparagraph (A)
25 more than 2 years after December 19, 2019,

1 may acquire competitive status under subpara-
2 graph (A).

3 “(e) SUNSET FOR PARTICULAR CONTINGENCY OPER-
4 ATIONS.—The requirements and authorities of this section
5 with respect to an overseas contingency operation shall
6 cease at the end of the first fiscal year after the com-
7 mencement or designation of the contingency operation in
8 which the total amount appropriated for the contingency
9 operation is less than \$100,000,000.

10 “(f) CONSTRUCTION OF AUTHORITY.—Nothing in
11 this section shall be construed to limit the ability of the
12 Inspectors General specified in subsection (c) to enter into
13 agreements to conduct joint audits, inspections, or inves-
14 tigations in the exercise of their oversight responsibilities
15 in accordance with this chapter with respect to overseas
16 contingency operations.

17 **“§ 420. Information on websites of Offices of Inspec-**
18 **tors General**

19 “(a) DIRECT LINKS TO INSPECTORS GENERAL OF-
20 FICES.—

21 “(1) IN GENERAL.—Each Federal agency and
22 designated Federal entity shall establish and main-
23 tain on the homepage of the website of that Federal
24 agency or designated Federal entity, a direct link to

1 the website of the Office of the Inspector General of
2 that Federal agency or designated Federal entity.

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

7 “(b) REQUIREMENTS FOR INSPECTORS GENERAL
8 WEBSITES.—

9 “(1) POSTING OF REPORTS AND AUDITS.—The
10 Inspector General of each Federal agency and des-
11 ignated Federal entity shall—

12 “(A) not later than 3 days after any audit
13 report, inspection report, or evaluation report
14 (or portion of any such report) is submitted in
15 final form to the head of the Federal agency or
16 the head of the designated Federal entity, as
17 applicable, post that report (or portion of that
18 report) on the website of the Office of Inspector
19 General; and

20 “(B) ensure that any posted report (or
21 portion of that report) described under sub-
22 paragraph (A)—

23 “(i) is easily accessible from a direct
24 link on the homepage of the website of the
25 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
5 downloadable; 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 Federal agency and designated Federal
13 entity shall establish and maintain a direct link
14 on the homepage of the website of the Office of
15 the Inspector General for individuals to report
16 fraud, waste, and abuse. Individuals reporting
17 fraud, waste, or abuse using the direct link es-
18 tablished under this paragraph shall not be re-
19 quired to provide personally identifying infor-
20 mation relating to that individual.

21 “(B) ANONYMITY.—The Inspector General
22 of each Federal agency and designated Federal
23 entity shall not disclose the identity of any indi-
24 vidual making a report under this paragraph
25 without the consent of the individual unless the

1 Inspector General determines that such a dis-
2 closure is unavoidable during the course of the
3 investigation.

4 “(3) RULE OF CONSTRUCTION.—Nothing in
5 this subsection shall be construed as authorizing an
6 Inspector General to publicly disclose information
7 otherwise prohibited from disclosure by law.

8 “(c) DEFINITIONS.—In this section, the terms ‘des-
9 ignated Federal entity’ and ‘head of the designated Fed-
10 eral entity’ have the meanings given those terms in section
11 415(a) of this title.

12 **“§ 421. Additional provisions with respect to the De-
13 partment of Energy**

14 “(a) AUTHORITY TO PROHIBIT ACCESS TO CERTAIN
15 MATERIALS.—The Secretary of Energy may prohibit the
16 Inspector General of the Department of Energy from ac-
17 cessing Restricted Data and nuclear safeguards informa-
18 tion protected from disclosure under chapter 12 of the
19 Atomic Energy Act of 1954 (42 U.S.C. 2161 et seq.) and
20 intelligence or counterintelligence, as defined in section 3
21 of the National Security Act of 1947 (50 U.S.C. 3003),
22 if the Secretary of Energy determines that the prohibition
23 is necessary to protect the national security or prevent the
24 significant impairment to the national security interests
25 of the United States.

1 “(b) NOTIFICATION TO INSPECTOR GENERAL AND
2 STATEMENT TO CONGRESS.—Not later than 7 days after
3 the date on which the Secretary of Energy exercises any
4 power authorized under subsection (a), the Secretary shall
5 notify the Inspector General of the Department of Energy
6 in writing of the reasons for such exercise. Within 30 days
7 after receipt of any such notice, the Inspector General of
8 the Department of Energy shall submit to the appropriate
9 committees of Congress a statement concerning such exer-
10 cise.

11 **“§ 422. Transfer of functions**

12 “(a) IN GENERAL.—There shall be transferred—

13 “(1) to the Office of Inspector General—

14 “(A) of the Department of Agriculture, the
15 offices of that department referred to as the
16 ‘Office of Investigation’ and the ‘Office of
17 Audit’;

18 “(B) of the Department of Commerce, the
19 offices of that department referred to as the
20 ‘Office of Audits’ and the ‘Investigations and
21 Inspections Staff’ and that portion of the office
22 referred to as the ‘Office of Investigations and
23 Security’ which has responsibility for investiga-
24 tion of alleged criminal violations and program
25 abuse;

1 “(C) of the Department of Defense, the of-
2 fices of that department referred to as the ‘De-
3 fense Audit Service’ and the ‘Office of Inspector
4 General, Defense Logistics Agency’, and that
5 portion of the office of that department referred
6 to as the ‘Defense Investigative Service’ which
7 has responsibility for the investigation of al-
8 leged criminal violations;

9 “(D) of the Department of Education, all
10 functions of the Inspector General of Health,
11 Education, and Welfare or of the Office of In-
12 spector General of Health, Education, and Wel-
13 fare relating to functions transferred by section
14 301 of the Department of Education Organiza-
15 tion Act (20 U.S.C. 3441);

16 “(E) of the Department of Energy, the Of-
17 fice of Inspector General (as established by sec-
18 tion 208 of the Department of Energy Organi-
19 zation Act);

20 “(F) of the Department of Health and
21 Human Services, the Office of Inspector Gen-
22 eral (as established by title II of Public Law
23 94-505);

24 “(G) of the Department of Housing and
25 Urban Development, the office of that depart-

1 ment referred to as the ‘Office of Inspector
2 General’;

3 “(H) of the Department of the Interior,
4 the office of that department referred to as the
5 ‘Office of Audit and Investigation’;

6 “(I) of the Department of Justice—

7 “(i) the offices of that Department re-
8 ferred to as—

9 “(I) the ‘Audit Staff, Justice
10 Management Division’;

11 “(II) the ‘Policy and Procedures
12 Branch, Office of the Comptroller,
13 Immigration and Naturalization Serv-
14 ice’, the ‘Office of Professional Re-
15 sponsibility, Immigration and Natu-
16 ralization Service’, and the ‘Office of
17 Program Inspections, Immigration
18 and Naturalization Service’;

19 “(III) the ‘Office of Internal In-
20 spection, United States Marshals
21 Service’; and

22 “(IV) the ‘Financial Audit Sec-
23 tion, Office of Financial Management,
24 Bureau of Prisons’ and the ‘Office of
25 Inspections, Bureau of Prisons’; and

1 “(ii) from the Drug Enforcement Ad-
2 ministration, that portion of the ‘Office of
3 Inspections’ which is engaged in internal
4 audit activities, and that portion of the
5 ‘Office of Planning and Evaluation’ which
6 is engaged in program review activities;

7 “(J) of the Department of Labor, the of-
8 fice of that department referred to as the ‘Of-
9 fice of Special Investigations’;

10 “(K) of the Department of Transportation,
11 the offices of that department referred to as the
12 ‘Office of Investigations and Security’ and the
13 ‘Office of Audit’ of the Department, the ‘Offices
14 of Investigations and Security, Federal Aviation
15 Administration’, and ‘External Audit Divisions,
16 Federal Aviation Administration’, the ‘Inves-
17 tigations Division and the External Audit Divi-
18 sion of the Office of Program Review and In-
19 vestigation, Federal Highway Administration’,
20 and the ‘Office of Program Audits, Federal
21 Transit Administration’;

22 “(L)(i) of the Department of the Treasury,
23 the office of that department referred to as the
24 ‘Office of Inspector General’, and, notwith-
25 standing any other provision of law, that por-

1 tion of each of the offices of that department
2 referred to as the ‘Office of Internal Affairs,
3 Tax and Trade Bureau’, the ‘Office of Internal
4 Affairs, United States Customs Service’, and
5 the ‘Office of Inspections, United States Secret
6 Service’ which is engaged in internal audit ac-
7 tivities; and

8 “(ii) of the Treasury Inspector General for
9 Tax Administration, effective 180 days after
10 July 22, 1998, the Office of Chief Inspector of
11 the Internal Revenue Service;

12 “(M) of the Environmental Protection
13 Agency, the offices of that agency referred to as
14 the ‘Office of Audit’ and the ‘Security and In-
15 spection Division’;

16 “(N) of the Federal Emergency Manage-
17 ment Agency, the office of that agency referred
18 to as the ‘Office of Inspector General’;

19 “(O) of the General Services Administra-
20 tion, the offices of that agency referred to as
21 the ‘Office of Audits’ and the ‘Office of Inves-
22 tigations’;

23 “(P) of the National Aeronautics and
24 Space Administration, the offices of that agency

1 referred to as the ‘Management Audit Office’
2 and the ‘Office of Inspections and Security’;

3 “(Q) of the Nuclear Regulatory Commis-
4 sion, the office of that commission referred to
5 as the ‘Office of Inspector and Auditor’;

6 “(R) of the Office of Personnel Manage-
7 ment, the offices of that agency referred to as
8 the ‘Office of Inspector General’, the ‘Insurance
9 Audits Division, Retirement and Insurance
10 Group’, and the ‘Analysis and Evaluation Divi-
11 sion, Administration Group’;

12 “(S) of the Railroad Retirement Board,
13 the Office of Inspector General (as established
14 by section 23 of the Railroad Retirement Act of
15 1974);

16 “(T) of the Small Business Administra-
17 tion, the office of that agency referred to as the
18 ‘Office of Audits and Investigations’;

19 “(U) of the Department of Veterans Af-
20 fairs, the offices of that department referred to
21 as the ‘Office of Audits’ and the ‘Office of In-
22 vestigations’;

23 “(V) of the Corporation for National and
24 Community Service, the Office of Inspector
25 General of ACTION; and

1 “(W) of the Social Security Administra-
2 tion, the functions of the Inspector General of
3 the Department of Health and Human Services
4 which are transferred to the Social Security Ad-
5 ministration by the Social Security Independ-
6 ence and Program Improvements Act of 1994
7 (other than functions performed pursuant to
8 section 105(a)(2) of such Act), except that such
9 transfers shall be made in accordance with the
10 provisions of such Act and shall not be subject
11 to subsections (b) through (d) of this section;
12 and

13 “(2) to the Office of the Inspector General,
14 such other offices or agencies, or functions, powers,
15 or duties thereof, as the head of the establishment
16 involved may determine are properly related to the
17 functions of the Office and would, if so transferred,
18 further the purposes of this chapter,
19 except that there shall not be transferred to an Inspector
20 General under paragraph (2) program operating respon-
21 sibilities.

22 “(b) RELATED TRANSFERS.—The personnel, assets,
23 liabilities, contracts, property, records, and unexpended
24 balances of appropriations, authorizations, allocations,
25 and other funds employed, held, used, arising from, avail-

1 able or to be made available, of any office or agency the
2 functions, powers, and duties of which are transferred
3 under subsection (a) are hereby transferred to the applica-
4 ble Office of Inspector General.

5 “(c) PERSONNEL.—Personnel transferred pursuant
6 to subsection (b) shall be transferred in accordance with
7 applicable laws and regulations relating to the transfer of
8 functions except that the classification and compensation
9 of such personnel shall not be reduced for one year after
10 such transfer.

11 “(d) LAPSE OF OFFICE OR AGENCY AND COMPENSA-
12 TION FOR TRANSFERRED POSITIONS WITH COMPARABLE
13 DUTIES.—In any case in which all the functions, powers,
14 and duties of any office or agency are transferred pursu-
15 ant to this subsection, such office or agency shall lapse.
16 Any person who, on October 1, 1978, held a position com-
17 pensated in accordance with the General Schedule, and
18 who, without a break in service, is appointed in an Office
19 of Inspector General to a position having duties com-
20 parable to those performed immediately preceding such
21 appointment shall continue to be compensated in the new
22 position at not less than the rate provided for the previous
23 position, for the duration of service in the new position.

24 **“§ 423. Pay of Inspectors General**

25 “(a) CERTAIN INSPECTORS GENERAL.—

1 “(1) IN GENERAL.—Notwithstanding any other
2 provision of law, the annual rate of basic pay of the
3 Inspector General of the Intelligence Community,
4 the Inspector General of the Central Intelligence
5 Agency, and the Special Inspector General for Af-
6 ghanistan Reconstruction shall be that of an Inspec-
7 tor General as defined under section 401 of this
8 title.

9 “(2) PROHIBITION OF CASH BONUS OR
10 AWARDS.—Section 403(f) of this title shall apply to
11 the Inspectors General described under paragraph
12 (1).

13 “(b) INSPECTORS GENERAL OF DESIGNATED FED-
14 ERAL ENTITIES.—Notwithstanding any other provision of
15 law, the Inspector General of each designated Federal en-
16 tity (as those terms are defined under section 415(a) of
17 this title) shall, for pay and all other purposes, be classi-
18 fied at a grade, level, or rank designation, as the case may
19 be, at or above those of a majority of the senior level ex-
20 ecutives of that designated Federal entity (such as a Gen-
21 eral Counsel, Chief Information Officer, Chief Financial
22 Officer, Chief Human Capital Officer, or Chief Acquisition
23 Officer). The pay of an Inspector General of a designated
24 Federal entity (as those terms are defined under section
25 415(a) of this title) shall be not less than the average total

1 compensation (including bonuses) of the senior level execu-
2 tives of that designated Federal entity calculated on an
3 annual basis.

4 “(c) SAVINGS PROVISION FOR NEWLY APPOINTED
5 INSPECTORS GENERAL.—

6 “(1) IN GENERAL.—The provisions of section
7 3392 of this title, other than the terms ‘performance
8 awards’ and ‘awarding of ranks’ in subsection (c)(1)
9 of that section, shall apply to career appointees of
10 the Senior Executive Service who are appointed to
11 the position of Inspector General.

12 “(2) NONREDUCTION IN PAY.—Notwith-
13 standing any other provision of law, career Federal
14 employees serving on an appointment made pursuant
15 to statutory authority found other than in section
16 3392 of this title shall not suffer a reduction in pay,
17 not including any bonus or performance award, as a
18 result of being appointed to the position of Inspector
19 General.

20 **“§ 424. Establishment of the Council of the Inspectors**
21 **General on Integrity and Efficiency**

22 “(a) ESTABLISHMENT AND MISSION.—

23 “(1) ESTABLISHMENT.—There is established as
24 an independent entity within the executive branch
25 the Council of the Inspectors General on Integrity

1 and Efficiency (in this section referred to as the
2 ‘Council’).

3 “(2) MISSION.—The mission of the Council
4 shall be to—

5 “(A) address integrity, economy, and effec-
6 tiveness issues that transcend individual Gov-
7 ernment agencies; and

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

14 “(b) MEMBERSHIP.—

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

17 “(A) All Inspectors General whose offices
18 are established under—

19 “(i) section 402 of this title; or

20 “(ii) section 415 of this title.

21 “(B) The Inspectors General of the Intel-
22 ligence Community and the Central Intelligence
23 Agency.

24 “(C) The Controller of the Office of Fed-
25 eral Financial Management.

1 “(D) A senior level official of the Federal
2 Bureau of Investigation designated by the Di-
3 rector of the Federal Bureau of Investigation.

4 “(E) The Director of the Office of Govern-
5 ment Ethics.

6 “(F) The Special Counsel of the Office of
7 Special Counsel.

8 “(G) The Deputy Director of the Office of
9 Personnel Management.

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

12 “(I) The Inspectors General of the Library
13 of Congress, Capitol Police, Government Pub-
14 lishing Office, Government Accountability Of-
15 fice, and the Architect of the Capitol.

16 “(2) CHAIRPERSON AND EXECUTIVE CHAIR-
17 PERSON.—

18 “(A) EXECUTIVE CHAIRPERSON.—The
19 Deputy Director for Management of the Office
20 of Management and Budget shall be the Execu-
21 tive Chairperson of the Council.

22 “(B) CHAIRPERSON.—The Council shall
23 elect 1 of the Inspectors General referred to in
24 paragraph (1)(A) or (B) to act as Chairperson

1 of the Council. The term of office of the Chair-
2 person shall be 2 years.

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

5 “(A) EXECUTIVE CHAIRPERSON.—The Ex-
6 ecutive Chairperson shall—

7 “(i) preside over meetings of the
8 Council;

9 “(ii) provide to the heads of agencies
10 and entities represented on the Council
11 summary reports of the activities of the
12 Council; and

13 “(iii) provide to the Council such in-
14 formation relating to the agencies and en-
15 tities represented on the Council as assists
16 the Council in performing its functions.

17 “(B) CHAIRPERSON.—The Chairperson
18 shall—

19 “(i) convene meetings of the Coun-
20 cil—

21 “(I) at least 6 times each year;

22 “(II) monthly to the extent pos-
23 sible; and

24 “(III) more frequently at the dis-
25 cretion of the Chairperson;

1 “(ii) carry out the functions and du-
2 ties of the Council under subsection (c);

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

11 “(iv) make such payments from funds
12 otherwise available to the Council as may
13 be necessary to carry out the functions of
14 the Council;

15 “(v) select, appoint, and employ per-
16 sonnel as needed to carry out the functions
17 of the Council subject to the provisions of
18 this title governing appointments in the
19 competitive service, and the provisions of
20 chapter 51 and subchapter III of chapter
21 53 of this title, relating to classification
22 and General Schedule pay rates;

23 “(vi) to the extent and in such
24 amounts as may be provided in advance by
25 appropriations Acts, made available from

1 the revolving fund established under sub-
2 section (c)(3)(B), or as otherwise provided
3 by law, enter into contracts and other ar-
4 rangements with public agencies and pri-
5 vate persons to carry out the functions and
6 duties of the Council;

7 “(vii) establish, in consultation with
8 the members of the Council, such commit-
9 tees as determined by the Chairperson to
10 be necessary and appropriate for the effi-
11 cient conduct of Council functions; and

12 “(viii) prepare and transmit an an-
13 nual report on behalf of the Council on the
14 activities of the Council to—

15 “(I) the President;

16 “(II) the appropriate committees
17 of jurisdiction of the Senate and the
18 House of Representatives;

19 “(III) the Committee on Home-
20 land Security and Governmental Af-
21 fairs of the Senate; and

22 “(IV) the Committee on Over-
23 sight and Reform of the House of
24 Representatives.

25 “(c) FUNCTIONS AND DUTIES OF COUNCIL.—

1 “(1) IN GENERAL.—The Council shall—

2 “(A) continually identify, review, and dis-
3 cuss areas of weakness and vulnerability in
4 Federal programs and operations with respect
5 to fraud, waste, and abuse;

6 “(B) develop plans for coordinated, Gov-
7 ernmentwide activities that address these prob-
8 lems and promote economy and efficiency in
9 Federal programs and operations, including
10 interagency and interentity audit, investigation,
11 inspection, and evaluation programs and
12 projects to deal efficiently and effectively with
13 those problems concerning fraud and waste that
14 exceed the capability or jurisdiction of an indi-
15 vidual agency or entity;

16 “(C) develop policies that will aid in the
17 maintenance of a corps of well-trained and
18 highly skilled Office of Inspector General per-
19 sonnel;

20 “(D) maintain an Internet website and
21 other electronic systems for the benefit of all
22 Inspectors General, as the Council determines
23 are necessary or desirable;

24 “(E) maintain 1 or more academies as the
25 Council considers desirable for the professional

1 training of auditors, investigators, inspectors,
2 evaluators, and other personnel of the various
3 offices of Inspector General;

4 “(F) submit recommendations of individ-
5 uals to the appropriate appointing authority for
6 any appointment to an office of Inspector Gen-
7 eral described under subsection (b)(1)(A) or
8 (B);

9 “(G) make such reports to Congress as the
10 Chairperson determines are necessary or appro-
11 priate;

12 “(H) except for matters coordinated
13 among Inspectors General under section 103H
14 of the National Security Act of 1947 (50
15 U.S.C. 3033), receive, review, and mediate any
16 disputes submitted in writing to the Council by
17 an Office of Inspector General regarding an
18 audit, investigation, inspection, evaluation, or
19 project that involves the jurisdiction of more
20 than one Office of Inspector General; and

21 “(I) perform other duties within the au-
22 thority and jurisdiction of the Council, as ap-
23 propriate.

24 “(2) ADHERENCE AND PARTICIPATION BY MEM-
25 BERS.—To the extent permitted under law, and to

1 the extent not inconsistent with standards estab-
2 lished by the Comptroller General of the United
3 States for audits of Federal establishments, organi-
4 zations, programs, activities, and functions, each
5 member of the Council, as appropriate, shall—

6 “(A) adhere to professional standards de-
7 veloped by the Council; and

8 “(B) participate in the plans, programs,
9 and projects of the Council, except that in the
10 case of a member described under subsection
11 (b)(1)(I), the member shall participate only to
12 the extent requested by the member and ap-
13 proved by the Executive Chairperson and Chair-
14 person.

15 “(3) ADDITIONAL ADMINISTRATIVE AUTHORI-
16 TIES.—

17 “(A) INTERAGENCY FUNDING.—Notwith-
18 standing section 1532 of title 31, or any other
19 provision of law prohibiting the interagency
20 funding of activities described under subclause
21 (I), (II), or (III) of clause (i), in the perform-
22 ance of the responsibilities, authorities, and du-
23 ties of the Council—

1 “(i) the Executive Chairperson may
2 authorize the use of interagency funding
3 for—

4 “(I) Governmentwide training of
5 employees of the Offices of the Inspec-
6 tors General;

7 “(II) the functions of the Integ-
8 rity Committee of the Council; and

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

11 “(ii) upon the authorization of the
12 Executive Chairperson, any Federal agency
13 or designated Federal entity (as defined in
14 section 415(a) of this title) which has a
15 member on the Council shall fund or par-
16 ticipate in the funding of such activities.

17 “(B) REVOLVING FUND.—

18 “(i) IN GENERAL.—The Council
19 may—

20 “(I) establish in the Treasury of
21 the United States a revolving fund to
22 be called the Inspectors General
23 Council Fund; or

1 “(II) enter into an arrangement
2 with a department or agency to use
3 an existing revolving fund.

4 “(ii) AMOUNTS IN REVOLVING
5 FUND.—

6 “(I) IN GENERAL.—Amounts
7 transferred to the Council under this
8 subsection shall be deposited in the
9 revolving fund described under clause
10 (i)(I) or (II).

11 “(II) TRAINING.—Any remaining
12 unexpended balances appropriated for
13 or otherwise available to the Inspec-
14 tors General Criminal Investigator
15 Academy and the Inspectors General
16 Auditor Training Institute shall be
17 transferred to the revolving fund de-
18 scribed under clause (i)(I) or (II).

19 “(iii) USE OF REVOLVING FUND.—

20 “(I) IN GENERAL.—Except as
21 provided under subclause (II),
22 amounts in the revolving fund de-
23 scribed under clause (i)(I) or (II) may
24 be used to carry out the functions and

1 duties of the Council under this sub-
2 section.

3 “(II) TRAINING.—Amounts
4 transferred into the revolving fund de-
5 scribed under clause (i)(I) or (II) may
6 be used for the purpose of maintain-
7 ing any training academy as deter-
8 mined by the Council.

9 “(iv) AVAILABILITY OF FUNDS.—
10 Amounts in the revolving fund described
11 under clause (i)(I) or (II) shall remain
12 available to the Council without fiscal year
13 limitation.

14 “(C) SUPERSEDING PROVISIONS.—No pro-
15 vision of law enacted after October 14, 2008,
16 shall be construed to limit or supersede any au-
17 thority under subparagraph (A) or (B), unless
18 such provision makes specific reference to the
19 authority in that subparagraph.

20 “(4) EXISTING AUTHORITIES AND RESPON-
21 SIBILITIES.—The establishment and operation of the
22 Council shall not affect—

23 “(A) the role of the Department of Justice
24 in law enforcement and litigation;

1 “(B) the authority or responsibilities of
2 any Government agency or entity; and

3 “(C) the authority or responsibilities of in-
4 dividual members of the Council.

5 “(5) ADDITIONAL RESPONSIBILITIES RELATING
6 TO WHISTLEBLOWER PROTECTION.—The Council
7 shall—

8 “(A) facilitate the work of the Whistle-
9 blower Protection Coordinators designated
10 under section 403(d)(1)(C) of this title; and

11 “(B) in consultation with the Office of
12 Special Counsel and Whistleblower Protection
13 Coordinators from the member offices of the In-
14 spector General, develop best practices for co-
15 ordination and communication in promoting the
16 timely and appropriate handling and consider-
17 ation of protected disclosures, allegations of re-
18 prisal, and general matters regarding the imple-
19 mentation and administration of whistleblower
20 protection laws, in accordance with Federal law.

21 “(d) INTEGRITY COMMITTEE.—

22 “(1) ESTABLISHMENT.—The Council shall have
23 an Integrity Committee, which shall receive, review,
24 and refer for investigation allegations of wrongdoing
25 that are made against Inspectors General and staff

1 members of the various Offices of Inspector General
2 described under paragraph (4)(C).

3 “(2) MEMBERSHIP.—

4 “(A) IN GENERAL.—The Integrity Com-
5 mittee shall consist of the following members:

6 “(i) The official of the Federal Bu-
7 reau of Investigation serving on the Coun-
8 cil.

9 “(ii) Four Inspectors General de-
10 scribed in subparagraph (A) or (B) of sub-
11 section (b)(1) appointed by the Chair-
12 person of the Council, representing both
13 establishments and designated Federal en-
14 tities (as that term is defined in section
15 415(a) of this title).

16 “(iii) The Director of the Office of
17 Government Ethics or the designee of the
18 Director.

19 “(B) CHAIRPERSON.—

20 “(i) IN GENERAL.—The Integrity
21 Committee shall elect one of the Inspectors
22 General referred to in subparagraph (A)(ii)
23 to act as Chairperson of the Integrity
24 Committee.

1 “(ii) TERM.—The term of office of the
2 Chairperson of the Integrity Committee
3 shall be 2 years.

4 “(3) LEGAL ADVISOR.—The Chief of the Public
5 Integrity Section of the Criminal Division of the De-
6 partment of Justice, or the Chief’s designee, shall
7 serve as a legal advisor to the Integrity Committee.

8 “(4) REFERRAL OF ALLEGATIONS.—

9 “(A) DEFINITION OF STAFF MEMBER.—In
10 this paragraph, the term ‘staff member’ means
11 any employee of an Office of Inspector General
12 who—

13 “(i) reports directly to an Inspector
14 General; or

15 “(ii) is designated by an Inspector
16 General under subparagraph (C).

17 “(B) REQUIREMENT.—An Inspector Gen-
18 eral shall refer to the Integrity Committee any
19 allegation of wrongdoing against a staff mem-
20 ber of the office of that Inspector General, if—

21 “(i) review of the substance of the al-
22 legation cannot be assigned to an agency
23 of the executive branch with appropriate
24 jurisdiction over the matter; and

1 “(ii) the Inspector General determines
2 that—

3 “(I) an objective internal inves-
4 tigation of the allegation is not fea-
5 sible; or

6 “(II) an internal investigation of
7 the allegation may appear not to be
8 objective.

9 “(C) DESIGNATION OF STAFF MEMBERS.—

10 Each Inspector General shall annually submit
11 to the Chairperson of the Integrity Committee
12 a designation of positions whose holders are
13 staff members for purposes of subparagraph
14 (A).

15 “(5) REVIEW OF ALLEGATIONS.—

16 “(A) IN GENERAL.—Not later than 7 days
17 after the date on which the Integrity Committee
18 receives an allegation of wrongdoing against an
19 Inspector General or against a staff member of
20 an Office of Inspector General described under
21 paragraph (4)(C), the allegation of wrongdoing
22 shall be reviewed and referred to the Depart-
23 ment of Justice or the Office of Special Counsel
24 for investigation, or to the Integrity Committee
25 for review, as appropriate, by—

1 “(i) a representative of the Depart-
2 ment of Justice, as designated by the At-
3 torney General;

4 “(ii) a representative of the Office of
5 Special Counsel, as designated by the Spe-
6 cial Counsel; and

7 “(iii) a representative of the Integrity
8 Committee, as designated by the Chair-
9 person of the Integrity Committee.

10 “(B) REFERRAL TO THE CHAIRPERSON.—

11 “(i) IN GENERAL.—Except as pro-
12 vided in clause (ii), not later than 30 days
13 after the date on which an allegation of
14 wrongdoing is referred to the Integrity
15 Committee under subparagraph (A), the
16 Integrity Committee shall determine
17 whether to refer the allegation of wrong-
18 doing to the Chairperson of the Integrity
19 Committee to initiate an investigation.

20 “(ii) EXTENSION.—The 30-day period
21 described in clause (i) may be extended for
22 an additional period of 30 days if the In-
23 tegrity Committee provides written notice
24 to the congressional committees described
25 in paragraph (8)(A)(iii) that includes a de-

1 tailed, case-specific description of why the
2 additional time is needed to evaluate the
3 allegation of wrongdoing.

4 “(6) AUTHORITY TO INVESTIGATE ALLEGA-
5 TIONS.—

6 “(A) REQUIREMENT.—The Chairperson of
7 the Integrity Committee shall cause a thorough
8 and timely investigation of each allegation re-
9 ferred under paragraph (5)(B) to be conducted
10 in accordance with this paragraph.

11 “(B) RESOURCES.—At the request of the
12 Chairperson of the Integrity Committee, the
13 head of each agency or entity represented on
14 the Council—

15 “(i) shall provide assistance necessary
16 to the Integrity Committee; and

17 “(ii) may detail employees from that
18 agency or entity to the Integrity Com-
19 mittee, subject to the control and direction
20 of the Chairperson, to conduct an inves-
21 tigation under this subsection.

22 “(7) PROCEDURES FOR INVESTIGATIONS.—

23 “(A) STANDARDS APPLICABLE.—Investiga-
24 tions initiated under this subsection shall be
25 conducted in accordance with the most current

1 Quality Standards for Investigations issued by
2 the Council or by its predecessors (the Presi-
3 dent’s Council on Integrity and Efficiency and
4 the Executive Council on Integrity and Effi-
5 ciency).

6 “(B) ADDITIONAL POLICIES AND PROCE-
7 DURES.—

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

13 “(I) determining whether to ini-
14 tiate an investigation;

15 “(II) conducting investigations;

16 “(III) reporting the results of an
17 investigation;

18 “(IV) providing the person who is
19 the subject of an investigation with an
20 opportunity to respond to any Integ-
21 rity Committee report;

22 “(V) except as provided in clause
23 (ii), ensuring, to the extent possible,
24 that investigations are conducted by

1 Offices of Inspector General of similar
2 size;

3 “(VI) creating a process for rota-
4 tion of Inspectors General assigned to
5 investigate allegations through the In-
6 tegrity Committee; and

7 “(VII) creating procedures to
8 avoid conflicts of interest for Integrity
9 Committee investigations.

10 “(ii) EXCEPTION.—The requirement
11 under clause (i)(V) shall not apply to any
12 Office of Inspector General with less than
13 50 employees who are authorized to con-
14 duct audits or investigations.

15 “(iii) SUBMISSION TO CONGRESS.—
16 The Council shall submit a copy of the
17 policies and procedures established under
18 clause (i) to the congressional committees
19 of jurisdiction.

20 “(C) COMPLETION OF INVESTIGATION.—If
21 an allegation of wrongdoing is referred to the
22 Chairperson of the Integrity Committee under
23 paragraph (5)(B), the Chairperson of the Integ-
24 rity Committee—

1 “(i) shall complete the investigation
2 not later than 150 days after the date on
3 which the Integrity Committee made the
4 referral; and

5 “(ii) if the investigation cannot be
6 completed within the 150-day period de-
7 scribed in clause (i), shall—

8 “(I) promptly notify the congres-
9 sional committees described in para-
10 graph (8)(A)(iii); and

11 “(II) brief the congressional com-
12 mittees described in paragraph
13 (8)(A)(iii) every 30 days regarding the
14 status of the investigation and the
15 general reasons for delay until the in-
16 vestigation is complete.

17 “(D) CONCURRENT INVESTIGATION.—If an
18 allegation of wrongdoing against an Inspector
19 General or a staff member of an Office of In-
20 spector General described under paragraph
21 (4)(C) is referred to the Department of Justice
22 or the Office of Special Counsel under para-
23 graph (5)(A), the Chairperson of the Integrity
24 Committee may conduct any related investiga-
25 tion referred to the Chairperson under para-

1 graph (5)(B) concurrently with the Department
2 of Justice or the Office of Special Counsel, as
3 applicable.

4 “(E) REPORTS.—

5 “(i) INTEGRITY COMMITTEE INVESTIGATIONS.—For each investigation of an
6 allegation of wrongdoing referred to the
7 Chairperson of the Integrity Committee
8 under paragraph (5)(B), the Chairperson
9 of the Integrity Committee shall submit to
10 members of the Integrity Committee and
11 to the Chairperson of the Council a report
12 containing the results of the investigation.
13

14 “(ii) OTHER INVESTIGATIONS.—For
15 each allegation of wrongdoing referred to
16 the Department of Justice or the Office of
17 Special Counsel under paragraph (5)(A),
18 the Attorney General or the Special Coun-
19 sel, as applicable, shall submit to the In-
20 tegrity Committee a report containing the
21 results of the investigation.

22 “(iii) AVAILABILITY TO CONGRESS.—

23 “(I) IN GENERAL.—The congress-
24 sional committees described in para-
25 graph (8)(A)(iii) shall have access to

1 any report authored by the Integrity
2 Committee.

3 “(II) MEMBERS OF CONGRESS.—
4 Subject to any other provision of law
5 that would otherwise prohibit disclo-
6 sure of such information, the Integrity
7 Committee may provide any report
8 authored by the Integrity Committee
9 to any Member of Congress.

10 “(8) ASSESSMENT AND FINAL DISPOSITION.—

11 “(A) IN GENERAL.—With respect to any
12 report received under paragraph (7)(E), the In-
13 tegrity Committee shall—

14 “(i) assess the report;

15 “(ii) forward the report, with the rec-
16 ommendations of the Integrity Committee,
17 including those on disciplinary action,
18 within 30 days (to the maximum extent
19 practicable) after the completion of the in-
20 vestigation, to the Executive Chairperson
21 of the Council and to the President (in the
22 case of a report relating to an Inspector
23 General of an establishment or any em-
24 ployee of that Inspector General) or the
25 head of a designated Federal entity (in the

1 case of a report relating to an Inspector
2 General of such an entity or any employee
3 of that Inspector General) for resolution;

4 “(iii) submit the report, with the rec-
5 ommendations of the Integrity Committee,
6 to the Committee on Homeland Security
7 and Governmental Affairs of the Senate,
8 the Committee on Oversight and Reform of
9 the House of Representatives, and other
10 congressional committees of jurisdiction;
11 and

12 “(iv) following the submission of the
13 report under clause (iii) and upon request
14 by any Member of Congress, submit the re-
15 port, with the recommendations of the In-
16 tegrity Committee, to that Member.

17 “(B) DISPOSITION.—The Executive Chair-
18 person of the Council shall report to the Integ-
19 rity Committee the final disposition of the mat-
20 ter, including what action was taken by the
21 President or agency head.

22 “(9) ANNUAL REPORT.—The Council shall sub-
23 mit to Congress and the President by December 31
24 of each year a report on the activities of the Integ-

1 rity Committee during the preceding fiscal year,
2 which shall include the following:

3 “(A) The number of allegations received.

4 “(B) The number of allegations referred to
5 the Department of Justice or the Office of Spe-
6 cial Counsel, including the number of allega-
7 tions referred for criminal investigation.

8 “(C) The number of allegations referred to
9 the Chairperson of the Integrity Committee for
10 investigation.

11 “(D) The number of allegations closed
12 without referral.

13 “(E) The date each allegation was received
14 and the date each allegation was finally dis-
15 posed of.

16 “(F) In the case of allegations referred to
17 the Chairperson of the Integrity Committee, a
18 summary of the status of the investigation of
19 the allegations and, in the case of investigations
20 completed during the preceding fiscal year, a
21 summary of the findings of the investigations.

22 “(G) Other matters that the Council con-
23 siders appropriate.

24 “(10) REQUESTS FOR MORE INFORMATION.—

25 With respect to paragraphs (8) and (9), the Council

1 shall provide more detailed information about spe-
2 cific allegations upon request from any Member of
3 Congress.

4 “(11) NO RIGHT OR BENEFIT.—This subsection
5 is not intended to create any right or benefit, sub-
6 stantive or procedural, enforceable at law by a per-
7 son against the United States, its agencies, its offi-
8 cers, or any person.

9 “(12) ALLEGATIONS OF WRONGDOING AGAINST
10 SPECIAL COUNSEL OR DEPUTY SPECIAL COUNSEL.—

11 “(A) SPECIAL COUNSEL DEFINED.—In this
12 paragraph, the term ‘Special Counsel’ means
13 the Special Counsel appointed under section
14 1211(b) of title 5.

15 “(B) AUTHORITY OF INTEGRITY COM-
16 MITTEE.—

17 “(i) IN GENERAL.—An allegation of
18 wrongdoing against the Special Counsel or
19 the Deputy Special Counsel may be re-
20 ceived, reviewed, and referred for investiga-
21 tion to the same extent and in the same
22 manner as in the case of an allegation
23 against an Inspector General or against a
24 staff member of an Office of Inspector
25 General described under paragraph (4)(C),

1 subject to the requirement that the rep-
2 resentative designated by the Special
3 Counsel under paragraph (5)(A)(ii) shall
4 recuse himself or herself from the consider-
5 ation of any allegation brought under this
6 paragraph.

7 “(ii) COORDINATION WITH EXISTING
8 PROVISIONS OF LAW.—This paragraph
9 shall not eliminate access to the Merit Sys-
10 tems Protection Board for review under
11 section 7701 of title 5. To the extent that
12 an allegation brought under this paragraph
13 involves section 2302(b)(8) of title 5, a
14 failure to obtain corrective action within
15 120 days after the date on which the alle-
16 gation is received by the Integrity Com-
17 mittee shall, for purposes of section 1221
18 of title 5, be considered to satisfy section
19 1214(a)(3)(B) of title 5.

20 “(C) REGULATIONS.—The Integrity Com-
21 mittee may prescribe any rules or regulations
22 necessary to carry out this paragraph, subject
23 to such consultation or other requirements as
24 may otherwise apply.

1 “(13) COMMITTEE RECORDS.—The Chairperson
2 of the Council shall maintain the records of the In-
3 tegrity Committee.

4 “(e) OVERSIGHT.GOV.—

5 “(1) DEFINITION.—In this subsection, the term
6 ‘Office of Inspector General’ means the Office of—

7 “(A) an Inspector General described in
8 subparagraph (A), (B), or (I) of subsection
9 (b)(1);

10 “(B) the Special Inspector General for Af-
11 ghanistan Reconstruction established under sec-
12 tion 1229 of the National Defense Authoriza-
13 tion Act for Fiscal Year 2008 (Public Law
14 110–181; 122 Stat. 378);

15 “(C) the Special Inspector General for the
16 Troubled Asset Relief Program established
17 under section 121 of title I of the Emergency
18 Economic Stabilization Act of 2008 (12 U.S.C.
19 5231); and

20 “(D) the Special Inspector General for
21 Pandemic Recovery established under section
22 4018 of the Coronavirus Economic Stabilization
23 Act of 2020 (15 U.S.C. 9053).

1 “(2) ESTABLISHMENT.—The Council shall es-
2 tablish and maintain a website entitled ‘over-
3 sight.gov’—

4 “(A) to consolidate all public reports from
5 each Office of Inspector General to improve the
6 access of the public to any audit report, inspec-
7 tion report, or evaluation report (or portion of
8 any such report) made by an Office of Inspector
9 General; and

10 “(B) that shall include any additional re-
11 sources, information, and enhancements as the
12 Council determines are necessary or desirable.

13 “(3) PARTICIPATION OF OFFICES OF INSPEC-
14 TORS GENERAL.—Each Office of Inspector General
15 that publishes an audit report, inspection report, or
16 evaluation report (or portion of any such report) on
17 the website of the Office of Inspector General shall,
18 or in the case of the office of an Inspector General
19 described in subparagraph (I) of subsection (b)(1)
20 may, contemporaneously publish the report (or por-
21 tion of the report) on oversight.gov in a manner pre-
22 scribed by the Council.

23 “(4) EFFECTIVE DATE.—This subsection shall
24 take effect on the date that is 30 days after the date
25 of receipt by the Council of the Inspectors General

1 on Integrity and Efficiency of an appropriation for
 2 the implementation of this subsection.”.

3 (c) ENACTMENT OF PART IV, CHAPTER 131.—Title
 4 5, United States Code, is amended by inserting after part
 5 III the following:

6 **“PART IV—ETHICS REQUIREMENTS**

7 **“CHAPTER 131—ETHICS IN GOVERNMENT**

“SUBCHAPTER I—FINANCIAL DISCLOSURE REQUIREMENTS OF FEDERAL
 PERSONNEL

“Sec.

“13101. Definitions.

“13102. Administration of provisions.

“13103. Persons required to file.

“13104. Contents of reports.

“13105. Filing of reports.

“13106. Failure to file or filing false reports.

“13107. Custody of and public access to reports.

“13108. Review of reports.

“13109. Confidential reports and other additional requirements.

“13110. Authority of Comptroller General.

“13111. Notice of actions taken to comply with ethics agreements.

“SUBCHAPTER II—OFFICE OF GOVERNMENT ETHICS

“13121. Establishment; appointment of Director.

“13122. Authority and functions.

“13123. Administrative provisions.

“13124. Rules and regulations.

“13125. Authorization of appropriations.

“13126. Reports to Congress.

“SUBCHAPTER III—LIMITATIONS ON OUTSIDE EARNED INCOME AND
 EMPLOYMENT

“13141. Definitions.

“13142. Administration.

“13143. Outside earned income limitation.

“13144. Limitations on outside employment.

“13145. Civil penalties.

“13146. Conditional termination.

1 “SUBCHAPTER I—FINANCIAL DISCLOSURE
2 REQUIREMENTS OF FEDERAL PERSONNEL

3 **“§ 13101. Definitions**

4 “In this subchapter:

5 “(1) CONGRESSIONAL ETHICS COMMITTEES.—

6 The term ‘congressional ethics committees’ means
7 the Select Committee on Ethics of the Senate and
8 the Committee on Ethics of the House of Represent-
9 atives.

10 “(2) DEPENDENT CHILD.—The term ‘depend-
11 ent child’ means, when used with respect to any re-
12 porting individual, any individual who is a son,
13 daughter, stepson, or stepdaughter and who—

14 “(A) is unmarried and under age 21 and
15 is living in the household of such reporting indi-
16 vidual; or

17 “(B) is a dependent of such reporting indi-
18 vidual within the meaning of section 152 of the
19 Internal Revenue Code of 1986 (26 U.S.C.
20 152).

21 “(3) DESIGNATED AGENCY ETHICS OFFICIAL.—

22 The term ‘designated agency ethics official’ means
23 an officer or employee who is designated to admin-
24 ister the provisions of this subchapter within an
25 agency.

1 “(4) EXECUTIVE BRANCH.—The term ‘execu-
2 tive branch’ includes each Executive agency (as de-
3 fined in section 105 of this title), other than the
4 Government Accountability Office, and any other en-
5 tity or administrative unit in the executive branch.

6 “(5) GIFT.—The term ‘gift’ means a payment,
7 advance, forbearance, rendering, or deposit of
8 money, or any thing of value, unless consideration of
9 equal or greater value is received by the donor, but
10 does not include—

11 “(A) bequest and other forms of inherit-
12 ance;

13 “(B) suitable mementos of a function hon-
14 oring the reporting individual;

15 “(C) food, lodging, transportation, and en-
16 tertainment provided by a foreign government
17 within a foreign country or by the United
18 States Government, the District of Columbia, or
19 a State or local government or political subdivi-
20 sion thereof;

21 “(D) food and beverages which are not
22 consumed in connection with a gift of overnight
23 lodging;

1 “(E) communications to the offices of a re-
2 porting individual, including subscriptions to
3 newspapers and periodicals; or

4 “(F) consumable products provided by
5 home-State businesses to the offices of a report-
6 ing individual who is an elected official, if those
7 products are intended for consumption by per-
8 sons other than such reporting individual.

9 “(6) HONORARIA.—The term ‘honoraria’ means
10 the plural of ‘honorarium’ as defined in section
11 13141 of this title.

12 “(7) INCOME.—The term ‘income’ means all in-
13 come from whatever source derived, including but
14 not limited to the following items: compensation for
15 services, including fees, commissions, and similar
16 items; gross income derived from business (and net
17 income if the individual elects to include it); gains
18 derived from dealings in property; interest; rents;
19 royalties; dividends; annuities; income from life in-
20 surance and endowment contracts; pensions; income
21 from discharge of indebtedness; distributive share of
22 partnership income; and income from an interest in
23 an estate or trust.

1 “(8) JUDICIAL CONFERENCE.—The term ‘Judicial
2 Conference’ means the Judicial Conference of
3 the United States.

4 “(9) JUDICIAL EMPLOYEE.—The term ‘judicial
5 employee’ means any employee of the judicial branch
6 of the Government, of the United States Sentencing
7 Commission, of the Tax Court, of the Court of Federal
8 Claims, of the Court of Appeals for Veterans
9 Claims, or of the United States Court of Appeals for
10 the Armed Forces, who is not a judicial officer and
11 who is authorized to perform adjudicatory functions
12 with respect to proceedings in the judicial branch, or
13 who occupies a position for which the rate of basic
14 pay is equal to or greater than 120 percent of the
15 minimum rate of basic pay payable for GS–15 of the
16 General Schedule.

17 “(10) JUDICIAL OFFICER.—The term ‘judicial
18 officer’ means the Chief Justice of the United
19 States, the Associate Justices of the Supreme Court,
20 and the judges of the United States courts of ap-
21 peals, United States district courts, including the
22 district courts in Guam, the Northern Mariana Is-
23 lands, and the Virgin Islands, Court of Appeals for
24 the Federal Circuit, Court of International Trade,
25 Tax Court, Court of Federal Claims, Court of Ap-

1 peals for Veterans Claims, United States Court of
2 Appeals for the Armed Forces, and any court cre-
3 ated by Act of Congress, the judges of which are en-
4 titled to hold office during good behavior.

5 “(11) LEGISLATIVE BRANCH.—The term ‘legis-
6 lative branch’ includes—

7 “(A) the Architect of the Capitol;

8 “(B) the Botanic Gardens;

9 “(C) the Congressional Budget Office;

10 “(D) the Government Accountability Of-
11 fice;

12 “(E) the Government Publishing Office;

13 “(F) the Library of Congress;

14 “(G) the United States Capitol Police;

15 “(H) the Office of Technology Assessment;

16 and

17 “(I) any other agency, entity, office, or
18 commission established in the legislative branch.

19 “(12) MEMBER OF CONGRESS.—The term
20 ‘Member of Congress’ means a United States Sen-
21 ator, a Representative in Congress, a Delegate to
22 Congress, or the Resident Commissioner from Puer-
23 to Rico.

24 “(13) OFFICER OR EMPLOYEE OF CONGRESS.—

25 The term ‘officer or employee of Congress’ means an

1 individual described in subparagraph (A), (B), or
2 (C), other than a Member of Congress or the Vice
3 President, whose compensation is disbursed by the
4 Secretary of the Senate or the Chief Administrative
5 Officer of the House of Representatives. The individ-
6 uals described in subparagraphs (A), (B), and (C)
7 are—

8 “(A) each officer or employee of the legis-
9 lative branch (except any officer or employee of
10 the Government Accountability Office) who, for
11 at least 60 days, occupies a position for which
12 the rate of basic pay is equal to or greater than
13 120 percent of the minimum rate of basic pay
14 payable for GS–15 of the General Schedule;

15 “(B) each officer or employee of the Gov-
16 ernment Accountability Office who, for at least
17 60 consecutive days, occupies a position for
18 which the rate of basic pay, minus the amount
19 of locality pay that would have been authorized
20 under section 5304 of this title (had the officer
21 or employee been paid under the General
22 Schedule) for the locality within which the posi-
23 tion of such officer or employee is located (as
24 determined by the Comptroller General), is
25 equal to or greater than 120 percent of the

1 minimum rate of basic pay payable for GS–15
2 of the General Schedule; and

3 “(C) at least one principal assistant des-
4 igned for purposes of this paragraph by each
5 Member who does not have an employee who
6 occupies a position for which the rate of basic
7 pay is equal to or greater than 120 percent of
8 the minimum rate of basic pay payable for GS–
9 15 of the General Schedule.

10 “(14) PERSONAL HOSPITALITY OF ANY INDI-
11 VIDUAL.—The term ‘personal hospitality of any indi-
12 vidual’ means hospitality extended for a nonbusiness
13 purpose by an individual, not a corporation or orga-
14 nization, at the personal residence of that individual
15 or the individual’s family or on property or facilities
16 owned by that individual or the individual’s family.

17 “(15) REIMBURSEMENT.—The term ‘reimburse-
18 ment’ means any payment or other thing of value re-
19 ceived by the reporting individual, other than gifts,
20 to cover travel-related expenses of such individual
21 other than those which are—

22 “(A) provided by the United States Gov-
23 ernment, the District of Columbia, or a State or
24 local government or political subdivision thereof;

1 “(B) required to be reported by the report-
2 ing individual under section 7342 of this title;
3 or

4 “(C) required to be reported under section
5 304 of the Federal Election Campaign Act of
6 1971 (52 U.S.C. 30104).

7 “(16) RELATIVE.—The term ‘relative’ means
8 an individual who is related to the reporting indi-
9 vidual, as father, mother, son, daughter, brother,
10 sister, uncle, aunt, great aunt, great uncle, first
11 cousin, nephew, niece, husband, wife, grandfather,
12 grandmother, grandson, granddaughter, father-in-
13 law, mother-in-law, son-in-law, daughter-in-law,
14 brother-in-law, sister-in-law, stepfather, stepmother,
15 stepson, stepdaughter, stepbrother, stepsister, half
16 brother, half sister, or who is the grandfather or
17 grandmother of the spouse of the reporting indi-
18 vidual, and shall be deemed to include the fiance or
19 fiancee of the reporting individual.

20 “(17) SECRETARY CONCERNED.—The term
21 ‘Secretary concerned’ has the meaning set forth in
22 section 101(a) of title 10, and, in addition, means—

23 “(A) the Secretary of Commerce, with re-
24 spect to matters concerning the National Oce-
25 anic and Atmospheric Administration;

1 “(B) the Secretary of Health and Human
2 Services, with respect to matters concerning the
3 Public Health Service; and

4 “(C) the Secretary of State, with respect
5 to matters concerning the Foreign Service.

6 “(18) SUPERVISING ETHICS OFFICE.—The term
7 ‘supervising ethics office’ means—

8 “(A) the Select Committee on Ethics of
9 the Senate, for Senators, officers and employees
10 of the Senate, and other officers or employees
11 of the legislative branch required to file finan-
12 cial disclosure reports with the Secretary of the
13 Senate pursuant to section 13105(h) of this
14 title;

15 “(B) the Committee on Ethics of the
16 House of Representatives, for Members, officers
17 and employees of the House of Representatives
18 and other officers or employees of the legislative
19 branch required to file financial disclosure re-
20 ports with the Clerk of the House of Represent-
21 atives pursuant to section 13105(h) of this title;

22 “(C) the Judicial Conference for judicial
23 officers and judicial employees; and

24 “(D) the Office of Government Ethics for
25 all executive branch officers and employees.

1 “(19) VALUE.—The term ‘value’ means a good
2 faith estimate of the dollar value if the exact value
3 is neither known nor easily obtainable by the report-
4 ing individual.

5 **“§ 13102. Administration of provisions**

6 “(a) IN GENERAL.—The provisions of this sub-
7 chapter shall be administered by—

8 “(1) the Director of the Office of Government
9 Ethics, the designated agency ethics official, or the
10 Secretary concerned, as appropriate, with regard to
11 officers and employees described in paragraphs (1)
12 through (8) of section 13103(f) of this title;

13 “(2) the Select Committee on Ethics of the
14 Senate and the Committee on Ethics of the House
15 of Representatives, as appropriate, with regard to
16 officers and employees described in paragraphs (9)
17 and (10) of section 13103(f) of this title; and

18 “(3) the Judicial Conference in the case of an
19 officer or employee described in paragraphs (11) and
20 (12) of section 13103(f) of this title.

21 “(b) DELEGATION BY JUDICIAL CONFERENCE.—The
22 Judicial Conference may delegate any authority it has
23 under this subchapter to an ethics committee established
24 by the Judicial Conference.

1 **“§ 13103. Persons required to file**

2 “(a) REPORTS FILED UPON ENTERING A FILING PO-
3 SITION.—Within 30 days of assuming the position of an
4 officer or employee described in subsection (f), an indi-
5 vidual shall file a report containing the information de-
6 scribed in section 13104(b) of this title unless the indi-
7 vidual has left another position described in subsection (f)
8 within 30 days prior to assuming such new position or
9 has already filed a report under this subchapter with re-
10 spect to nomination for the new position or as a candidate
11 for the position.

12 “(b) REPORTS FOR NOMINEES TO POSITIONS RE-
13 QUIRING SENATE CONFIRMATION.—

14 “(1) IN GENERAL.—Within 5 days of the trans-
15 mittal by the President to the Senate of the nomina-
16 tion of an individual (other than an individual nomi-
17 nated for appointment to a position as a Foreign
18 Service Officer or a grade or rank in the uniformed
19 services for which the pay grade prescribed by sec-
20 tion 201 of title 37 is O–6 or below) to a position,
21 appointment to which requires the advice and con-
22 sent of the Senate, such individual shall file a report
23 containing the information described in section
24 13104(b) of this title. Such individual shall, not
25 later than the date of the first hearing to consider
26 the nomination of such individual, make current the

1 report filed pursuant to this paragraph by filing the
2 information required by section 13104(a)(1)(A) of
3 this title with respect to income and honoraria re-
4 ceived as of the date which occurs 5 days before the
5 date of such hearing. Nothing in this chapter shall
6 prevent any congressional committee from request-
7 ing, as a condition of confirmation, any additional fi-
8 nancial information from any Presidential nominee
9 whose nomination has been referred to that com-
10 mittee.

11 “(2) PUBLIC ANNOUNCEMENT OF INTENDED
12 NOMINATION.—An individual whom the President or
13 the President-elect has publicly announced he or she
14 intends to nominate to a position may file the report
15 required by paragraph (1) at any time after that
16 public announcement, but not later than is required
17 under the 1st sentence of paragraph (1).

18 “(c) REPORTS FOR CANDIDATES FOR ELECTED FED-
19 ERAL OFFICE.—Within 30 days of becoming a candidate
20 as defined in section 301 of the Federal Election Cam-
21 paign Act of 1971 (52 U.S.C. 30101), in a calendar year
22 for nomination or election to the office of President, Vice
23 President, or Member of Congress, or on or before May
24 15 of that calendar year, whichever is later, but in no
25 event later than 30 days before the election, and on or

1 before May 15 of each successive year an individual con-
2 tinues to be a candidate, an individual other than an in-
3 cumbent President, Vice President, or Member of Con-
4 gress shall file a report containing the information de-
5 scribed in section 13104(b) of this title. Notwithstanding
6 the preceding sentence, in any calendar year in which an
7 individual continues to be a candidate for any office but
8 all elections for such office relating to such candidacy were
9 held in prior calendar years, such individual need not file
10 a report unless the individual becomes a candidate for an-
11 other vacancy in that office or another office during that
12 year.

13 “(d) ANNUAL REPORTS.—Any individual who is an
14 officer or employee described in subsection (f) during any
15 calendar year and performs the duties of the position or
16 office for a period in excess of 60 days in that calendar
17 year shall file on or before May 15 of the succeeding year
18 a report containing the information described in section
19 13104(a) of this title.

20 “(e) TERMINATION REPORTS.—Any individual who
21 occupies a position described in subsection (f) shall, on
22 or before the 30th day after termination of employment
23 in such position, file a report containing the information
24 described in section 13104(a) of this title covering the pre-
25 ceding calendar year if the report required by subsection

1 (d) has not been filed and covering the portion of the cal-
2 endar year in which such termination occurs up to the
3 date the individual left such office or position, unless such
4 individual has accepted employment in another position
5 described in subsection (f).

6 “(f) INDIVIDUALS REQUIRED TO FILE.—The officers
7 and employees referred to in subsections (a), (d), and (e)
8 are—

9 “(1) the President;

10 “(2) the Vice President;

11 “(3) each officer or employee in the executive
12 branch, including a special Government employee, as
13 defined in section 202 of title 18, who occupies a po-
14 sition classified above GS–15 of the General Sched-
15 ule or, in the case of positions not under the General
16 Schedule, for which the rate of basic pay is equal to
17 or greater than 120 percent of the minimum rate of
18 basic pay payable for GS–15 of the General Sched-
19 ule; each member of a uniformed service whose pay
20 grade is at or in excess of O–7 under section 201
21 of title 37; and each officer or employee in any other
22 position determined by the Director of the Office of
23 Government Ethics to be of equal classification;

24 “(4) each employee appointed pursuant to sec-
25 tion 3105 of this title;

1 “(5) any employee not described in paragraph
2 (3) who is in a position in the executive branch
3 which is excepted from the competitive service by
4 reason of being of a confidential or policymaking
5 character, except that the Director of the Office of
6 Government Ethics may, by regulation, exclude from
7 the application of this paragraph any individual, or
8 group of individuals, who are in such positions, but
9 only in cases in which the Director determines such
10 exclusion would not affect adversely the integrity of
11 the Government or the public’s confidence in the in-
12 tegrity of the Government;

13 “(6) the Postmaster General, the Deputy Post-
14 master General, each Governor of the Board of Gov-
15 ernors of the United States Postal Service and each
16 officer or employee of the United States Postal Serv-
17 ice or Postal Regulatory Commission who occupies a
18 position for which the rate of basic pay is equal to
19 or greater than 120 percent of the minimum rate of
20 basic pay payable for GS–15 of the General Sched-
21 ule;

22 “(7) the Director of the Office of Government
23 Ethics and each designated agency ethics official;

24 “(8) any civilian employee not described in
25 paragraph (3), employed in the Executive Office of

1 the President (other than a special Government em-
2 ployee) who holds a commission of appointment from
3 the President;

4 “(9) a Member of Congress as defined in sec-
5 tion 13101 of this title;

6 “(10) an officer or employee of the Congress as
7 defined in section 13101 of this title;

8 “(11) a judicial officer as defined in section
9 13101 of this title; and

10 “(12) a judicial employee as defined in section
11 13101 of this title.

12 “(g) EXTENSIONS OF TIME FOR FILING.—

13 “(1) IN GENERAL.—Reasonable extensions of
14 time for filing any report may be granted under pro-
15 cedures prescribed by the supervising ethics office
16 for each branch, but the total of such extensions
17 shall not exceed 90 days.

18 “(2) ARMED FORCES.—

19 “(A) COMBAT ZONE.—In the case of an in-
20 dividual who is serving in the Armed Forces, or
21 serving in support of the Armed Forces, in an
22 area while that area is designated by the Presi-
23 dent by Executive order as a combat zone for
24 purposes of section 112 of the Internal Revenue
25 Code of 1986 (26 U.S.C. 112), the date for the

1 filing of any report shall be extended so that
2 the date is 180 days after the later of—

3 “(i) the last day of the individual’s
4 service in such area during such des-
5 ignated period; or

6 “(ii) the last day of the individual’s
7 hospitalization as a result of injury re-
8 ceived or disease contracted while serving
9 in such area.

10 “(B) PROCEDURES.—The Office of Gov-
11 ernment Ethics, in consultation with the Sec-
12 retary of Defense, may prescribe procedures
13 under this paragraph.

14 “(h) EXCEPTIONS.—The provisions of subsections
15 (a), (b), and (e) shall not apply to an individual who, as
16 determined by the designated agency ethics official or Sec-
17 retary concerned (or in the case of a Presidential ap-
18 pointee under subsection (b), the Director of the Office
19 of Government Ethics), the congressional ethics commit-
20 tees, or the Judicial Conference, is not reasonably ex-
21 pected to perform the duties of the individual’s office or
22 position for more than 60 days in a calendar year, except
23 that if such individual performs the duties of the office
24 or position for more than 60 days in a calendar year—

1 “(1) the report required by subsections (a) and
2 (b) shall be filed within 15 days of the 60th day;
3 and

4 “(2) the report required by subsection (e) shall
5 be filed as provided in that subsection.

6 “(i) REQUEST FOR WAIVER.—The supervising ethics
7 office for each branch may grant a publicly available re-
8 quest for a waiver of any reporting requirement under this
9 section for an individual who is expected to perform or
10 has performed the duties of the individual’s office or posi-
11 tion less than 130 days in a calendar year, but only if
12 the supervising ethics office determines that—

13 “(1) such individual is not a full-time employee
14 of the Government;

15 “(2) such individual is able to provide services
16 specially needed by the Government;

17 “(3) it is unlikely that the individual’s outside
18 employment or financial interests will create a con-
19 flict of interest; and

20 “(4) public financial disclosure by such indi-
21 vidual is not necessary in the circumstances.

22 **“§ 13104. Contents of reports**

23 “(a) ANNUAL AND TERMINATION REPORTS.—Each
24 report filed pursuant to section 13103(d) and (e) of this

1 title shall include a full and complete statement with re-
2 spect to the following:

3 “(1) INCOME.—

4 “(A) IN GENERAL.—The source, type, and
5 amount or value of income (other than income
6 referred to in subparagraph (B)) from any
7 source (other than from current employment by
8 the United States Government), and the source,
9 date, and amount of honoraria from any source,
10 received during the preceding calendar year, ag-
11 gregating \$200 or more in value and, effective
12 January 1, 1991, the source, date, and amount
13 of payments made to charitable organizations in
14 lieu of honoraria, and the reporting individual
15 shall simultaneously file with the applicable su-
16 pervising ethics office, on a confidential basis, a
17 corresponding list of recipients of all such pay-
18 ments, together with the dates and amounts of
19 such payments.

20 “(B) DIVIDENDS, RENTS, INTEREST, AND
21 CAPITAL GAINS.—The source and type of in-
22 come which consists of dividends, rents, inter-
23 est, and capital gains, received during the pre-
24 ceding calendar year which exceeds \$200 in
25 amount or value, and an indication of which of

1 the following categories the amount or value of
2 such item of income is within—

3 “(i) not more than \$1,000;

4 “(ii) greater than \$1,000 but not
5 more than \$2,500;

6 “(iii) greater than \$2,500 but not
7 more than \$5,000;

8 “(iv) greater than \$5,000 but not
9 more than \$15,000;

10 “(v) greater than \$15,000 but not
11 more than \$50,000;

12 “(vi) greater than \$50,000 but not
13 more than \$100,000;

14 “(vii) greater than \$100,000 but not
15 more than \$1,000,000;

16 “(viii) greater than \$1,000,000 but
17 not more than \$5,000,000; or

18 “(ix) greater than \$5,000,000.

19 “(2) GIFTS AND REIMBURSEMENTS.—

20 “(A) GIFTS.—The identity of the source, a
21 brief description, and the value of all gifts ag-
22 gregating more than the minimal value as es-
23 tablished by section 7342(a)(5) of this title, or
24 \$250, whichever is greater, received from any
25 source other than a relative of the reporting in-

1 dividual during the preceding calendar year, ex-
2 cept that any food, lodging, or entertainment
3 received as personal hospitality of an individual
4 need not be reported, and any gift with a fair
5 market value of \$100 or less, as adjusted at the
6 same time and by the same percentage as the
7 minimal value is adjusted, need not be aggre-
8 gated for purposes of this subparagraph.

9 “(B) REIMBURSEMENTS.—The identity of
10 the source and a brief description (including a
11 travel itinerary, dates, and nature of expenses
12 provided) of reimbursements received from any
13 source aggregating more than the minimal
14 value as established by section 7342(a)(5) of
15 this title, or \$250, whichever is greater, and re-
16 ceived during the preceding calendar year.

17 “(C) WAIVER.—In an unusual case, a gift
18 need not be aggregated under subparagraph (A)
19 if a publicly available request for a waiver is
20 granted.

21 “(3) INTERESTS IN PROPERTY.—The identity
22 and category of value of any interest in property
23 held during the preceding calendar year in a trade
24 or business, or for investment or the production of
25 income, which has a fair market value which exceeds

1 \$1,000 as of the close of the preceding calendar
2 year, excluding any personal liability owed to the re-
3 porting individual by a spouse or by a parent, broth-
4 er, sister, or child of the reporting individual or of
5 the reporting individual's spouse, or any deposits ag-
6 gregating \$5,000 or less in a personal savings ac-
7 count. For purposes of this paragraph, a personal
8 savings account shall include any certificate of de-
9 posit or any other form of deposit in a bank, savings
10 and loan association, credit union, or similar finan-
11 cial institution.

12 “(4) LIABILITIES.—The identity and category
13 of value of the total liabilities owed to any creditor
14 other than a spouse, or a parent, brother, sister, or
15 child of the reporting individual or of the reporting
16 individual's spouse which exceed \$10,000 at any
17 time during the preceding calendar year, exclud-
18 ing—

19 “(A) any mortgage secured by real prop-
20 erty which is a personal residence of the report-
21 ing individual or the individual's spouse, except
22 that this exception shall not apply to a report-
23 ing individual—

24 “(i) described in paragraph (1), (2),
25 or (9) of 13103(f) of this title;

1 “(ii) described in section 13103(b) of
2 this title who has been nominated for ap-
3 pointment as an officer or employee in the
4 executive branch described in subsection
5 (f) of that section, other than—

6 “(I) an individual appointed to a
7 position—

8 “(aa) as a Foreign Service
9 Officer below the rank of ambas-
10 sador; or

11 “(bb) in the uniformed serv-
12 ices for which the pay grade pre-
13 scribed by section 201 of title 37
14 is O–6 or below; or

15 “(II) a special Government em-
16 ployee, as defined under section 202
17 of title 18; or

18 “(iii) described in section 13103(f) of
19 this title who is in a position in the execu-
20 tive branch the appointment to which is
21 made by the President and requires advice
22 and consent of the Senate, other than—

23 “(I) an individual appointed to a
24 position—

1 “(aa) as a Foreign Service
2 Officer below the rank of ambas-
3 sador; or

4 “(bb) in the uniformed serv-
5 ices for which the pay grade pre-
6 scribed by section 201 of title 37
7 is O–6 or below; or

8 “(II) a special Government em-
9 ployee, as defined under section 202
10 of title 18; and

11 “(B) any loan secured by a personal motor
12 vehicle, household furniture, or appliances,
13 which loan does not exceed the purchase price
14 of the item which secures it.

15 With respect to revolving charge accounts, only
16 those with an outstanding liability which exceeds
17 \$10,000 as of the close of the preceding calendar
18 year need be reported under this paragraph.

19 “(5) TRANSACTIONS.—Except as provided in
20 this paragraph, a brief description, the date, and
21 category of value of any purchase, sale or exchange
22 during the preceding calendar year which exceeds
23 \$1,000—

1 “(A) in real property, other than property
2 used solely as a personal residence of the re-
3 porting individual or the individual’s spouse; or

4 “(B) in stocks, bonds, commodities fu-
5 tures, and other forms of securities.

6 Reporting is not required under this paragraph of
7 any transaction solely by and between the reporting
8 individual, the individual’s spouse, or dependent chil-
9 dren.

10 “(6) POSITIONS WITH OUTSIDE ENTITIES AND
11 MAJOR SOURCES OF COMPENSATION.—

12 “(A) POSITIONS WITH OUTSIDE ENTI-
13 TIES.—The identity of all positions held on or
14 before the date of filing during the current cal-
15 endar year (and, for the first report filed by an
16 individual, during the 2-year period preceding
17 such calendar year) as an officer, director,
18 trustee, partner, proprietor, representative, em-
19 ployee, or consultant of any corporation, com-
20 pany, firm, partnership, or other business en-
21 terprise, any nonprofit organization, any labor
22 organization, or any educational or other insti-
23 tution other than the United States. This sub-
24 paragraph shall not require the reporting of po-
25 sitions held in any religious, social, fraternal, or

1 political entity and positions solely of an hon-
2 orary nature.

3 “(B) MAJOR SOURCES OF COMPENSA-
4 TION.—If any person, other than the United
5 States Government, paid a nonelected reporting
6 individual compensation in excess of \$5,000 in
7 any of the 2 calendar years prior to the cal-
8 endar year during which the individual files the
9 individual’s first report under this chapter, the
10 individual shall include in the report—

11 “(i) the identity of each source of
12 such compensation; and

13 “(ii) a brief description of the nature
14 of the duties performed or services ren-
15 dered by the reporting individual for each
16 such source.

17 The preceding sentence shall not require any indi-
18 vidual to include in such report any information
19 which is considered confidential as a result of a priv-
20 ileged relationship, established by law, between such
21 individual and any person, nor shall it require an in-
22 dividual to report any information with respect to
23 any person for whom services were provided by any
24 firm or association of which such individual was a
25 member, partner, or employee unless such individual

1 was directly involved in the provision of such serv-
2 ices.

3 “(7) AGREEMENTS OR ARRANGEMENTS RELAT-
4 ING TO OTHER EMPLOYMENT.—A description of the
5 date, parties to, and terms of any agreement or ar-
6 rangement with respect to—

7 “(A) future employment;

8 “(B) a leave of absence during the period
9 of the reporting individual’s Government serv-
10 ice;

11 “(C) continuation of payments by a former
12 employer other than the United States Govern-
13 ment; and

14 “(D) continuing participation in an em-
15 ployee welfare or benefit plan maintained by a
16 former employer.

17 “(8) QUALIFIED BLIND TRUSTS.—The category
18 of the total cash value of any interest of the report-
19 ing individual in a qualified blind trust, unless the
20 trust instrument was executed prior to July 24,
21 1995, and precludes the beneficiary from receiving
22 information on the total cash value of any interest
23 in the qualified blind trust.

24 “(b) REPORTS FOR NEW EMPLOYEES, NOMINEES,
25 AND CANDIDATES.—

1 “(1) IN GENERAL.—Each report filed pursuant
2 to subsections (a), (b), and (c) of section 13103 of
3 this title shall include a full and complete statement
4 with respect to the information required by—

5 “(A) paragraph (1) of subsection (a) for
6 the year of filing and the preceding calendar
7 year;

8 “(B) paragraphs (3) and (4) of subsection
9 (a) as of the date specified in the report but
10 which is less than 31 days before the filing
11 date; and

12 “(C) paragraphs (6) and (7) of subsection
13 (a) as of the filing date but for periods de-
14 scribed in such paragraphs.

15 “(2) ALTERNATIVES FOR REPORTING.—

16 “(A) FORMATS.—In lieu of filling out one
17 or more schedules of a financial disclosure
18 form, an individual may supply the required in-
19 formation in an alternative format, pursuant to
20 either rules adopted by the supervising ethics
21 office for the branch in which such individual
22 serves or pursuant to a specific written deter-
23 mination by such office for a reporting indi-
24 vidual.

1 “(B) AMOUNTS.—In lieu of indicating the
2 category of amount or value of any item con-
3 tained in any report filed under this subchapter,
4 a reporting individual may indicate the exact
5 dollar amount of such item.

6 “(c) REPORT AFTER TERMINATION OF EMPLOY-
7 MENT.—In the case of any individual described in section
8 13103(e) of this title, any reference to the preceding cal-
9 endar year shall be considered also to include that part
10 of the calendar year of filing up to the date of the termi-
11 nation of employment.

12 “(d) CATEGORIES FOR REPORTING AMOUNTS OR
13 VALUES.—

14 “(1) PARAGRAPHS (3), (4), (5), AND (8) OF SUB-
15 SECTION (A).—The categories for reporting the
16 amount or value of the items covered in paragraphs
17 (3), (4), (5), and (8) of subsection (a) are—

18 “(A) not more than \$15,000;

19 “(B) greater than \$15,000 but not more
20 than \$50,000;

21 “(C) greater than \$50,000 but not more
22 than \$100,000;

23 “(D) greater than \$100,000 but not more
24 than \$250,000;

1 “(E) greater than \$250,000 but not more
2 than \$500,000;

3 “(F) greater than \$500,000 but not more
4 than \$1,000,000;

5 “(G) greater than \$1,000,000 but not
6 more than \$5,000,000;

7 “(H) greater than \$5,000,000 but not
8 more than \$25,000,000;

9 “(I) greater than \$25,000,000 but not
10 more than \$50,000,000; and

11 “(J) greater than \$50,000,000.

12 “(2) VALUATION OF INTERESTS IN REAL PROP-
13 ERTY.—For the purposes of paragraph (3) of sub-
14 section (a), if the current value of an interest in real
15 property (or an interest in a real estate partnership)
16 is not ascertainable without an appraisal, an indi-
17 vidual may list (A) the date of purchase and the
18 purchase price of the interest in the real property,
19 or (B) the assessed value of the real property for tax
20 purposes, adjusted to reflect the market value of the
21 property used for the assessment if the assessed
22 value is computed at less than 100 percent of such
23 market value, but such individual shall include in his
24 or her report a full and complete description of the
25 method used to determine such assessed value, in-

1 stead of specifying a category of value pursuant to
2 paragraph (1) of this subsection. If the current
3 value of any other item required to be reported
4 under paragraph (3) of subsection (a) is not ascer-
5 tainable without an appraisal, such individual may
6 list the book value of a corporation whose stock is
7 not publicly traded, the net worth of a business part-
8 nership, the equity value of an individually owned
9 business, or with respect to other holdings, any rec-
10 ognized indication of value, but such individual shall
11 include in his or her report a full and complete de-
12 scription of the method used in determining such
13 value. In lieu of any value referred to in the pre-
14 ceding sentence, an individual may list the assessed
15 value of the item for tax purposes, adjusted to re-
16 flect the market value of the item used for the as-
17 sessment if the assessed value is computed at less
18 than 100 percent of such market value, but a full
19 and complete description of the method used in de-
20 termining such assessed value shall be included in
21 the report.

22 “(e) REPORTING INFORMATION RELATING TO
23 SPOUSE OR DEPENDENT CHILD.—

24 “(1) IN GENERAL.—Except as provided in the
25 last sentence of this paragraph, each report required

1 by section 13103 of this title shall also contain in-
2 formation listed in paragraphs (1) through (5) of
3 subsection (a) of this section respecting the spouse
4 or dependent child of the reporting individual as fol-
5 lows:

6 “(A) SOURCE OF EARNED INCOME AND
7 HONORARIA.—The source of items of earned in-
8 come earned by a spouse from any person
9 which exceed \$1,000 and the source and
10 amount of any honoraria received by a spouse,
11 except that, with respect to earned income
12 (other than honoraria), if the spouse is self-em-
13 ployed in business or a profession, only the na-
14 ture of such business or profession need be re-
15 ported.

16 “(B) DIVIDENDS, RENTS, INTEREST, AND
17 CAPITAL GAINS.—All information required to be
18 reported in subsection (a)(1)(B) with respect to
19 income derived by a spouse or dependent child
20 from any asset held by the spouse or dependent
21 child and reported pursuant to subsection
22 (a)(3).

23 “(C) GIFTS.—In the case of any gifts re-
24 ceived by a spouse or dependent child which are
25 not received totally independent of the relation-

1 ship of the spouse or dependent child to the re-
2 porting individual, the identity of the source
3 and a brief description of gifts of transpor-
4 tation, lodging, food, or entertainment and a
5 brief description and the value of other gifts.

6 “(D) REIMBURSEMENTS.—In the case of
7 any reimbursements received by a spouse or de-
8 pendent child which are not received totally
9 independent of the relationship of the spouse or
10 dependent child to the reporting individual, the
11 identity of the source and a brief description of
12 each such reimbursement.

13 “(E) INTERESTS IN PROPERTY, LIABIL-
14 ITIES, AND TRANSACTIONS.—In the case of
15 items described in paragraphs (3) through (5)
16 of subsection (a), all information required to be
17 reported under these paragraphs other than
18 items (i) which the reporting individual certifies
19 represent the spouse’s or dependent child’s sole
20 financial interest or responsibility and which
21 the reporting individual has no knowledge of,
22 (ii) which are not in any way, past or present,
23 derived from the income, assets, or activities of
24 the reporting individual, and (iii) from which
25 the reporting individual neither derives, nor ex-

1 pects to derive, any financial or economic ben-
2 efit.

3 “(F) AMOUNTS OR VALUES GREATER
4 THAN \$1,000,000.—For purposes of this section,
5 categories with amounts or values greater than
6 \$1,000,000 set forth in subsection (a)(1)(B)
7 and subsection (d)(1) shall apply to the income,
8 assets, or liabilities of spouses and dependent
9 children only if the income, assets, or liabilities
10 are held jointly with the reporting individual.
11 All other income, assets, or liabilities of the
12 spouse or dependent children required to be re-
13 ported under this section in an amount or value
14 greater than \$1,000,000 shall be categorized
15 only as an amount or value greater than
16 \$1,000,000.

17 Reports required by subsections (a), (b), and (c) of
18 section 13103 of this title shall, with respect to the
19 spouse and dependent child of the reporting indi-
20 vidual, contain only information listed in paragraphs
21 (1), (3), and (4) of subsection (a), as specified in
22 this paragraph.

23 “(2) SEPARATED SPOUSE.—No report shall be
24 required with respect to a spouse living separate and
25 apart from the reporting individual with the inten-

1 tion of terminating the marriage or providing for
2 permanent separation; or with respect to any income
3 or obligations of an individual arising from the dis-
4 solution of the individual's marriage or the perma-
5 nent separation from the individual's spouse.

6 “(f) TRUSTS AND OTHER FINANCIAL ARRANGE-
7 MENTS.—

8 “(1) IN GENERAL.—Except as provided in para-
9 graph (2), each reporting individual shall report the
10 information required to be reported pursuant to sub-
11 sections (a), (b), and (c) of this section with respect
12 to the holdings of and the income from a trust or
13 other financial arrangement from which income is
14 received by, or with respect to which a beneficial in-
15 terest in principal or income is held by, such indi-
16 vidual, the individual's spouse, or any dependent
17 child.

18 “(2) EXCEPTIONS.—A reporting individual need
19 not report the holdings of or the source of income
20 from any of the holdings of—

21 “(A) any qualified blind trust (as defined
22 in paragraph (3));

23 “(B) a trust—

1 “(i) which was not created directly by
2 such individual, the individual’s spouse, or
3 any dependent child; and

4 “(ii) the holdings or sources of income
5 of which such individual, the individual’s
6 spouse, and any dependent child have no
7 knowledge; or

8 “(C) an entity described under the provi-
9 sions of paragraph (8);

10 but such individual shall report the category of the
11 amount of income received by the individual, the in-
12 dividual’s spouse, or any dependent child from the
13 trust or other entity under subsection (a)(1)(B).

14 “(3) DEFINITION OF QUALIFIED BLIND
15 TRUST.—For purposes of this subsection, the term
16 ‘qualified blind trust’ includes any trust in which a
17 reporting individual, the individual’s spouse, or any
18 minor or dependent child has a beneficial interest in
19 the principal or income, and which meets the fol-
20 lowing requirements:

21 “(A) TRUSTEE.—

22 “(i) The trustee of the trust and any
23 other entity designated in the trust instru-
24 ment to perform fiduciary duties is a fi-
25 nancial institution, an attorney, a certified

1 public accountant, a broker, or an invest-
2 ment advisor who—

3 “(I) is independent of and not
4 associated with any interested party
5 so that the trustee or other person
6 cannot be controlled or influenced in
7 the administration of the trust by any
8 interested party;

9 “(II) is not and has not been an
10 employee of or affiliated with any in-
11 terested party and is not a partner of,
12 or involved in any joint venture or
13 other investment with, any interested
14 party; and

15 “(III) is not a relative of any in-
16 terested party.

17 “(ii) Any officer or employee of a
18 trustee or other entity who is involved in
19 the management or control of the trust—

20 “(I) is independent of and not
21 associated with any interested party
22 so that such officer or employee can-
23 not be controlled or influenced in the
24 administration of the trust by any in-
25 terested party;

1 “(II) is not a partner of, or in-
2 volved in any joint venture or other
3 investment with, any interested party;
4 and

5 “(III) is not a relative of any in-
6 terested party.

7 “(B) TRANSFERRED ASSET.—Any asset
8 transferred to the trust by an interested party
9 is free of any restriction with respect to its
10 transfer or sale unless such restriction is ex-
11 pressly approved by the supervising ethics office
12 of the reporting individual.

13 “(C) TRUST INSTRUMENT.—The trust in-
14 strument which establishes the trust provides
15 that—

16 “(i) except to the extent provided in
17 subparagraph (B) of this paragraph, the
18 trustee in the exercise of the trustee’s au-
19 thority and discretion to manage and con-
20 trol the assets of the trust shall not consult
21 or notify any interested party;

22 “(ii) the trust shall not contain any
23 asset the holding of which by an interested
24 party is prohibited by any law or regula-
25 tion;

1 “(iii) the trustee shall promptly notify
2 the reporting individual and the reporting
3 individual’s supervising ethics office when
4 the holdings of any particular asset trans-
5 ferred to the trust by any interested party
6 are disposed of or when the value of such
7 holding is less than \$1,000;

8 “(iv) the trust tax return shall be pre-
9 pared by the trustee or the trustee’s des-
10 ignee, and such return and any informa-
11 tion relating thereto (other than the trust
12 income summarized in appropriate cat-
13 egories necessary to complete an interested
14 party’s tax return) shall not be disclosed to
15 any interested party;

16 “(v) an interested party shall not re-
17 ceive any report on the holdings and
18 sources of income of the trust, except a re-
19 port at the end of each calendar quarter
20 with respect to the total cash value of the
21 interest of the interested party in the trust
22 or the net income or loss of the trust or
23 any reports necessary to enable the inter-
24 ested party to complete an individual tax
25 return required by law or to provide the in-

1 formation required by subsection (a)(1) of
2 this section, but such report shall not iden-
3 tify any asset or holding;

4 “(vi) except for communications which
5 solely consist of requests for distributions
6 of cash or other unspecified assets of the
7 trust, there shall be no direct or indirect
8 communication between the trustee and an
9 interested party with respect to the trust
10 unless such communication is in writing
11 and unless it relates only (I) to the general
12 financial interest and needs of the inter-
13 ested party (including, but not limited to,
14 an interest in maximizing income or long-
15 term capital gain), (II) to the notification
16 of the trustee of a law or regulation subse-
17 quently applicable to the reporting indi-
18 vidual which prohibits the interested party
19 from holding an asset, which notification
20 directs that the asset not be held by the
21 trust, or (III) to directions to the trustee
22 to sell all of an asset initially placed in the
23 trust by an interested party which in the
24 determination of the reporting individual
25 creates a conflict of interest or the appear-

1 ance thereof due to the subsequent as-
2 sumption of duties by the reporting indi-
3 vidual (but nothing herein shall require
4 any such direction); and

5 “(vii) the interested parties shall
6 make no effort to obtain information with
7 respect to the holdings of the trust, includ-
8 ing obtaining a copy of any trust tax re-
9 turn filed or any information relating
10 thereto except as otherwise provided in this
11 subsection.

12 “(D) APPROVAL BY SUPERVISING ETHICS
13 OFFICE.—The proposed trust instrument and
14 the proposed trustee are approved by the re-
15 porting individual’s supervising ethics office.

16 “(E) DEFINITIONS.—For purposes of this
17 subsection, ‘interested party’ means a reporting
18 individual, the individual’s spouse, and any
19 minor or dependent child; ‘broker’ has the
20 meaning set forth in section 3(a)(4) of the Se-
21 curities Exchange Act of 1934 (15 U.S.C.
22 78c(a)(4)); and ‘investment adviser’ includes
23 any investment adviser who, as determined
24 under regulations prescribed by the supervising
25 ethics office, is generally involved in the role as

1 such an adviser in the management or control
2 of trusts.

3 “(F) TRUST QUALIFIED BEFORE EFFEC-
4 TIVE DATE OF TITLE II OF ETHICS REFORM
5 ACT OF 1989.—Any trust qualified by a super-
6 vising ethics office before the effective date of
7 title II of the Ethics Reform Act of 1989 shall
8 continue to be governed by the law and regula-
9 tions in effect immediately before such effective
10 date.

11 “(4) TRUST ASSET CONSIDERED FINANCIAL IN-
12 TEREST.—

13 “(A) IN GENERAL.—An asset placed in a
14 trust by an interested party shall be considered
15 a financial interest of the reporting individual,
16 for the purposes of any applicable conflict of in-
17 terest statutes, regulations, or rules of the Fed-
18 eral Government (including section 208 of title
19 18), until such time as the reporting individual
20 is notified by the trustee that such asset has
21 been disposed of, or has a value of less than
22 \$1,000.

23 “(B) EXCEPTION.—

24 “(i) The provisions of subparagraph
25 (A) shall not apply with respect to a trust

1 created for the benefit of a reporting indi-
2 vidual, or the spouse, dependent child, or
3 minor child of such a person, if the super-
4 vising ethics office for such reporting indi-
5 vidual finds that—

6 “(I) the assets placed in the trust
7 consist of a well-diversified portfolio of
8 readily marketable securities;

9 “(II) none of the assets consist of
10 securities of entities having substan-
11 tial activities in the area of the report-
12 ing individual’s primary area of re-
13 sponsibility;

14 “(III) the trust instrument pro-
15 hibits the trustee, notwithstanding the
16 provisions of paragraphs (3)(C)(iii)
17 and (iv) of this subsection, from mak-
18 ing public or informing any interested
19 party of the sale of any securities;

20 “(IV) the trustee is given power
21 of attorney, notwithstanding the pro-
22 visions of paragraph (3)(C)(v) of this
23 subsection, to prepare on behalf of
24 any interested party the personal in-
25 come tax returns and similar returns

1 which may contain information relat-
2 ing to the trust; and

3 “(V) except as otherwise provided
4 in this paragraph, the trust instru-
5 ment provides (or in the case of a
6 trust established prior to the effective
7 date of this Act which by its terms
8 does not permit amendment, the
9 trustee, the reporting individual, and
10 any other interested party agree in
11 writing) that the trust shall be admin-
12 istered in accordance with the require-
13 ments of this subsection and the
14 trustee of such trust meets the re-
15 quirements of paragraph (3)(A).

16 “(ii) In any instance covered by this
17 subparagraph in which the reporting indi-
18 vidual is an individual whose nomination is
19 being considered by a congressional com-
20 mittee, the reporting individual shall in-
21 form the congressional committee consid-
22 ering the individual’s nomination before or
23 during the period of such individual’s con-
24 firmation hearing of the individual’s inten-
25 tion to comply with this paragraph.

1 “(5) NOTIFICATION.—

2 “(A) COPIES.—The reporting individual
3 shall, within 30 days after a qualified blind
4 trust is approved by the individual’s supervising
5 ethics office, file with such office a copy of—

6 “(i) the executed trust instrument of
7 such trust (other than those provisions
8 which relate to the testamentary disposi-
9 tion of the trust assets); and

10 “(ii) a list of the assets which were
11 transferred to such trust, including the
12 category of value of each asset as deter-
13 mined under subsection (d) of this section.

14 This subparagraph shall not apply with respect
15 to a trust meeting the requirements for being
16 considered a qualified blind trust under para-
17 graph (7) of this subsection.

18 “(B) TRANSFER OF ASSET.—The reporting
19 individual shall, within 30 days of transferring
20 an asset (other than cash) to a previously es-
21 tablished qualified blind trust, notify the indi-
22 vidual’s supervising ethics office of the identity
23 of each such asset and the category of value of
24 each asset as determined under subsection (d)
25 of this section.

1 “(C) DISSOLUTION.—Within 30 days of
2 the dissolution of a qualified blind trust, a re-
3 porting individual shall—

4 “(i) notify the individual’s supervising
5 ethics office of such dissolution; and

6 “(ii) file with such office a copy of a
7 list of the assets of the trust at the time
8 of such dissolution and the category of
9 value under subsection (d) of this section
10 of each such asset.

11 “(D) DOCUMENTS AVAILABLE TO PUB-
12 LIC.—Documents filed under subparagraphs
13 (A), (B), and (C) of this paragraph and the
14 lists provided by the trustee of assets placed in
15 the trust by an interested party which have
16 been sold shall be made available to the public
17 in the same manner as a report is made avail-
18 able under section 13107 of this title, and the
19 provisions of that section shall apply with re-
20 spect to such documents and lists.

21 “(E) COPY OF WRITTEN COMMUNICA-
22 TION.—A copy of each written communication
23 with respect to the trust under paragraph
24 (3)(C)(vi) shall be filed by the person initiating
25 the communication with the reporting individ-

1 ual’s supervising ethics office within 5 days of
2 the date of the communication.

3 “(6) PROHIBITIONS.—

4 “(A) TRUSTEES.—A trustee of a qualified
5 blind trust shall not knowingly and willfully, or
6 negligently—

7 “(i) disclose any information to an in-
8 terested party with respect to such trust
9 that may not be disclosed under paragraph
10 (3) of this subsection;

11 “(ii) acquire any holding the owner-
12 ship of which is prohibited by the trust in-
13 strument;

14 “(iii) solicit advice from any inter-
15 ested party with respect to such trust,
16 which solicitation is prohibited by para-
17 graph (3) of this subsection or the trust
18 agreement; or

19 “(iv) fail to file any document re-
20 quired by this subsection.

21 “(B) REPORTING INDIVIDUALS.—A report-
22 ing individual shall not knowingly and willfully,
23 or negligently—

24 “(i) solicit or receive any information
25 with respect to a qualified blind trust of

1 which the reporting individual is an inter-
2 ested party that may not be disclosed
3 under paragraph (3)(C) of this subsection;
4 or

5 “(ii) fail to file any document required
6 by this subsection.

7 “(C) CIVIL ACTIONS FOR VIOLATIONS.—

8 “(i) KNOWING AND WILLFUL VIOLA-
9 TIONS.—The Attorney General may bring
10 a civil action in any appropriate United
11 States district court against any individual
12 who knowingly and willfully violates the
13 provisions of subparagraph (A) or (B) of
14 this paragraph. The court in which such
15 action is brought may assess against such
16 individual a civil penalty in any amount
17 not to exceed \$10,000.

18 “(ii) NEGLIGENT VIOLATIONS.—The
19 Attorney General may bring a civil action
20 in any appropriate United States district
21 court against any individual who neg-
22 ligently violates the provisions of subpara-
23 graph (A) or (B) of this paragraph. The
24 court in which such action is brought may

1 assess against such individual a civil pen-
2 alty in any amount not to exceed \$5,000.

3 “(7) TRUST CONSIDERED TO BE QUALIFIED
4 BLIND TRUST.—Any trust may be considered to be
5 a qualified blind trust if—

6 “(A) the trust instrument is amended to
7 comply with the requirements of paragraph (3)
8 or, in the case of a trust instrument which does
9 not by its terms permit amendment, the trust-
10 ee, the reporting individual, and any other in-
11 terested party agree in writing that the trust
12 shall be administered in accordance with the re-
13 quirements of this subsection and the trustee of
14 such trust meets the requirements of paragraph
15 (3)(A); except that in the case of any interested
16 party who is a dependent child, a parent or
17 guardian of such child may execute the agree-
18 ment referred to in this subparagraph;

19 “(B) a copy of the trust instrument (ex-
20 cept testamentary provisions) and a copy of the
21 agreement referred to in subparagraph (A), and
22 a list of the assets held by the trust at the time
23 of approval by the supervising ethics office, in-
24 cluding the category of value of each asset as
25 determined under subsection (d) of this section,

1 are filed with such office and made available to
2 the public as provided under paragraph (5)(D)
3 of this subsection; and

4 “(C) the supervising ethics office deter-
5 mines that approval of the trust arrangement
6 as a qualified blind trust is in the particular
7 case appropriate to assure compliance with ap-
8 plicable laws and regulations.

9 “(8) EXCEPTED INVESTMENT FUNDS.—A re-
10 porting individual shall not be required to report the
11 financial interests held by a widely held investment
12 fund (whether such fund is a mutual fund, regulated
13 investment company, pension or deferred compensa-
14 tion plan, or other investment fund)—

15 “(A) if—

16 “(i) the fund is publicly traded; or

17 “(ii) the assets of the fund are widely
18 diversified; and

19 “(B) if the reporting individual neither ex-
20 ercises control over nor has the ability to exer-
21 cise control over the financial interests held by
22 the fund.

23 “(g) POLITICAL CAMPAIGN FUNDS.—Political cam-
24 paign funds, including campaign receipts and expendi-

1 tures, need not be included in any report filed pursuant
2 to this subchapter.

3 “(h) GIFTS AND REIMBURSEMENTS RECEIVED
4 WHILE INDIVIDUAL NOT OFFICER OR EMPLOYEE OF
5 FEDERAL GOVERNMENT.—A report filed pursuant to sub-
6 section (a), (d), or (e) of section 13103 of this title need
7 not contain the information described in subparagraphs
8 (A), (B), and (C) of subsection (a)(2) with respect to gifts
9 and reimbursements received in a period when the report-
10 ing individual was not an officer or employee of the Fed-
11 eral Government.

12 “(i) NON-REPORTABLE RETIREMENT BENEFITS.—A
13 reporting individual shall not be required under this sub-
14 chapter to report—

15 “(1) financial interests in or income derived
16 from—

17 “(A) any retirement system under this title
18 (including the Thrift Savings Plan under sub-
19 chapter III of chapter 84 of this title); or

20 “(B) any other retirement system main-
21 tained by the United States for officers or em-
22 ployees of the United States, including the
23 President, or for members of the uniformed
24 services; or

1 “(2) benefits received under the Social Security
2 Act (42 U.S.C. 301 et seq.).

3 **“§ 13105. Filing of reports**

4 “(a) REPORTS FILED WITH DESIGNATED AGENCY
5 ETHICS OFFICIAL.—Except as otherwise provided in this
6 section, the reports required under this subchapter shall
7 be filed by the reporting individual with the designated
8 agency ethics official at the agency by which the reporting
9 individual is employed (or in the case of an individual de-
10 scribed in section 13103(e) of this title, was employed)
11 or in which the individual will serve. The date any report
12 is received (and the date of receipt of any supplemental
13 report) shall be noted on such report by the designated
14 agency ethics official.

15 “(b) REPORTS FILED WITH DIRECTOR OF OFFICE
16 OF GOVERNMENT ETHICS.—The President, the Vice
17 President, and independent counsel and persons appointed
18 by independent counsel under chapter 40 of title 28, shall
19 file reports required under this subchapter with the Direc-
20 tor of the Office of Government Ethics.

21 “(c) COPIES OF REPORTS TRANSMITTED TO THE OF-
22 FICE OF GOVERNMENT ETHICS.—Copies of the reports re-
23 quired to be filed under this subchapter by the Postmaster
24 General, the Deputy Postmaster General, the Governors
25 of the Board of Governors of the United States Postal

1 Service, designated agency ethics officials, employees de-
2 scribed in section 105(a)(2)(A) or (B), 106(a)(1)(A) or
3 (B), or 107(a)(1)(A) or (b)(1)(A)(i) of title 3, candidates
4 for the office of President or Vice President and officers
5 and employees in (and nominees to) offices or positions
6 which require confirmation by the Senate or by both
7 Houses of Congress other than individuals nominated to
8 be judicial officers and those referred to in subsection (f)
9 shall be transmitted to the Director of the Office of Gov-
10 ernment Ethics. The Director shall forward a copy of the
11 report of each nominee to the congressional committee
12 considering the nomination.

13 “(d) AVAILABILITY TO PUBLIC.—Reports required to
14 be filed under this subchapter by the Director of the Office
15 of Government Ethics shall be filed in the Office of Gov-
16 ernment Ethics and, immediately after being filed, shall
17 be made available to the public in accordance with this
18 subchapter.

19 “(e) REPORTS FILED WITH FEDERAL ELECTION
20 COMMISSION.—Each individual identified in section
21 13103(c) of this title who is a candidate for nomination
22 or election to the Office of President or Vice President
23 shall file the reports required by this subchapter with the
24 Federal Election Commission.

1 “(f) REPORTS FILED WITH SECRETARY CON-
2 CERNED.—Reports required of members of the uniformed
3 services shall be filed with the Secretary concerned.

4 “(g) FORMS FOR REPORTING.—Each supervising
5 ethics office shall develop and make available forms for
6 reporting the information required by this subchapter.

7 “(h) REPORTS FILED BY CERTAIN GOVERNMENT
8 OFFICIALS.—

9 “(1) OFFICIALS WITH WHOM REPORTS ARE
10 FILED.—

11 “(A) REPORTS BY MEMBERS AND STAFF
12 OF CONGRESS.—

13 “(i) IN GENERAL.—

14 “(I) REPORTS FILED WITH
15 CLERK OF THE HOUSE OF REP-
16 REPRESENTATIVES.—The reports required
17 under this subchapter shall be filed by
18 a reporting individual with the Clerk
19 of the House of Representatives, in
20 the case of a Representative in Con-
21 gress, a Delegate to Congress, the
22 Resident Commissioner from Puerto
23 Rico, an officer or employee of the
24 Congress whose compensation is dis-
25 bursed by the Chief Administrative

1 Officer of the House of Representa-
2 tives, an officer or employee of the Ar-
3 chitect of the Capitol, the United
4 States Capitol Police, the United
5 States Botanic Garden, the Congres-
6 sional Budget Office, the Government
7 Publishing Office, the Library of Con-
8 gress, or the Copyright Royalty Tri-
9 bunal (including any individual termi-
10 nating service, under section 13103(e)
11 of this title, in any office or position
12 referred to in this subclause), or an
13 individual described in section
14 13103(c) of this title who is a can-
15 didate for nomination or election as a
16 Representative in Congress, a Dele-
17 gate to Congress, or the Resident
18 Commissioner from Puerto Rico.

19 “(II) REPORTS FILED WITH SEC-
20 RETARY OF THE SENATE.—The re-
21 ports required under this subchapter
22 shall be filed by a reporting individual
23 with the Secretary of the Senate, in
24 the case of a Senator, an officer or
25 employee of the Congress whose com-

1 pensation is disbursed by the Sec-
2 retary of the Senate, an officer or em-
3 ployee of the Government Account-
4 ability Office, the Office of Tech-
5 nology Assessment, or the Office of
6 the Attending Physician (including
7 any individual terminating service,
8 under section 13103(e) of this title, in
9 any office or position referred to in
10 this subclause), or an individual de-
11 scribed in section 13103(e) of this
12 title who is a candidate for nomina-
13 tion or election as a Senator.

14 “(ii) OTHER REPORTS.—In the case
15 of an officer or employee of the Congress
16 as described under section 13103(f)(10) of
17 this title who is employed by an agency or
18 commission established in the legislative
19 branch after November 30, 1989, the re-
20 ports required under this subchapter shall
21 be filed by a reporting individual with—

22 “(I) the Secretary of the Senate
23 or the Clerk of the House of Rep-
24 resentatives, as the case may be, as

1 designated in the statute establishing
2 such agency or commission; or

3 “(II) if such statute does not
4 designate such committee, the Sec-
5 retary of the Senate for agencies and
6 commissions established in even num-
7 bered calendar years, and the Clerk of
8 the House of Representatives for
9 agencies and commissions established
10 in odd numbered calendar years.

11 “(B) REPORTS FILED WITH JUDICIAL CON-
12 FERENCE.—The reports required under this
13 subchapter shall be filed by a reporting indi-
14 vidual with the Judicial Conference with regard
15 to a judicial officer or employee described under
16 paragraphs (11) and (12) of section 13103(f) of
17 this title (including individuals terminating
18 service in such office or position under section
19 13103(e) of this title or immediately preceding
20 service in such office or position).

21 “(2) DATE REPORT RECEIVED.—The date any
22 report is received (and the date of receipt of any
23 supplemental report) shall be noted on such report
24 by such committee.

25 “(i) COPIES OF REPORTS TO STATE OFFICERS.—

1 “(1) IN GENERAL.—A copy of each report filed
2 under this subchapter by a Member or an individual
3 who is a candidate for the office of Member shall be
4 sent by the Clerk of the House of Representatives or
5 Secretary of the Senate, as the case may be, to the
6 appropriate State officer designated under section
7 312(a) of the Federal Election Campaign Act of
8 1971 (52 U.S.C. 30113(a)) of the State represented
9 by the Member or in which the individual is a can-
10 didate, as the case may be, within the 30-day period
11 beginning on the day the report is filed with the
12 Clerk or Secretary.

13 “(2) EXCEPTION FOR ELECTRONICALLY FILED
14 REPORTS.—The requirements of paragraph (1) do
15 not apply to any report filed under this subchapter
16 which is filed electronically and for which there is
17 online public access, in accordance with the systems
18 developed by the Secretary and Sergeant at Arms of
19 the Senate and the Clerk of the House of Represent-
20 atives under section 8(b) of the STOCK Act.

21 “(j) COPIES OF REPORTS TO ETHICS COMMIT-
22 TEES.—

23 “(1) HOUSE OF REPRESENTATIVES.—A copy of
24 each report filed under this subchapter with the
25 Clerk of the House of Representatives shall be sent

1 by the Clerk to the Committee on Ethics of the
2 House of Representatives within the 7-day period
3 beginning on the day the report is filed.

4 “(2) SENATE.—A copy of each report filed
5 under this subchapter with the Secretary of the Sen-
6 ate shall be sent by the Secretary to the Select Com-
7 mittee on Ethics of the Senate within the 7-day pe-
8 riod beginning on the day the report is filed.

9 “(k) ASSISTANCE OF FEDERAL ELECTION COMMIS-
10 SION.—In carrying out their responsibilities under this
11 subchapter with respect to candidates for office, the Clerk
12 of the House of Representatives and the Secretary of the
13 Senate shall avail themselves of the assistance of the Fed-
14 eral Election Commission. The Commission shall make
15 available to the Clerk and the Secretary on a regular basis
16 a complete list of names and addresses of all candidates
17 registered with the Commission, and shall cooperate and
18 coordinate its candidate information and notification pro-
19 gram with the Clerk and the Secretary to the greatest ex-
20 tent possible.

21 “(l) PERIODIC TRANSACTION REPORTS.—Not later
22 than 30 days after receiving notification of any trans-
23 action required to be reported under section
24 13104(a)(5)(B of this title, but in no case later than 45
25 days after such transaction, the following persons, if re-

1 quired to file a report under any subsection of section
2 13103 of this title, subject to any waivers and exclusions,
3 shall file a report of the transaction:

4 “(1) The President.

5 “(2) The Vice President.

6 “(3) Each officer or employee in the executive
7 branch, including a special Government employee as
8 defined in section 202 of title 18, who occupies a po-
9 sition classified above GS–15 of the General Sched-
10 ule or, in the case of positions not under the General
11 Schedule, for which the rate of basic pay is equal to
12 or greater than 120 percent of the minimum rate of
13 basic pay payable for GS–15 of the General Sched-
14 ule; each member of a uniformed service whose pay
15 grade is at or in excess of O–7 under section 201
16 of title 37; and each officer or employee in any other
17 position determined by the Director of the Office of
18 Government Ethics to be of equal classification.

19 “(4) Each employee appointed pursuant to sec-
20 tion 3105 of this title.

21 “(5) Any employee not described in paragraph
22 (3) who is in a position in the executive branch
23 which is excepted from the competitive service by
24 reason of being of a confidential or policymaking
25 character, except that the Director of the Office of

1 Government Ethics may, by regulation, exclude from
2 the application of this paragraph any individual, or
3 group of individuals, who are in such positions, but
4 only in cases in which the Director determines such
5 exclusion would not affect adversely the integrity of
6 the Government or the public's confidence in the in-
7 tegrity of the Government.

8 “(6) The Postmaster General, the Deputy Post-
9 master General, each Governor of the Board of Gov-
10 ernors of the United States Postal Service and each
11 officer or employee of the United States Postal Serv-
12 ice or Postal Regulatory Commission who occupies a
13 position for which the rate of basic pay is equal to
14 or greater than 120 percent of the minimum rate of
15 basic pay payable for GS-15 of the General Sched-
16 ule.

17 “(7) The Director of the Office of Government
18 Ethics and each designated agency ethics official.

19 “(8) Any civilian employee not described in
20 paragraph (3), employed in the Executive Office of
21 the President (other than a special Government em-
22 ployee as defined in section 202 of title 18) who
23 holds a commission of appointment from the Presi-
24 dent.

1 “(9) A Member of Congress, as defined under
2 section 13101 of this title.

3 “(10) An officer or employee of the Congress,
4 as defined under section 13101 of this title.

5 **“§ 13106. Failure to file or filing false reports**

6 “(a) VIOLATION.—

7 “(1) CIVIL ACTIONS.—The Attorney General
8 may bring a civil action in any appropriate United
9 States district court against any individual who
10 knowingly and willfully falsifies or who knowingly
11 and willfully fails to file or report any information
12 that such individual is required to report pursuant
13 to section 13104 of this title. The court in which
14 such action is brought may assess against such indi-
15 vidual a civil penalty in any amount, not to exceed
16 \$50,000.

17 “(2) VIOLATIONS AND PENALTIES.—

18 “(A) VIOLATIONS.—It shall be unlawful
19 for any person to knowingly and willfully—

20 “(i) falsify any information that such
21 person is required to report under section
22 13104 of this title; and

23 “(ii) fail to file or report any informa-
24 tion that such person is required to report
25 under section 13104 of this title.

1 “(B) PENALTIES.—Any person who—
2 “(i) violates subparagraph (A)(i) shall
3 be fined under title 18, imprisoned for not
4 more than 1 year, or both; and
5 “(ii) violates subparagraph (A)(ii)
6 shall be fined under title 18.

7 “(b) REFERRAL TO ATTORNEY GENERAL.—The head
8 of each agency, each Secretary concerned, the Director of
9 the Office of Government Ethics, each congressional ethics
10 committee, or the Judicial Conference, as the case may
11 be, shall refer to the Attorney General the name of any
12 individual which such official or committee has reasonable
13 cause to believe has willfully failed to file a report or has
14 willfully falsified or willfully failed to file information re-
15 quired to be reported. Whenever the Judicial Conference
16 refers a name to the Attorney General under this sub-
17 section, the Judicial Conference also shall notify the judi-
18 cial council of the circuit in which the named individual
19 serves of the referral.

20 “(c) PERSONNEL ACTION.—The President, the Vice
21 President, the Secretary concerned, the head of each agen-
22 cy, the Office of Personnel Management, a congressional
23 ethics committee, and the Judicial Conference, may take
24 any appropriate personnel or other action in accordance
25 with applicable law or regulation against any individual

1 failing to file a report or falsifying or failing to report in-
2 formation required to be reported.

3 “(d) LATE FEES.—

4 “(1) IN GENERAL.—Any individual who files a
5 report required to be filed under this subchapter
6 more than 30 days after the later of—

7 “(A) the date such report is required to be
8 filed pursuant to the provisions of this sub-
9 chapter and the rules and regulations promul-
10 gated under this subchapter; or

11 “(B) if a filing extension is granted to
12 such individual under section 13103(g) of this
13 title, the last day of the filing extension period,
14 shall, at the direction of and pursuant to regulations
15 issued by the supervising ethics office, pay a filing
16 fee of \$200. All such fees shall be deposited in the
17 miscellaneous receipts of the Treasury. The author-
18 ity under this paragraph to direct the payment of a
19 filing fee may be delegated by the supervising ethics
20 office in the executive branch to other agencies in
21 the executive branch.

22 “(2) WAIVER.—The supervising ethics office
23 may waive the filing fee under this subsection in ex-
24 traordinary circumstances.

1 **“§ 13107. Custody of and public access to reports**

2 “(a) AVAILABILITY OF REPORTS TO PUBLIC.—Each
3 agency, each supervising ethics office in the executive or
4 judicial branch, the Clerk of the House of Representatives,
5 and the Secretary of the Senate shall make available to
6 the public, in accordance with subsection (b), each report
7 filed under this subchapter with such agency or office or
8 with the Clerk or the Secretary of the Senate, except
9 that—

10 “(1) this section does not require public avail-
11 ability of a report filed by any individual in the Of-
12 fice of the Director of National Intelligence, the
13 Central Intelligence Agency, the Defense Intelligence
14 Agency, the National Geospatial-Intelligence Agency,
15 or the National Security Agency, or any individual
16 engaged in intelligence activities in any agency of
17 the United States, if the President finds or has
18 found that, due to the nature of the office or posi-
19 tion occupied by such individual, public disclosure of
20 such report would, by revealing the identity of the
21 individual or other sensitive information, compromise
22 the national interest of the United States; and such
23 individuals may be authorized, notwithstanding sec-
24 tion 13106(a) of this title, to file such additional re-
25 ports as are necessary to protect their identity from
26 public disclosure if the President first finds or has

1 found that such filing is necessary in the national in-
2 terest; and

3 “(2) any report filed by an independent counsel
4 whose identity has not been disclosed by the division
5 of the court under chapter 40 of title 28, and any
6 report filed by any person appointed by that inde-
7 pendent counsel under such chapter, shall not be
8 made available to the public under this subchapter.

9 “(b) INSPECTION OF REPORTS.—

10 “(1) IN GENERAL.—Except as provided in the
11 second sentence of this subsection, each agency, each
12 supervising ethics office in the executive or judicial
13 branch, the Clerk of the House of Representatives,
14 and the Secretary of the Senate shall, within 30
15 days after any report is received under this sub-
16 chapter by such agency or office or by the Clerk or
17 the Secretary of the Senate, as the case may be, per-
18 mit inspection of such report by or furnish a copy
19 of such report to any person requesting such inspec-
20 tion or copy. With respect to any report required to
21 be filed by May 15 of any year, such report shall be
22 made available for public inspection within 30 cal-
23 endar days after May 15 of such year or within 30
24 days of the date of filing of such a report for which
25 an extension is granted pursuant to section

1 13103(g) of this title. The agency, office, Clerk, or
2 Secretary of the Senate, as the case may be, may re-
3 quire a reasonable fee to be paid in any amount
4 which is found necessary to recover the cost of re-
5 production or mailing of such report excluding any
6 salary of any employee involved in such reproduction
7 or mailing. A copy of such report may be furnished
8 without charge or at a reduced charge if it is deter-
9 mined that waiver or reduction of the fee is in the
10 public interest.

11 “(2) PROCEDURE FOR REQUESTING RE-
12 PORTS.—Notwithstanding paragraph (1), a report
13 may not be made available under this section to any
14 person nor may any copy of the report be provided
15 under this section to any person except upon a writ-
16 ten application by such person stating—

17 “(A) that person’s name, occupation, and
18 address;

19 “(B) the name and address of any other
20 person or organization on whose behalf the in-
21 spection or copy is requested; and

22 “(C) that such person is aware of the pro-
23 hibitions on the obtaining or use of the report.

1 Any such application shall be made available to the
2 public throughout the period during which the report
3 is made available to the public.

4 “(3) JUDICIAL EMPLOYEES AND OFFICERS.—

5 “(A) IN GENERAL.—This section does not
6 require the immediate and unconditional avail-
7 ability of reports filed by an individual de-
8 scribed in paragraph (9) or (10) of section
9 13101 of this title if a finding is made by the
10 Judicial Conference, in consultation with the
11 United States Marshals Service, that revealing
12 personal and sensitive information could endan-
13 ger that individual or a family member of that
14 individual.

15 “(B) REDACTION.—A report may be re-
16 dacted pursuant to this paragraph only—

17 “(i) to the extent necessary to protect
18 the individual who filed the report or a
19 family member of that individual; and

20 “(ii) for as long as the danger to such
21 individual exists.

22 “(C) REDACTION REPORT.—The Adminis-
23 trative Office of the United States Courts shall
24 submit to the Committees on the Judiciary of
25 the House of Representatives and of the Senate

1 and the Senate Committee on Homeland Secu-
2 rity and Governmental Affairs and the House
3 Committee on Oversight and Reform an annual
4 report with respect to the operation of this
5 paragraph including—

6 “(i) the total number of reports re-
7 dacted pursuant to this paragraph;

8 “(ii) the total number of individuals
9 whose reports have been redacted pursuant
10 to this paragraph;

11 “(iii) the types of threats against indi-
12 viduals whose reports are redacted, if ap-
13 propriate;

14 “(iv) the nature or type of informa-
15 tion redacted;

16 “(v) what steps or procedures are in
17 place to ensure that sufficient information
18 is available to litigants to determine if
19 there is a conflict of interest;

20 “(vi) principles used to guide imple-
21 mentation of redaction authority; and

22 “(vii) any public complaints received
23 relating to redaction.

24 “(D) REGULATIONS.—The Judicial Con-
25 ference, in consultation with the Department of

1 Justice, shall issue regulations setting forth the
2 circumstances under which redaction is appro-
3 priate under this paragraph and the procedures
4 for redaction.

5 “(E) EXPIRATION OF PARAGRAPH.—This
6 paragraph shall expire on December 31, 2027,
7 and apply to filings through calendar year
8 2027.

9 “(c) PROHIBITED USES OF REPORTS.—

10 “(1) IN GENERAL.—It shall be unlawful for any
11 person to obtain or use a report—

12 “(A) for any unlawful purpose;

13 “(B) for any commercial purpose, other
14 than by news and communications media for
15 dissemination to the general public;

16 “(C) for determining or establishing the
17 credit rating of any individual; or

18 “(D) for use, directly or indirectly, in the
19 solicitation of money for any political, chari-
20 table, or other purpose.

21 “(2) CIVIL ACTIONS.—The Attorney General
22 may bring a civil action against any person who ob-
23 tains or uses a report for any purpose prohibited in
24 paragraph (1) of this subsection. The court in which
25 such action is brought may assess against such per-

1 son a penalty in any amount not to exceed \$10,000.
2 Such remedy shall be in addition to any other rem-
3 edy available under statutory or common law.

4 “(d) RETENTION OF REPORTS.—

5 “(1) IN GENERAL.—Any report filed with or
6 transmitted to an agency or supervising ethics office
7 or to the Clerk of the House of Representatives or
8 the Secretary of the Senate pursuant to this sub-
9 chapter shall be retained by such agency or office or
10 by the Clerk of the House of Representatives or the
11 Secretary of the Senate, as the case may be.

12 “(2) PUBLIC AVAILABILITY.—Such report shall
13 be made available to the public—

14 “(A) in the case of a Member of Congress,
15 until a date that is 6 years from the date the
16 individual ceases to be a Member of Congress;
17 and

18 “(B) in the case of all other reports filed
19 pursuant to this subchapter, for a period of 6
20 years after receipt of the report.

21 “(3) DESTRUCTION OF REPORTS.—After the
22 relevant time period identified under paragraph (2),
23 the report shall be destroyed unless needed in an on-
24 going investigation, except that in the case of an in-
25 dividual who filed the report pursuant to section

1 13103(b) of this title and was not subsequently con-
2 firmed by the Senate, or who filed the report pursu-
3 ant to section 13103(c) of this title and was not sub-
4 sequently elected, such reports shall be destroyed 1
5 year after the individual either is no longer under
6 consideration by the Senate or is no longer a can-
7 didate for nomination or election to the Office of
8 President, Vice President, or as a Member of Con-
9 gress, unless needed in an ongoing investigation or
10 inquiry.

11 **“§ 13108. Review of reports**

12 “(a) TIME FOR REVIEW.—

13 “(1) EXECUTIVE BRANCH.—Each designated
14 agency ethics official or Secretary concerned shall
15 make provisions to ensure that each report filed with
16 the designated agency ethics official or Secretary
17 under this subchapter is reviewed within 60 days
18 after the date of such filing, except that the Director
19 of the Office of Government Ethics shall review only
20 those reports required to be transmitted to the Di-
21 rector of the Office of Government Ethics under this
22 subchapter within 60 days after the date of trans-
23 mittal.

24 “(2) CONGRESSIONAL ETHICS COMMITTEE AND
25 JUDICIAL CONFERENCE.—Each congressional ethics

1 committee and the Judicial Conference shall make
2 provisions to ensure that each report filed under this
3 subchapter is reviewed within 60 days after the date
4 of such filing.

5 “(b) RESULTS OF REVIEW.—

6 “(1) COMPLIANCE.—If after reviewing any re-
7 port under subsection (a), the Director of the Office
8 of Government Ethics, the Secretary concerned, the
9 designated agency ethics official, a person des-
10 ignated by the congressional ethics committee, or a
11 person designated by the Judicial Conference, as the
12 case may be, is of the opinion that on the basis of
13 information contained in such report the individual
14 submitting such report is in compliance with applica-
15 ble laws and regulations, he or she shall state such
16 opinion on the report, and shall sign such report.

17 “(2) ADDITIONAL INFORMATION REQUIRED OR
18 POSSIBLE NONCOMPLIANCE.—If the Director of the
19 Office of Government Ethics, the Secretary con-
20 cerned, the designated agency ethics official, a per-
21 son designated by the congressional ethics com-
22 mittee, or a person designated by the Judicial Con-
23 ference, after reviewing any report under subsection
24 (a)—

1 “(A) believes additional information is re-
2 quired to be submitted, he or she shall notify
3 the individual submitting such report what ad-
4 ditional information is required and the time by
5 which it must be submitted; or

6 “(B) is of the opinion, on the basis of in-
7 formation submitted, that the individual is not
8 in compliance with applicable laws and regula-
9 tions, he or she shall notify the individual, af-
10 ford a reasonable opportunity for a written or
11 oral response, and after consideration of such
12 response, reach an opinion as to whether or not,
13 on the basis of information submitted, the indi-
14 vidual is in compliance with such laws and reg-
15 ulations.

16 “(3) NONCOMPLIANCE AND NOTIFICATION OF
17 STEPS TO ASSURE COMPLIANCE.—If the Director of
18 the Office of Government Ethics, the Secretary con-
19 cerned, the designated agency ethics official, a per-
20 son designated by a congressional ethics committee,
21 or a person designated by the Judicial Conference,
22 reaches an opinion under paragraph (2)(B) that an
23 individual is not in compliance with applicable laws
24 and regulations, the official or committee shall notify
25 the individual of that opinion and, after an oppor-

1 tunity for personal consultation (if practicable), de-
2 termine and notify the individual of which steps, if
3 any, would in the opinion of such official or com-
4 mittee be appropriate for assuring compliance with
5 such laws and regulations and the date by which
6 such steps should be taken. Such steps may include,
7 as appropriate—

8 “(A) divestiture;

9 “(B) restitution;

10 “(C) the establishment of a blind trust;

11 “(D) request for an exemption under sec-
12 tion 208(b) of title 18; or

13 “(E) voluntary request for transfer, reas-
14 signment, limitation of duties, or resignation.

15 The use of any such steps shall be in accordance
16 with such rules or regulations as the supervising eth-
17 ics office may prescribe.

18 “(4) REFERRAL OF INDIVIDUALS IN POSITIONS
19 REQUIRING SENATE CONFIRMATION.—If steps for
20 assuring compliance with applicable laws and regula-
21 tions are not taken by the date set under paragraph
22 (3) by an individual in a position in the executive
23 branch (other than in the Foreign Service or the
24 uniformed services), appointment to which requires
25 the advice and consent of the Senate, the matter

1 shall be referred to the President for appropriate ac-
2 tion.

3 “(5) REFERRAL OF MEMBER OF FOREIGN
4 SERVICE OR UNIFORMED SERVICES.—If steps for as-
5 suring compliance with applicable laws and regula-
6 tions are not taken by the date set under paragraph
7 (3) by a member of the Foreign Service or the uni-
8 formed services, the Secretary concerned shall take
9 appropriate action.

10 “(6) REFERRAL OF OTHER OFFICERS OR EM-
11 PLOYEES.—If steps for assuring compliance with ap-
12 plicable laws and regulations are not taken by the
13 date set under paragraph (3) by any other officer or
14 employee, the matter shall be referred to the head
15 of the appropriate agency, the congressional ethics
16 committee, or the Judicial Conference, for appro-
17 priate action, except that in the case of the Post-
18 master General or Deputy Postmaster General, the
19 Director of the Office of Government Ethics shall
20 recommend to the Governors of the Board of Gov-
21 ernors of the United States Postal Service the action
22 to be taken.

23 “(7) ADVISORY OPINIONS.—Each supervising
24 ethics office may render advisory opinions inter-
25 preting this subchapter within its respective jurisdic-

1 tion. Notwithstanding any other provision of law, the
2 individual to whom a public advisory opinion is ren-
3 dered in accordance with this paragraph, and any
4 other individual covered by this subchapter who is
5 involved in a fact situation which is indistinguishable
6 in all material aspects, and who acts in good faith
7 in accordance with the provisions and findings of
8 such advisory opinion shall not, as a result of such
9 act, be subject to any penalty or sanction provided
10 by this subchapter.

11 **“§ 13109. Confidential reports and other additional**
12 **requirements**

13 “(a) IN GENERAL.—

14 “(1) AUTHORITY TO REQUIRE CONFIDENTIAL
15 FINANCIAL DISCLOSURE REPORTS.—Each super-
16 vising ethics office may require officers and employ-
17 ees under its jurisdiction (including special Govern-
18 ment employees as defined in section 202 of title 18)
19 to file confidential financial disclosure reports, in
20 such form as the supervising ethics office may pre-
21 scribe. The information required to be reported
22 under this subsection by the officers and employees
23 of any department or agency shall be set forth in
24 rules or regulations prescribed by the supervising
25 ethics office, and may be less extensive than other-

1 wise required by this subchapter, or more extensive
2 when determined by the supervising ethics office to
3 be necessary and appropriate in light of sections 202
4 through 209 of title 18, regulations promulgated
5 under those sections, or the authorized activities of
6 such officers or employees. Any individual required
7 to file a report pursuant to section 13103 of this
8 title shall not be required to file a confidential report
9 pursuant to this subsection, except with respect to
10 information which is more extensive than informa-
11 tion otherwise required by this subchapter. Sub-
12 sections (a), (b), and (d) of section 13107 of this
13 title shall not apply with respect to any such report.

14 “(2) CONFIDENTIALITY.—Any information re-
15 quired to be provided by an individual under this
16 subsection shall be confidential and shall not be dis-
17 closed to the public.

18 “(3) NO EXEMPTION FROM OTHER REPORTING
19 REQUIREMENTS.—Nothing in this subsection ex-
20 empts any individual otherwise covered by the re-
21 quirement to file a public financial disclosure report
22 under this subchapter from such requirement.

23 “(b) PREEMPTION.—The provisions of this sub-
24 chapter requiring the reporting of information shall super-
25 sede any general requirement under any other provision

1 of law or regulation with respect to the reporting of infor-
2 mation required for purposes of preventing conflicts of in-
3 terest or apparent conflicts of interest. Such provisions of
4 this subchapter shall not supersede the requirements of
5 section 7342 of this title.

6 “(c) NO AUTHORIZATION FOR ACTIVITY OTHERWISE
7 PROHIBITED.—Nothing in this chapter requiring report-
8 ing of information shall be deemed to authorize the receipt
9 of income, gifts, or reimbursements; the holding of assets,
10 liabilities, or positions; or the participation in transactions
11 that are prohibited by law, Executive order, rule, or regu-
12 lation.

13 **“§ 13110. Authority of Comptroller General**

14 “(a) ACCESS TO FINANCIAL DISCLOSURE RE-
15 PORTS.—The Comptroller General shall have access to fi-
16 nancial disclosure reports filed under this subchapter for
17 the purposes of carrying out the Comptroller General’s
18 statutory responsibilities.

19 “(b) STUDIES.—Not later than December 31, 1992,
20 and regularly thereafter, the Comptroller General shall
21 conduct a study to determine whether the provisions of
22 this subchapter are being carried out effectively.

1 **“§ 13111. Notice of actions taken to comply with eth-**
2 **ics agreements**

3 “(a) IN GENERAL.—In any case in which an indi-
4 vidual agrees with that individual’s designated agency eth-
5 ics official, the Office of Government Ethics, a Senate con-
6 firmation committee, a congressional ethics committee, or
7 the Judicial Conference, to take any action to comply with
8 this chapter or any other law or regulation governing con-
9 flicts of interest of, or establishing standards of conduct
10 applicable with respect to, officers or employees of the
11 Government, that individual shall notify in writing the
12 designated agency ethics official, the Office of Government
13 Ethics, the appropriate committee of the Senate, the con-
14 gressional ethics committee, or the Judicial Conference,
15 as the case may be, of any action taken by the individual
16 pursuant to that agreement. Such notification shall be
17 made not later than the date specified in the agreement
18 by which action by the individual must be taken, or not
19 later than 3 months after the date of the agreement, if
20 no date for action is so specified.

21 “(b) RECUSAL.—If an agreement described in sub-
22 section (a) requires that the individual recuse himself or
23 herself from particular categories of agency or other offi-
24 cial action, the individual shall reduce to writing those
25 subjects regarding which the recusal agreement will apply
26 and the process by which it will be determined whether

1 the individual must recuse himself or herself in a specific
2 instance. An individual shall be considered to have com-
3 plied with the requirements of subsection (a) with respect
4 to such recusal agreement if such individual files a copy
5 of the document setting forth the information described
6 in the preceding sentence with such individual's des-
7 ignated agency ethics official or the appropriate super-
8 vising ethics office within the time prescribed in the last
9 sentence of subsection (a).

10 "SUBCHAPTER II—OFFICE OF GOVERNMENT
11 ETHICS

12 "§ 13121. **Establishment; appointment of Director**

13 "(a) ESTABLISHMENT.—There is established an execu-
14 tive agency to be known as the Office of Government
15 Ethics.

16 "(b) DIRECTOR.—There shall be at the head of the
17 Office of Government Ethics a Director (hereinafter re-
18 ferred to as the 'Director'), who shall be appointed by the
19 President, by and with the advice and consent of the Sen-
20 ate. Effective with respect to any individual appointed or
21 reappointed by the President as Director on or after Octo-
22 ber 1, 1983, the term of service of the Director shall be
23 5 years.

24 "(c) AUTHORITY OF DIRECTOR.—The Director
25 may—

1 “(1) appoint officers and employees, including
2 attorneys, in accordance with chapter 51 and sub-
3 chapter III of chapter 53 of this title; and

4 “(2) contract for financial and administrative
5 services (including those related to budget and ac-
6 counting, financial reporting, personnel, and pro-
7 curement) with the General Services Administration,
8 or such other Federal agency as the Director deter-
9 mines appropriate, for which payment shall be made
10 in advance, or by reimbursement, from funds of the
11 Office of Government Ethics in such amounts as
12 may be agreed upon by the Director and the head
13 of the agency providing such services.

14 Contract authority under paragraph (2) shall be effective
15 for any fiscal year only to the extent that appropriations
16 are available for that purpose.

17 **“§ 13122. Authority and functions**

18 “(a) OVERALL DIRECTION OF EXECUTIVE BRANCH
19 POLICIES RELATING TO PREVENTION OF CONFLICTS OF
20 INTEREST.—The Director shall provide, in consultation
21 with the Office of Personnel Management, overall direc-
22 tion of executive branch policies related to preventing con-
23 flicts of interest on the part of officers and employees of
24 any executive agency, as defined in section 105 of this
25 title.

1 “(b) RESPONSIBILITIES OF DIRECTOR.—The respon-
2 sibilities of the Director shall include—

3 “(1) developing, in consultation with the Attor-
4 ney General and the Office of Personnel Manage-
5 ment, rules and regulations to be promulgated by
6 the President or the Director pertaining to conflicts
7 of interest and ethics in the executive branch, in-
8 cluding rules and regulations establishing procedures
9 for the filing, review, and public availability of finan-
10 cial statements filed by officers and employees in the
11 executive branch as required by subchapter I;

12 “(2) developing, in consultation with the Attor-
13 ney General and the Office of Personnel Manage-
14 ment, rules and regulations to be promulgated by
15 the President or the Director pertaining to the iden-
16 tification and resolution of conflicts of interest;

17 “(3) monitoring and investigating compliance
18 with the public financial disclosure requirements of
19 subchapter I by officers and employees of the execu-
20 tive branch and executive agency officials responsible
21 for receiving, reviewing, and making available finan-
22 cial statements filed pursuant to subchapter I;

23 “(4) conducting a review of financial statements
24 to determine whether such statements reveal possible
25 violations of applicable conflict of interest laws or

1 regulations and recommending appropriate action to
2 correct any conflict of interest or ethical problems
3 revealed by such review;

4 “(5) monitoring and investigating individual
5 and agency compliance with any additional financial
6 reporting and internal review requirements estab-
7 lished by law for the executive branch;

8 “(6) interpreting rules and regulations issued
9 by the President or the Director governing conflict
10 of interest and ethical problems and the filing of fi-
11 nancial statements;

12 “(7) consulting, when requested, with agency
13 ethics counselors and other responsible officials re-
14 garding the resolution of conflict of interest prob-
15 lems in individual cases;

16 “(8) establishing a formal advisory opinion
17 service whereby advisory opinions are rendered on
18 matters of general applicability or on important mat-
19 ters of first impression after, to the extent prac-
20 ticable, providing interested parties with an oppor-
21 tunity to transmit written comments with respect to
22 the request for such advisory opinion, and whereby
23 such advisory opinions are compiled, published, and
24 made available to agency ethics counselors and the
25 public;

1 “(9) ordering corrective action on the part of
2 agencies and employees which the Director deems
3 necessary;

4 “(10) requiring such reports from executive
5 agencies as the Director deems necessary;

6 “(11) assisting the Attorney General in evalu-
7 ating the effectiveness of the conflict of interest laws
8 and in recommending appropriate amendments;

9 “(12) evaluating, with the assistance of the At-
10 torney General and the Office of Personnel Manage-
11 ment, the need for changes in rules and regulations
12 issued by the Director and the agencies regarding
13 conflict of interest and ethical problems, with a view
14 toward making such rules and regulations consistent
15 with and an effective supplement to the conflict of
16 interest laws;

17 “(13) cooperating with the Attorney General in
18 developing an effective system for reporting allega-
19 tions of violations of the conflict of interest laws to
20 the Attorney General, as required by section 535 of
21 title 28;

22 “(14) providing information on and promoting
23 understanding of ethical standards in executive
24 agencies; and

1 “(15) developing, in consultation with the Of-
2 fice of Personnel Management, and promulgating
3 such rules and regulations as the Director deter-
4 mines necessary or desirable with respect to the
5 evaluation of any item required to be reported by
6 subchapter I.

7 “(c) CONSULTATION.—In the development of policies,
8 rules, regulations, procedures, and forms to be rec-
9 ommended, authorized, or prescribed by the Director, the
10 Director shall consult when appropriate with the executive
11 agencies affected and with the Attorney General.

12 “(d) ESTABLISHED WRITTEN PROCEDURES.—

13 “(1) IN GENERAL.—The Director shall, by the
14 exercise of any authority otherwise available to the
15 Director under this subchapter, ensure that each ex-
16 ecutive agency has established written procedures re-
17 lating to how the agency is to collect, review, evalu-
18 ate, and, if applicable, make publicly available, fi-
19 nancial disclosure statements filed by any of its offi-
20 cers or employees.

21 “(2) CONFORMANCE WITH APPLICABLE RE-
22 QUIREMENTS.—In carrying out paragraph (1), the
23 Director shall ensure that each agency’s procedures
24 are in conformance with all applicable requirements,

1 whether established by law, rule, regulation, or Ex-
2 ecutive order.

3 “(e) REPORTS FROM EXECUTIVE AGENCIES.—In
4 carrying out subsection (b)(10), the Director shall pre-
5 scribe regulations under which—

6 “(1) each executive agency shall be required to
7 submit to the Office an annual report containing—

8 “(A) a description and evaluation of the
9 agency’s ethics program, including any edu-
10 cational, counseling, or other services provided
11 to officers and employees, in effect during the
12 period covered by the report;

13 “(B) the position title and duties of—

14 “(i) each official who was designated
15 by the agency head to have primary re-
16 sponsibility for the administration, coordi-
17 nation, and management of the agency’s
18 ethics program during any portion of the
19 period covered by the report; and

20 “(ii) each officer or employee who was
21 designated to serve as an alternate to the
22 official having primary responsibility dur-
23 ing any portion of such period; and

24 “(C) any other information that the Direc-
25 tor may require in order to carry out the re-

1 sponsibilities of the Director under this sub-
2 chapter; and

3 “(2) each executive agency shall be required to
4 inform the Director upon referral of any alleged vio-
5 lation of Federal conflict of interest law to the At-
6 torney General pursuant to section 535 of title 28,
7 except that nothing under this paragraph shall re-
8 quire any notification or disclosure which would oth-
9 erwise be prohibited by law.

10 “(f) CORRECTIVE ACTIONS.—

11 “(1) EXECUTIVE AGENCIES.—In carrying out
12 subsection (b)(9) with respect to executive agencies,
13 the Director—

14 “(A) may—

15 “(i) order specific corrective action on
16 the part of an agency based on the failure
17 of such agency to establish a system for
18 the collection, filing, review, and, when ap-
19 plicable, public inspection of financial dis-
20 closure statements, in accordance with ap-
21 plicable requirements, or to modify an ex-
22 isting system in order to meet applicable
23 requirements; or

24 “(ii) order specific corrective action
25 involving the establishment or modification

1 of an agency ethics program (other than
2 with respect to any matter under clause
3 (i)) in accordance with applicable require-
4 ments; and

5 “(B) shall, if an agency has not complied
6 with an order under subparagraph (A) within a
7 reasonable period of time, notify the President
8 and the Congress of the agency’s noncompliance
9 in writing (including, with the notification, any
10 written comments which the agency may pro-
11 vide).

12 “(2) INDIVIDUAL OFFICERS AND EMPLOYEES.—

13 “(A) IN GENERAL.—In carrying out sub-
14 section (b)(9) with respect to individual officers
15 and employees—

16 “(i) the Director may make such rec-
17 ommendations and provide such advice to
18 such officers and employees as the Direc-
19 tor considers necessary to ensure compli-
20 ance with rules, regulations, and Executive
21 orders relating to conflicts of interest or
22 standards of conduct;

23 “(ii) if the Director has reason to be-
24 lieve that an officer or employee is vio-
25 lating, or has violated, any rule, regulation,

1 or Executive order relating to conflicts of
2 interest or standards of conduct, the Direc-
3 tor—

4 “(I) may recommend to the head
5 of the officer’s or employee’s agency
6 that such agency head investigate the
7 possible violation and, if the agency
8 head finds such a violation, that such
9 agency head take any appropriate dis-
10 ciplinary action (such as reprimand,
11 suspension, demotion, or dismissal)
12 against the officer or employee, except
13 that, if the officer or employee in-
14 volved is the agency head, any such
15 recommendation shall instead be sub-
16 mitted to the President; and

17 “(II) shall notify the President in
18 writing if the Director determines that
19 the head of an agency has not con-
20 ducted an investigation pursuant to
21 subclause (I) within a reasonable time
22 after the Director recommends such
23 action;

24 “(iii) if the Director finds that an of-
25 ficer or employee is violating any rule, reg-

1 ulation, or Executive order relating to con-
2 flicts of interest or standards of conduct,
3 the Director—

4 “(I) may order the officer or em-
5 ployee to take specific action (such as
6 divestiture, recusal, or the establish-
7 ment of a blind trust) to end such vio-
8 lation; and

9 “(II) shall, if the officer or em-
10 ployee has not complied with the
11 order under subclause (I) within a
12 reasonable period of time, notify, in
13 writing, the head of the officer’s or
14 employee’s agency of the officer’s or
15 employee’s noncompliance, except
16 that, if the officer or employee in-
17 volved is the agency head, the notifi-
18 cation shall instead be submitted to
19 the President; and

20 “(iv) if the Director finds that an offi-
21 cer or employee is violating, or has vio-
22 lated, any rule, regulation, or Executive
23 order relating to conflicts of interest or
24 standards of conduct, the Director—

1 “(I) may recommend to the head
2 of the officer’s or employee’s agency
3 that appropriate disciplinary action
4 (such as reprimand, suspension, de-
5 motion, or dismissal) be brought
6 against the officer or employee, except
7 that if the officer or employee involved
8 is the agency head, any such rec-
9 ommendations shall instead be sub-
10 mitted to the President; and

11 “(II) may notify the President in
12 writing if the Director determines that
13 the head of an agency has not taken
14 appropriate disciplinary action within
15 a reasonable period of time after the
16 Director recommends such action.

17 “(B) INVESTIGATIONS AND FINDINGS CON-
18 CERNING POSSIBLE VIOLATIONS.—

19 “(i) AUTHORITY OF DIRECTOR.—In
20 order to carry out the Director’s duties
21 and responsibilities under subparagraph
22 (A)(iii) or (iv) with respect to individual
23 officers and employees, the Director may
24 conduct investigations and make findings
25 concerning possible violations of any rule,

1 regulation, or Executive order relating to
2 conflicts of interest or standards of con-
3 duct applicable to officers and employees
4 of the executive branch.

5 “(ii) NOTIFICATION OF ALLEGED VIO-
6 LATION AND OPPORTUNITY TO COM-
7 MENT.—

8 “(I) NOTIFICATION BEFORE A
9 FINDING IS MADE.—Subject to clause
10 (iv) of this subparagraph, before any
11 finding is made under subparagraphs
12 (A)(iii) or (iv), the officer or employee
13 involved shall be afforded notification
14 of the alleged violation, and an oppor-
15 tunity to comment, either orally or in
16 writing, on the alleged violation.

17 “(II) PROCEDURES.—The Direc-
18 tor shall, in accordance with section
19 553 of this title, establish procedures
20 for such notification and comment.

21 “(iii) HEARING.—Subject to clause
22 (iv) of this subparagraph, before any ac-
23 tion is ordered under subparagraph
24 (A)(iii), the officer or employee involved
25 shall be afforded an opportunity for a

1 hearing, if requested by such officer or em-
2 ployee, except that any such hearing shall
3 be conducted on the record.

4 “(iv) EXCEPTION.—The procedures
5 described in clauses (ii) and (iii) of this
6 subparagraph do not apply to findings or
7 orders for action made to obtain compli-
8 ance with the financial disclosure require-
9 ments in subchapter I. For those findings
10 and orders, the procedures in section
11 13108 of this title shall apply.

12 “(3) COPIES OF ORDERS RELATING TO FINDING
13 OF VIOLATION.—The Director shall send a copy of
14 any order under paragraph (2)(A)(iii) to—

15 “(A) the officer or employee who is the
16 subject of such order; and

17 “(B) the head of the officer’s or employee’s
18 agency or, if such officer or employee is the
19 agency head, to the President.

20 “(4) AGENCY HEADED BY BOARD, COMMITTEE,
21 OR OTHER GROUP.—For purposes of paragraphs
22 (2)(A)(ii), (iii), (iv), and (3)(B), in the case of an of-
23 ficer or employee within an agency which is headed
24 by a board, committee, or other group of individuals
25 (rather than by a single individual), any notification,

1 recommendation, or other matter which would other-
2 wise be sent to an agency head shall instead be sent
3 to the officer's or employee's appointing authority.

4 “(5) NO AUTHORITY TO MAKE FINDINGS OF
5 CRIMINAL LAW VIOLATIONS.—Nothing in this sub-
6 chapter shall be considered to allow the Director (or
7 any designee) to make any finding that a provision
8 of title 18, or any criminal law of the United States
9 outside of title 18, has been or is being violated.

10 “(6) LIMITATION ON AVAILABILITY OF
11 RECORDS.—Notwithstanding any other provision of
12 law, no record developed pursuant to the authority
13 of this section concerning an investigation of an in-
14 dividual for a violation of any rule, regulation, or
15 Executive order relating to a conflict of interest shall
16 be made available pursuant to section 552(a)(3) of
17 this title, unless the request for such information
18 identifies the individual to whom such records relate
19 and the subject matter of any alleged violation to
20 which such records relate, except that nothing in
21 this subsection shall affect the application of the
22 provisions of section 552(b) of this title to any
23 record so identified.

1 **“§ 13123. Administrative provisions**

2 “(a) ASSISTANCE TO DIRECTOR.—Upon the request
3 of the Director, each executive agency is directed to—

4 “(1) make its services, personnel, and facilities
5 available to the Director to the greatest practicable
6 extent for the performance of functions under this
7 chapter; and

8 “(2) except when prohibited by law, furnish to
9 the Director all information and records in its pos-
10 session which the Director may determine to be nec-
11 essary for the performance of the Director’s duties.

12 The authority of the Director under this section includes
13 the authority to request assistance from the inspector gen-
14 eral of an agency in conducting investigations pursuant
15 to the Office of Government Ethics responsibilities under
16 this chapter. The head of any agency may detail such per-
17 sonnel and furnish such services, with or without reim-
18 bursement, as the Director may request to carry out the
19 provisions of this chapter.

20 “(b) GIFT ACCEPTANCE AUTHORITY.—

21 “(1) IN GENERAL.—The Director is authorized
22 to accept and utilize on behalf of the United States,
23 any gift, donation, bequest, or devise of money, use
24 of facilities, personal property, or services for the
25 purpose of aiding or facilitating the work of the Of-
26 fice of Government Ethics.

1 “(2) LIMITATIONS.—No gift may be accepted—

2 “(A) that attaches conditions inconsistent
3 with applicable laws or regulations; or

4 “(B) that is conditioned upon or will re-
5 quire the expenditure of appropriated funds
6 that are not available to the Office of Govern-
7 ment Ethics.

8 “(3) CRITERIA FOR DETERMINING APPRO-
9 PRIATENESS OF GIFT ACCEPTANCE.—The Director
10 shall establish written rules setting forth the criteria
11 to be used in determining whether the acceptance of
12 contributions of money, services, use of facilities, or
13 personal property under this subsection would reflect
14 unfavorably upon the ability of the Office of Govern-
15 ment Ethics, or any employee of such Office, to
16 carry out its responsibilities or official duties in a
17 fair and objective manner, or would compromise the
18 integrity or the appearance of the integrity of its
19 programs or any official involved in those programs.

1 **“§ 13124. Rules and regulations**

2 “In promulgating rules and regulations pertaining to
3 financial disclosure, conflict of interest, and ethics in the
4 executive branch, the Director shall issue rules and regula-
5 tions in accordance with chapter 5 of this title. Any person
6 may seek judicial review of any such rule or regulation.

7 **“§ 13125. Authorization of appropriations**

8 “There are authorized to be appropriated to carry out
9 this subchapter such sums as may be necessary for fiscal
10 year 2007.

11 **“§ 13126. Reports to Congress**

12 “The Director shall, no later than April 30 of each
13 year in which the second session of a Congress begins,
14 submit to the Congress a report containing—

15 “(1) a summary of the actions taken by the Di-
16 rector during a 2-year period ending on December
17 31 of the preceding year in order to carry out the
18 Director’s functions and responsibilities under this
19 subchapter; and

20 “(2) such other information as the Director
21 may consider appropriate.

22 **“SUBCHAPTER III—LIMITATIONS ON OUTSIDE**
23 **EARNED INCOME AND EMPLOYMENT**

24 **“§ 13141. Definitions**

25 “In this subchapter:

1 “(1) CHARITABLE ORGANIZATION.—The term
2 ‘charitable organization’ means an organization de-
3 scribed in section 170(c) of the Internal Revenue
4 Code of 1986 (26 U.S.C. 170(c)).

5 “(2) HONORARIUM.—The term ‘honorarium’
6 means a payment of money or any thing of value for
7 an appearance, speech or article (including a series
8 of appearances, speeches, or articles if the subject
9 matter is directly related to the individual’s official
10 duties or the payment is made because of the indi-
11 vidual’s status with the Government) by a Member,
12 officer or employee, excluding any actual and nec-
13 essary travel expenses incurred by such individual
14 (and one relative) to the extent that such expenses
15 are paid or reimbursed by any other person, and the
16 amount otherwise determined shall be reduced by
17 the amount of any such expenses to the extent that
18 such expenses are not paid or reimbursed.

19 “(3) MEMBER.—The term ‘Member’ means a
20 Senator in, a Representative in, or a Delegate or
21 Resident Commissioner to, the Congress.

22 “(4) OFFICER OR EMPLOYEE.—The term ‘offi-
23 cer or employee’ means any officer or employee of
24 the Government except any special Government em-
25 ployee (as defined in section 202 of title 18).

1 “(5) TRAVEL EXPENSES.—The term ‘travel ex-
2 penses’ means, with respect to a Member, officer or
3 employee, or a relative of any such individual, the
4 cost of transportation, and the cost of lodging and
5 meals while away from his or her residence or prin-
6 cipal place of employment.

7 **“§ 13142. Administration**

8 “‘This subchapter shall be subject to the rules and
9 regulations of—

10 “(1) and administered by—

11 “(A) the Committee on Ethics of the
12 House of Representatives, with respect to Mem-
13 bers, officers, and employees of the House of
14 Representatives; and

15 “(B) in the case of Senators and legislative
16 branch officers and employees other than those
17 officers and employees specified in subpara-
18 graph (A), the committee to which reports filed
19 by such officers and employees under sub-
20 chapter I are transmitted under that sub-
21 chapter, except that the authority of this sec-
22 tion may be delegated by such committee with
23 respect to such officers and employees;

24 “(2) the Office of Government Ethics and ad-
25 ministered by designated agency ethics officials with

1 respect to officers and employees of the executive
2 branch; and

3 “(3) and administered by the Judicial Con-
4 ference of the United States (or such other agency
5 as it may designate) with respect to officers and em-
6 ployees of the judicial branch.

7 **“§ 13143. Outside earned income limitation**

8 “(a) OUTSIDE EARNED INCOME LIMITATION.—

9 “(1) IN GENERAL.—Except as provided by
10 paragraph (2), a Member or an officer or employee
11 who is a noncareer officer or employee and who oc-
12 cupies a position classified above GS–15 of the Gen-
13 eral Schedule or, in the case of positions not under
14 the General Schedule, for which the rate of basic
15 pay is equal to or greater than 120 percent of the
16 minimum rate of basic pay payable for GS–15 of the
17 General Schedule, may not in any calendar year
18 have outside earned income attributable to such cal-
19 endar year which exceeds 15 percent of the annual
20 rate of basic pay for level II of the Executive Sched-
21 ule under section 5313 of this title, as of January
22 1 of such calendar year.

23 “(2) PORTION OF YEAR.—In the case of any in-
24 dividual who during a calendar year becomes a
25 Member or an officer or employee who is a non-

1 career officer or employee and who occupies a posi-
2 tion classified above GS-15 of the General Schedule
3 or, in the case of positions not under the General
4 Schedule, for which the rate of basic pay is equal to
5 or greater than 120 percent of the minimum rate of
6 basic pay payable for GS-15 of the General Sched-
7 ule, such individual may not have outside earned in-
8 come attributable to the portion of that calendar
9 year which occurs after such individual becomes a
10 Member or such an officer or employee which ex-
11 ceeds 15 percent of the annual rate of basic pay for
12 level II of the Executive Schedule under section
13 5313 of this title, as of January 1 of such calendar
14 year multiplied by a fraction the numerator of which
15 is the number of days such individual is a Member
16 or such officer or employee during such calendar
17 year and the denominator of which is 365.

18 “(b) HONORARIA PROHIBITION.—An individual may
19 not receive any honorarium while that individual is a
20 Member, officer or employee.

21 “(c) TREATMENT OF CHARITABLE CONTRIBU-
22 TIONS.—Any honorarium which, except for subsection (b),
23 might be paid to a Member, officer or employee, but which
24 is paid instead on behalf of such Member, officer or em-
25 ployee to a charitable organization, shall be deemed not

1 to be received by such Member, officer or employee. No
2 such payment shall exceed \$2,000 or be made to a chari-
3 table organization from which such individual or a parent,
4 sibling, spouse, child, or dependent relative of such indi-
5 vidual derives any financial benefit.

6 **“§ 13144. Limitations on outside employment**

7 “(a) LIMITATIONS.—A Member or an officer or em-
8 ployee who is a noncareer officer or employee and who oc-
9 cupies a position classified above GS–15 of the General
10 Schedule or, in the case of positions not under the General
11 Schedule, for which the rate of basic pay is equal to or
12 greater than 120 percent of the minimum rate of basic
13 pay payable for GS–15 of the General Schedule shall
14 not—

15 “(1) receive compensation for affiliating with or
16 being employed by a firm, partnership, association,
17 corporation, or other entity which provides profes-
18 sional services involving a fiduciary relationship;

19 “(2) permit that Member’s, officer’s, or employ-
20 ee’s name to be used by any such firm, partnership,
21 association, corporation, or other entity;

22 “(3) receive compensation for practicing a pro-
23 fession which involves a fiduciary relationship;

1 “(4) serve for compensation as an officer or
2 member of the board of any association, corporation,
3 or other entity; or

4 “(5) receive compensation for teaching, without
5 the prior notification and approval of the appro-
6 priate entity referred to in section 13142 of this
7 title.

8 “(b) TEACHING COMPENSATION OF JUSTICES AND
9 JUDGES RETIRED FROM REGULAR ACTIVE SERVICE.—
10 For purposes of the limitation under section 13143(a) of
11 this title, any compensation for teaching approved under
12 subsection (a)(5) of this section shall not be treated as
13 outside earned income—

14 “(1) when received by a justice of the United
15 States retired from regular active service under sec-
16 tion 371(b) of title 28;

17 “(2) when received by a judge of the United
18 States retired from regular active service under sec-
19 tion 371(b) of title 28, for teaching performed dur-
20 ing any calendar year for which such judge has met
21 the requirements of subsection (e) of section 371 of
22 title 28, as certified in accordance with such sub-
23 section; or

1 “(3) when received by a justice or judge of the
2 United States retired from regular active service
3 under section 372(a) of title 28.

4 **“§ 13145. Civil penalties**

5 “(a) CIVIL ACTION.—The Attorney General may
6 bring a civil action in any appropriate United States dis-
7 trict court against any individual who violates any provi-
8 sion of section 13143 or 13144 of this title. The court
9 in which such action is brought may assess against such
10 individual a civil penalty of not more than \$10,000 or the
11 amount of compensation, if any, which the individual re-
12 ceived for the prohibited conduct, whichever is greater.

13 “(b) ADVISORY OPINIONS.—Any entity described in
14 section 13142 of this title may render advisory opinions
15 interpreting this subchapter, in writing, to individuals cov-
16 ered by this subchapter. Any individual to whom such an
17 advisory opinion is rendered and any other individual cov-
18 ered by this subchapter who is involved in a fact situation
19 which is indistinguishable in all material aspects, and who,
20 after the issuance of such advisory opinion, acts in good
21 faith in accordance with its provisions and findings shall
22 not, as a result of such actions, be subject to any sanction
23 under subsection (a).

1 **“§ 13146. Conditional termination**

2 “This subchapter shall cease to be effective if the pro-
3 visions of section 703 of the Ethics Reform Act of 1989
4 (Public Law 101–194, 5 U.S.C. 5318 note) are repealed.”.

5 **SEC. 4. TECHNICAL AMENDMENTS.**

6 (a) AMENDMENTS TO UPDATE REFERENCES TO
7 FEDERAL ADVISORY COMMITTEE ACT.—

8 (1) Section 204(b) (matter before paragraph
9 (1)) of the Unfunded Mandates Reform Act of 1995
10 (2 U.S.C. 1534(b) (matter before paragraph (1)) is
11 amended by striking “The Federal Advisory Com-
12 mittee Act (5 U.S.C. App.)” and inserting “Chapter
13 10 of title 5, United States Code,”.

14 (2) Section 3(8)(B)(vi) of the Lobbying Disclo-
15 sure Act of 1995 (2 U.S.C. 1602(8)(B)(vi)) is
16 amended by striking “the Federal Advisory Com-
17 mittee Act;” and inserting “chapter 10 of title 5,
18 United States Code;”.

19 (3) Section 411(c)(1)(B) of title 3, United
20 States Code, is amended by striking “section 3(2) of
21 the Federal Advisory Committee Act;” and inserting
22 “section 1001 of title 5;”.

23 (4) Section 2(6) of the Negotiated Rulemaking
24 Act of 1990 (Public Law 101–648, 5 U.S.C. 561
25 note) is amended by striking “the Federal Advisory

1 Committee Act (5 U.S.C. App.).” and inserting
2 “chapter 10 of title 5, United States Code.”.

3 (5) Section 562(7) of title 5, United States
4 Code, is amended by striking “the Federal Advisory
5 Committee Act” and inserting “chapter 10 of this
6 title”.

7 (6) Section 11(e)(1) of the Administrative Dis-
8 pute Resolution Act of 1996 (Public Law 104–320,
9 5 U.S.C. 563 note) is amended by striking “section
10 9 of the Federal Advisory Committee Act (5 U.S.C.
11 App.)” and inserting “section 1008 of title 5, United
12 States Code,”.

13 (7) Section 565(a)(1) of title 5, United States
14 Code, is amended by striking “the Federal Advisory
15 Committee Act” and inserting “chapter 10 of this
16 title”.

17 (8) Section 566 of title 5, United State Code,
18 is amended—

19 (A) in subsection (c), by striking “section
20 10(e) of the Federal Advisory Committee Act,”
21 and inserting “section 1009(e) of this title,”;

22 (B) in subsection (d)(3), by striking “sec-
23 tion 10(b) and (c) of the Federal Advisory
24 Committee Act,” and inserting “section
25 1009(b) and (c) of this title,”; and

1 (C) in subsection (g), by striking “section
2 10(b) and (c) of the Federal Advisory Com-
3 mittee Act.” and inserting “section 1009(b) and
4 (c) of this title.”.

5 (9) Section 568(c) (matter before paragraph
6 (1)) of title 5, United States Code, is amended by
7 striking “section 7(d) of the Federal Advisory Com-
8 mittee Act,” and inserting “section 1006(d) of this
9 title,”.

10 (10) Section 8473(f) of title 5, United States
11 Code, is amended by striking “Section 14(a)(2) of
12 the Federal Advisory Committee Act” and inserting
13 “Section 1013(a) of this title”.

14 (11) Section 606 of the Intelligence Authoriza-
15 tion Act for Fiscal Year 2003 (Public Law 107–306,
16 6 U.S.C. 101 note) is amended—

17 (A) in the section heading, by striking
18 “FEDERAL ADVISORY COMMITTEE ACT”
19 and inserting “CHAPTER 10 OF TITLE 5,
20 UNITED STATES CODE”; and

21 (B) in subsection (a), by striking “The
22 Federal Advisory Committee Act (5 U.S.C.
23 App.)” and inserting “Chapter 10 of title 5,
24 United States Code,”.

1 (12) Section 210D(h) of the Homeland Security
2 Act of 2002 (6 U.S.C. 124k(h)) is amended—

3 (A) in the subsection heading, by striking
4 “THE FEDERAL ADVISORY COMMITTEE ACT”
5 and inserting “CHAPTER 10 OF TITLE 5,
6 UNITED STATES CODE”; and

7 (B) in section text, by striking “The Fed-
8 eral Advisory Committee Act (5 U.S.C. App.)”
9 and inserting “Chapter 10 of title 5, United
10 States Code,”.

11 (13) Section 232(b)(2) of the Homeland Secu-
12 rity Act of 2002 (6 U.S.C. 162(b)(2)) is amended by
13 striking “the Federal Advisory Committee Act (5
14 U.S.C. App.)” and inserting “chapter 10 of title 5,
15 United States Code”.

16 (14) Section 311(i) of the Homeland Security
17 Act of 2002 (6 U.S.C. 191(i)) is amended—

18 (A) in the subsection heading, by striking
19 “FEDERAL ADVISORY COMMITTEE ACT EX-
20 EMPTION” and inserting “EXEMPTION FROM
21 CHAPTER 10 OF TITLE 5, UNITED STATES
22 CODE”; and

23 (B) in text, by striking “Section 14 of the
24 Federal Advisory Committee Act” and inserting
25 “Section 1013 of title 5, United States Code,”.

1 (15) Section 508(e) of the Homeland Security
2 Act of 2002 (6 U.S.C. 318(e)) is amended—

3 (A) in the subsection heading, by striking
4 “FEDERAL ADVISORY COMMITTEE ACT” and
5 inserting “CHAPTER 10 OF TITLE 5, UNITED
6 STATES CODE”;

7 (B) in paragraph (1), by striking “the
8 Federal Advisory Committee Act (5 U.S.C.
9 App.), including subsections (a), (b), and (d) of
10 section 10 of such Act,” and inserting “chapter
11 10 of title 5, United States Code, including sub-
12 sections (a), (b), and (d) of section 1009 of title
13 5, United States Code,”; and

14 (C) in paragraph (2), by striking “Section
15 14(a)(2) of the Federal Advisory Committee
16 Act (5 U.S.C. App.)” and inserting “Section
17 1013(a)(2) of title 5, United States Code,”.

18 (16) Section 871(a) of the Homeland Security
19 Act of 2002 (6 U.S.C. 451(a)) is amended by strik-
20 ing “Public Law 92–463,” and inserting “chapter
21 10 of title 5, United States Code,”.

22 (17) Section 1016(g)(4) of the National Secu-
23 rity Intelligence Reform Act of 2004 (6 U.S.C.
24 485(g)(4)) is amended—

1 (A) in the paragraph heading, by striking
2 “FEDERAL ADVISORY COMMITTEE ACT” and in-
3 serting “CHAPTER 10 OF TITLE 5, UNITED
4 STATES CODE”; and

5 (B) in text, by striking “the Federal Advi-
6 sory Committee Act (5 U.S.C. App.)” and in-
7 serting “chapter 10 of title 5, United States
8 Code.”.

9 (18) Section 2224(b) of the Homeland Security
10 Act of 2002 (6 U.S.C. 673(b)) is amended by strik-
11 ing “the Federal Advisory Committee Act (5 U.S.C.
12 App. 2).” and inserting “chapter 10 of title 5,
13 United States Code.”.

14 (19) Section 2(a)(15)(E) of the Commodity Ex-
15 change Act (7 U.S.C. 2(a)(15)(E)) is amended—

16 (A) in the subparagraph heading, by strik-
17 ing “FACA” and inserting “CHAPTER 10 OF
18 TITLE 5, UNITED STATES CODE”; and

19 (B) in text, by striking “the Federal Advi-
20 sory Committee Act (5 U.S.C. App.)” and in-
21 serting “chapter 10 of title 5, United States
22 Code.”.

23 (20) Section 21(b) of the United States Grain
24 Standards Act (7 U.S.C. 87j(b)) is amended by
25 striking “the Federal Advisory Committee Act (5

1 U.S.C. App. 2).” and inserting “chapter 10 of title
2 5, United States Code.”.

3 (21) Section 3(c)(11)(F) of the Federal Insecti-
4 cide, Fungicide, and Rodenticide Act (7 U.S.C.
5 136a(c)(11)(F)) is amended—

6 (A) in the subparagraph heading, by strik-
7 ing “FEDERAL ADVISORY COMMITTEE ACT” and
8 inserting “CHAPTER 10 OF TITLE 5, UNITED
9 STATES CODE”; and

10 (B) in text, by striking “The Federal Advi-
11 sory Committee Act (5 U.S.C. App.)” and in-
12 sserting “Chapter 10 of title 5, United States
13 Code,”.

14 (22) Section 5 of the Research Facilities Act (7
15 U.S.C. 390e) is amended—

16 (A) in the section heading, by striking
17 “FEDERAL ADVISORY COMMITTEE ACT”
18 and inserting “CHAPTER 10 OF TITLE 5,
19 UNITED STATES CODE”; and

20 (B) in text, by striking “The Federal Advi-
21 sory Committee Act (5 U.S.C. App.)” and in-
22 sserting “Chapter 10 of title 5, United States
23 Code,”.

24 (23) Section 3a(c)(2) of the Act of March 3,
25 1927 (7 U.S.C. 473a(c)(2)) is amended by striking

1 “The Federal Advisory Committee Act (5 U.S.C.
2 App.)” and inserting “Chapter 10 of title 5, United
3 States Code,”.

4 (24) Section 5 of the Act of August 23, 1935
5 (7 U.S.C. 511d) is amended by striking “the Fed-
6 eral Advisory Committee Act,” and inserting “chap-
7 ter 10 of title 5, United States Code,”.

8 (25) Section 2(b)(3)(B) of the Mandatory Price
9 Reporting Act of 2010 (Public Law 111–239, 7
10 U.S.C. 1635k note) is amended—

11 (A) in the subparagraph heading, by strik-
12 ing “FEDERAL ADVISORY COMMITTEE ACT” and
13 inserting “CHAPTER 10 OF TITLE 5, UNITED
14 STATES CODE”; and

15 (B) in text, by striking “the Federal Advi-
16 sory Committee Act (5 U.S.C. App.)” and in-
17 sserting “chapter 10 of title 5, United States
18 Code.”.

19 (26) Section 205(e) of the Agricultural Trade
20 Development and Assistance Act of 1954 (7 U.S.C.
21 1725(e)) is amended—

22 (A) in the subsection heading, by striking
23 “ADVISORY COMMITTEE ACT” and inserting
24 “CHAPTER 10 OF TITLE 5, UNITED STATES
25 CODE”; and

1 (B) in text, by striking “The Federal Advi-
2 sory Committee Act (5 U.S.C. App.)” and in-
3 sserting “Chapter 10 of title 5, United States
4 Code,”.

5 (27) Section 11(o)(1) of the Food and Nutri-
6 tion Act of 2008 (7 U.S.C. 2020(o)(1)) is amended
7 by striking “the Federal Advisory Committee Act,”
8 and inserting “chapter 10 of title 5, United States
9 Code,”.

10 (28) Section 607(b)(3) of the Rural Develop-
11 ment Act of 1972 (7 U.S.C. 2204b(b)(3)) is amend-
12 ed by striking “the Federal Advisory Committee
13 Act.” and inserting “chapter 10 of title 5, United
14 States Code.”.

15 (29) Section 921(g)(1) of the Federal Agri-
16 culture Improvement and Reform Act of 1996 (7
17 U.S.C. 2279b(g)(1)) is amended by striking “the
18 Federal Advisory Committee Act (5 U.S.C. App.);”
19 and inserting “chapter 10 of title 5, United States
20 Code;”.

21 (30) Section 1806(2) of the Food and Agri-
22 culture Act of 1977 (7 U.S.C. 2286(2)) is amended
23 by striking “the Federal Advisory Committee Act”
24 and inserting “chapter 10 of title 5, United States
25 Code,”.

1 (31) Section 1408(f) of the National Agricultural
2 Research, Extension, and Teaching Policy Act
3 of 1977 (7 U.S.C. 3123(f)) is amended—

4 (A) in the subsection heading, by striking
5 “FEDERAL ADVISORY COMMITTEE ACT” and
6 inserting “CHAPTER 10 OF TITLE 5, UNITED
7 STATES CODE”; and

8 (B) in text, by striking “section 9(c) of the
9 Federal Advisory Committee Act (5 U.S.C.
10 App.)” and inserting “section 1008(c) of title
11 5, United States Code.”.

12 (32) Section 1408A(a)(2)(E) of the National
13 Agricultural Research, Extension, and Teaching Pol-
14 icy Act of 1977 (7 U.S.C. 3123a(a)(2)(E)) is
15 amended—

16 (A) in the subparagraph heading, by strik-
17 ing “FEDERAL ADVISORY COMMITTEE ACT” and
18 inserting “CHAPTER 10 OF TITLE 5, UNITED
19 STATES CODE”; and

20 (B) in text, by striking “section 9(c) of the
21 Federal Advisory Committee Act (5 U.S.C.
22 App.)” and inserting “section 1008(c) of title 5,
23 United States Code,”.

1 (33) Section 1409A(e) of the National Agricultural
2 Research, Extension, and Teaching Policy Act
3 of 1977 (7 U.S.C. 3124a(e)) is amended—

4 (A) in the subsection heading, by striking
5 “FEDERAL ADVISORY COMMITTEE ACT” and
6 inserting “CHAPTER 10 OF TITLE 5, UNITED
7 STATES CODE”; and

8 (B) in paragraph (2), by striking “The
9 Federal Advisory Committee Act (5 U.S.C.
10 App.)” and inserting “Chapter 10 of title 5,
11 United States Code,”.

12 (34) Section 1413B of the National Agricultural
13 Research, Extension, and Teaching Policy Act
14 of 1977 (7 U.S.C. 3129a) is amended—

15 (A) in the section heading, by striking
16 “FEDERAL ADVISORY COMMITTEE ACT
17 EXEMPTION” and inserting “EXEMPTION
18 FROM CHAPTER 10 OF TITLE 5, UNITED
19 STATES CODE,”; and

20 (B) in text, by striking “The Federal Advi-
21 sory Committee Act (5 U.S.C. App.)” and in-
22 serting “Chapter 10 of title 5, United States
23 Code,”.

24 (35) Section 1417(k) of the National Agricultural
25 Research, Extension, and Teaching Policy Act

1 of 1977 (7 U.S.C. 3152(k)) is amended by striking
2 “The Federal Advisory Committee Act (5 U.S.C.
3 App. 2)” and inserting “Chapter 10 of title 5,
4 United States Code,”.

5 (36) Section 2(j) of Public Law 89–106 (7
6 U.S.C. 3157(j)) is amended by striking “The Fed-
7 eral Advisory Committee Act (5 U.S.C. App. 2)”
8 and inserting “Chapter 10 of title 5, United States
9 Code,”.

10 (37) Section 1434(f) of the National Agricul-
11 tural Research, Extension, and Teaching Policy Act
12 of 1977 (7 U.S.C. 3196(f)) is amended—

13 (A) in the subsection heading, by striking
14 “FEDERAL ADVISORY COMMITTEE ACT” and
15 inserting “CHAPTER 10 OF TITLE 5, UNITED
16 STATES CODE”; and

17 (B) in text, by striking “The Federal Advi-
18 sory Committee Act (5 U.S.C. App.)” and in-
19 serting “Chapter 10 of title 5, United States
20 Code,”.

21 (38) Section 1634(l) of the Food, Agriculture,
22 Conservation, and Trade Act of 1990 (7 U.S.C.
23 5843(l)) is amended—

24 (A) in the subsection heading, by striking
25 “ADVISORY COMMITTEE ACT” and inserting

1 “CHAPTER 10 OF TITLE 5, UNITED STATES
2 CODE”; and

3 (B) in text, by striking “Section 14(a) of
4 the Federal Advisory Committee Act (5 U.S.C.
5 App.)” and inserting “Section 1013(a) of title
6 5, United States Code,”.

7 (39) Section 2119(a) of the Food, Agriculture,
8 Conservation, and Trade Act of 1990 (7 U.S.C.
9 6518(a)) is amended by striking “(in accordance
10 with the Federal Advisory Committee Act (5 U.S.C.
11 App. 2 et seq.)) (hereafter referred to in this section
12 as the ‘Board’)” and inserting “(hereafter referred
13 to in this section as the ‘Board’) in accordance with
14 chapter 10 of title 5, United States Code,”.

15 (40) Section 420(b)(3) of the Plant Protection
16 Act (7 U.S.C. 7721(b)(3)) is amended—

17 (A) in the paragraph heading, by striking
18 “FEDERAL ADVISORY COMMITTEE ACT” and in-
19 serting “CHAPTER 10 OF TITLE 5, UNITED
20 STATES CODE”; and

21 (B) in text, by striking “The Federal Advi-
22 sory Committee Act (5 U.S.C. App.)” and in-
23 serting “Chapter 10 of title 5, United States
24 Code,”.

1 (41) Section 1308(c)(5) of the Farm Security
2 and Rural Investment Act of 2002 (7 U.S.C.
3 7958(c)(5)) is amended—

4 (A) in the paragraph heading, by striking
5 “FEDERAL ADVISORY COMMITTEE ACT” and in-
6 serting “CHAPTER 10 OF TITLE 5, UNITED
7 STATES CODE”; and

8 (B) in text, by striking “The Federal Advi-
9 sory Committee Act (5 U.S.C. App.)” and in-
10 serting “Chapter 10 of title 5, United States
11 Code,”.

12 (42) Section 1210(d)(3)(B) of the Food, Con-
13 servation, and Energy Act of 2008 (7 U.S.C.
14 8740(d)(3)(B)) is amended—

15 (A) in the subparagraph heading, by strik-
16 ing “FEDERAL ADVISORY COMMITTEE ACT” and
17 inserting “CHAPTER 10 OF TITLE 5, UNITED
18 STATES CODE”; and

19 (B) in text, by striking “The Federal Advi-
20 sory Committee Act (5 U.S.C. App.)” and in-
21 serting “Chapter 10 of title 5, United States
22 Code,”.

23 (43) Section 1210(d)(3)(B) of the Agricultural
24 Act of 2014 (7 U.S.C. 9040(d)(3)(B)) is amended—

1 (A) in the subparagraph heading, by strik-
2 ing “FEDERAL ADVISORY COMMITTEE ACT” and
3 inserting “CHAPTER 10 OF TITLE 5, UNITED
4 STATES CODE”; and

5 (B) in text, by striking “The Federal Advi-
6 sory Committee Act (5 U.S.C. App.)” and in-
7 serting “Chapter 10 of title 5, United States
8 Code,”.

9 (44) Section 286(k) of the Immigration and
10 Nationality Act (8 U.S.C. 1356(k)) is amended by
11 striking “the Federal Advisory Committee Act,” and
12 inserting “chapter 10 of title 5, United States
13 Code,”.

14 (45) Section 343(e)(9) of title 10, United
15 States Code, is amended by striking “The Federal
16 Advisory Committee Act (5 U.S.C. App.), other than
17 section 14”and inserting “Chapter 10 of title 5,
18 other than section 1013 of title 5”.

19 (46) Section 946(j) of title 10, United States
20 Code, is amended—

21 (A) in the subsection heading, by striking
22 “FEDERAL ADVISORY COMMITTEE ACT” and
23 inserting “CHAPTER 10 OF TITLE 5”; and

1 (B) in text, by striking “The Federal Advi-
2 sory Committee Act (5 U.S.C. App.)” and in-
3 serting “Chapter 10 of title 5”.

4 (47) Section 723(d)(6) of the National Defense
5 Authorization Act for Fiscal Year 2000 (Public Law
6 106–65, 10 U.S.C. 1071 note) is amended by strik-
7 ing “The Federal Advisory Committee Act (5 U.S.C.
8 App.)” and inserting “Chapter 10 of title 5, United
9 States Code,”.

10 (48) Section 722(e) of the National Defense
11 Authorization Act for Fiscal Year 1993 (Public Law
12 102–484, 10 U.S.C. 1073 note) is amended—

13 (A) in the subsection heading, by striking
14 “ADVISORY COMMITTEE ACT” and inserting
15 “CHAPTER 10 OF TITLE 5, UNITED STATES
16 CODE”; and

17 (B) in text, by striking “the Federal Advi-
18 sory Committee Act (5 U.S.C. App.)” and in-
19 serting “chapter 10 of title 5, United States
20 Code,”.

21 (49) Section 718(g)(2) of the Ronald W.
22 Reagan National Defense Authorization Act for Fis-
23 cal Year 2005 (Public Law 108–375, 10 U.S.C.
24 1092 note) is amended by striking “The Federal Ad-

1 visory Committee Act (5 U.S.C. App.)” and insert-
2 ing “Chapter 10 of title 5, United States Code,”.

3 (50) Section 1783 of title 10, United States
4 Code, is amended by striking “section 3(2) of the
5 Federal Advisory Committee Act (5 U.S.C. App.)”
6 and inserting “section 1001(2) of title 5”.

7 (51) Section 2012(h)(3) of title 10, United
8 States Code, is amended by striking “The Federal
9 Advisory Committee Act (5 U.S.C. App.)” and in-
10 serting “Chapter 10 of title 5”.

11 (52) Section 2164(d)(6) of title 10, United
12 States Code, is amended by striking “the Federal
13 Advisory Committee Act (5 U.S.C. App.), but may
14 close meetings in accordance with such Act.” and in-
15 serting “chapter 10 of title 5, but may close meet-
16 ings in accordance with chapter 10 of title 5.”.

17 (53) Section 2705(d)(2)(C) of title 10, United
18 States Code, is amended by striking “The Federal
19 Advisory Committee Act (5 U.S.C. App.)” and in-
20 serting “Chapter 10 of title 5”.

21 (54) Section 202(b) of the National Housing
22 Act (12 U.S.C. 1708(b)) is amended—

23 (A) in the matter before paragraph (1), by
24 striking “the Federal Advisory Committee Act.”

1 and inserting “chapter 10 of title 5, United
2 States Code.”; and

3 (B) in paragraph (10), by striking “Sec-
4 tion 7 of the Federal Advisory Committee Act,”
5 and inserting “section 1006 of title 5, United
6 States Code,”.

7 (55) Section 1205(f) of the Financial Institu-
8 tions Reform, Recovery, and Enforcement Act of
9 1989 (Public Law 101–73, 12 U.S.C. 1818 note) is
10 amended—

11 (A) in the subsection heading, by striking
12 “FEDERAL ADVISORY COMMITTEE ACT” and
13 inserting “CHAPTER 10 OF TITLE 5, UNITED
14 STATES CODE,”; and

15 (B) in text, by striking “The Federal Advi-
16 sory Committee Act” and inserting “Chapter
17 10 of title 5, United States Code,”.

18 (56) Section 5.12 of the Farm Credit Act of
19 1971 (12 U.S.C. 2246) is amended by striking “the
20 Federal Advisory Committee Act” and inserting
21 “chapter 10 of title 5, United States Code,”.

22 (57) Section 104(d) of the Community Develop-
23 ment Banking and Financial Institutions Act of
24 1994 (12 U.S.C. 4703(d)) is amended—

1 (A) in paragraph (1), by striking “the
2 Federal Advisory Committee Act, except that
3 section 14 of that Act” and inserting “chapter
4 10 of title 5, United States Code, except that
5 section 1013 of title 5, United States Code,”;
6 and

7 (B) in paragraph (7), by striking “the
8 Federal Advisory Committee Act.” and insert-
9 ing “chapter 10 of title 5, United States
10 Code.”.

11 (58) Section 111(g) of the Financial Stability
12 Act of 2010 (12 U.S.C. 5321(g)) is amended—

13 (A) in the subsection heading, by striking
14 “FACA” and inserting “CHAPTER 10 OF TITLE
15 5, UNITED STATES CODE”; and

16 (B) in text, by striking “The Federal Advi-
17 sory Committee Act (5 U.S.C. App.)” and in-
18 sserting “Chapter 10 of title 5, United States
19 Code,”.

20 (59) Section 1013(h) of the Consumer Finan-
21 cial Protection Act of 2010 (12 U.S.C. 5493(h)) is
22 amended—

23 (A) in the subsection heading, by striking
24 “FACA” and inserting “CHAPTER 10 OF TITLE
25 5, UNITED STATES CODE”; and

1 (B) in text, by striking “the Federal Advi-
2 sory Committee Act (5 U.S.C. App.), such Act”
3 and inserting “chapter 10 of title 5, United
4 States Code, such chapter”.

5 (60) Section 2925(a)(3) of title 14, United
6 States Code, is amended—

7 (A) in the paragraph heading, by striking
8 “FACA” and inserting “CHAPTER 10 OF TITLE
9 5”; and

10 (B) in text, by striking “The Federal Advi-
11 sory Committee Act (5 U.S.C. App.)” and in-
12 sserting “Chapter 10 of title 5”.

13 (61) Section 2944 of title 14, United States
14 Code, is amended by striking “the Federal Advisory
15 Committee Act (5 U.S.C. App.)” and inserting
16 “chapter 10 of title 5”.

17 (62) Section 11A(a)(3)(A) of the Securities Ex-
18 change Act of 1934 (15 U.S.C. 78k-1(a)(3)(A)) is
19 amended by striking “the Federal Advisory Com-
20 mittee Act (which shall be in addition to the Na-
21 tional Market Advisory Board established pursuant
22 to subsection (d) of this section)” and inserting
23 “chapter 10 of title 5, United States Code (which
24 shall be in addition to the National Market Advisory

1 Board established pursuant to subsection (d) of this
2 section),”.

3 (63) Section 17A(f)(4) of the Securities Ex-
4 change Act of 1934 (15 U.S.C. 78q-1(f)(4)) is
5 amended—

6 (A) in subparagraph (A), by striking “the
7 Federal Advisory Committee Act (5 U.S.C.
8 App.)” and inserting “chapter 10 of title 5,
9 United States Code.”;

10 (B) in subparagraph (B)(i), by striking
11 “the Federal Advisory Committee Act;” and in-
12 serting “chapter 10 of title 5, United States
13 Code;”; and

14 (C) in subparagraph (C), by striking “the
15 Federal Advisory Committee Act.” and insert-
16 ing “chapter 10 of title 5, United States
17 Code.”.

18 (64) Section 39(i) of the Securities Exchange
19 Act of 1934 (15 U.S.C. 78pp(i)) is amended—

20 (A) in the subsection heading, by striking
21 “FEDERAL ADVISORY COMMITTEE ACT” and
22 inserting “CHAPTER 10 OF TITLE 5, UNITED
23 STATES CODE”; and

24 (B) in text, by striking “The Federal Advi-
25 sory Committee Act (5 U.S.C. App.)” and in-

1 serting “Chapter 10 of title 5, United States
2 Code,”.

3 (65) Section 25(m)(4) of the National Institute
4 of Standards and Technology Act (15 U.S.C.
5 278k(m)(4)) is amended—

6 (A) in the paragraph heading, by striking
7 “FACA APPLICABILITY” and inserting “APPLI-
8 CABILITY OF CHAPTER 10 OF TITLE 5, UNITED
9 STATES CODE,”;

10 (B) in subparagraph (A), by striking “the
11 Federal Advisory Committee Act (5 U.S.C.
12 App.).” and inserting “chapter 10 of title 5,
13 United States Code.”; and

14 (C) in subparagraph (B), by striking “Sec-
15 tion 14 of the Federal Advisory Committee
16 Act” and inserting “Section 1013 of title 5,
17 United States Code,”.

18 (66) Section 7(b) of the Small Business Com-
19 puter Security and Education Act of 1984 (Public
20 Law 98–362, 15 U.S.C. 633 note) is amended by
21 striking “the Federal Advisory Committee Act.” and
22 inserting “chapter 10 of title 5, United States
23 Code.”.

24 (67) Section 31(b)(2)(D) of the Consumer
25 Product Safety Act (15 U.S.C. 2080(b)(2)(D)) is

1 amended by striking “The Federal Advisory Com-
2 mittee Act” and inserting “Chapter 10 of title 5,
3 United States Code,”.

4 (68) Section 33 of the Federal Fire Prevention
5 and Control Act of 1974 (15 U.S.C. 2229) is
6 amended—

7 (A) in subsection (f)(2) —

8 (i) in the paragraph heading, by strik-
9 ing “FEDERAL ADVISORY COMMITTEE ACT”
10 and inserting “CHAPTER 10 OF TITLE 5,
11 UNITED STATES CODE”; and

12 (ii) in text, by striking “The Federal
13 Advisory Committee Act (5 U.S.C. App.)”
14 and inserting “Chapter 10 of title 5,
15 United States Code,”;

16 (B) in subsection (l)(3)—

17 (i) in the paragraph heading, by strik-
18 ing “FEDERAL ADVISORY COMMITTEE ACT”
19 and inserting “CHAPTER 10 OF TITLE 5,
20 UNITED STATES CODE”; and

21 (ii) in text, by striking “The Federal
22 Advisory Committee Act (5 U.S.C. App.)”
23 and inserting “Chapter 10 of title 5,
24 United States Code,”.

1 (69) Section 26(b)(4)(E) of the Toxic Sub-
2 stances Control Act (15 U.S.C. 2625(b)(4)(E)) is
3 amended by striking “the Federal Advisory Com-
4 mittee Act (5 U.S.C. App.)” and inserting “chapter
5 10 of title 5, United States Code,”.

6 (70) Section 604(a)(3)(B)(iii) of the America
7 COMPETES Reauthorization Act of 2010 (Public
8 Law 111–358, 15 U.S.C. 3701 note) is amended—

9 (A) in the clause heading, by striking
10 “FACA” and inserting “CHAPTER 10 OF TITLE 5,
11 UNITED STATES CODE”; and

12 (B) in text, by striking “The Federal Advi-
13 sory Committee Act (5 U.S.C. App.)” and in-
14 serting “Chapter 10 of title 5, United States
15 Code,”.

16 (71) Section 24(k)(4) of the Stevenson-Wydler
17 Technology Innovation Act of 1980 (15 U.S.C.
18 3719(k)(4)) is amended—

19 (A) in the paragraph heading, by striking
20 “FACA” and inserting “CHAPTER 10 OF TITLE 5,
21 UNITED STATES CODE”; and

22 (B) in text, by striking “The Federal Advi-
23 sory Committee Act (5 U.S.C. App.)” and in-
24 serting “Chapter 10 of title 5, United States
25 Code,”.

1 (72) Section 273(i) of the National Defense Au-
2 thorization Act for Fiscal Years 1988 and 1989 (15
3 U.S.C. 4603(i)) is amended—

4 (A) in the subsection heading, by striking
5 “FEDERAL ADVISORY COMMITTEE ACT” and
6 inserting “CHAPTER 10 OF TITLE 5, UNITED
7 STATES CODE”; and

8 (B) in text, by striking “Section 14 of the
9 Federal Advisory Committee Act (5 U.S.C.
10 App. 2)” and inserting “Section 1013 of title 5,
11 United States Code,”.

12 (73) Section 5203 of the Competitiveness Policy
13 Council Act (15 U.S.C. 4802) is amended by strik-
14 ing “the Federal Advisory Committee Act (5 U.S.C.
15 App.).” and inserting “chapter 10 of title 5, United
16 States Code.”.

17 (74) Section 5207 of the Competitiveness Policy
18 Council Act (15 U.S.C. 4806) is amended—

19 (A) in subsection (g)(6), by striking “the
20 Federal Advisory Committee Act,” and insert-
21 ing “chapter 10 of title 5, United States
22 Code,”; and

23 (B) in subsection (h)—

24 (i) in the subsection heading, by strik-
25 ing “ADVISORY COMMITTEE ACT” and in-

1 serting “CHAPTER 10 OF TITLE 5,
2 UNITED STATES CODE”; and

3 (ii) in text, by striking “subsections
4 (e) and (f) of section 10, of the Federal
5 Advisory Committee Act” and inserting
6 “subsections (e) and (f) of section 1009 of
7 title 5, United States Code,”.

8 (75) Section 101(b)(3) of the High-Perform-
9 ance Computing Act of 1991 (15 U.S.C. 5511(b)(3))
10 is amended by striking “Section 14 of the Federal
11 Advisory Committee Act” and inserting “Section
12 1013 of title 5, United States Code,”.

13 (76) Section 214(c) of the Protecting Children
14 in the 21st Century Act (15 U.S.C. 6554(e)) is
15 amended—

16 (A) in the subsection heading, by striking
17 “FACA” and inserting “CHAPTER 10 OF TITLE
18 5, UNITED STATES CODE,”; and

19 (B) in text, by striking “The Federal Advi-
20 sory Committee Act (5 U.S.C. App.)” and in-
21 serting “Chapter 10 of title 5, United States
22 Code,”.

23 (77) Section 11(c) of the National Construction
24 Safety Team Act (15 U.S.C. 7310(c)) is amended by
25 striking “Section 14 of the Federal Advisory Com-

1 mittee Act” and inserting “Section 1013 of title 5,
2 United States Code,”.

3 (78) Section 4(f) of the 21st Century Nanotech-
4 nology Research and Development Act (15 U.S.C.
5 7503(f)) is amended by striking “Section 14 of the
6 Federal Advisory Committee Act” and inserting
7 “Section 1013 of title 5, United States Code,”.

8 (79) Section 5 of the San Francisco Maritime
9 National Historical Park Act of 1988 (16 U.S.C.
10 410nn–3) is amended—

11 (A) in subsection (d), by striking “the
12 Federal Advisory Committee Act,” and insert-
13 ing “chapter 10 of title 5, United States
14 Code,”; and

15 (B) in subsection (e), by striking “section
16 14(b) of the Federal Advisory Committee Act
17 (Act of October 6, 1972; 86 Stat. 776),” and
18 inserting “section 1013(b) of title 5, United
19 States Code,”.

20 (80) Section 6(e) of Public Law 100–479 (16
21 U.S.C. 410oo–5(e)) is amended by striking “section
22 14(b) of the Federal Advisory Committee Act (Act
23 of October 6, 1972; 86 Stat. 776),” and inserting
24 “section 1013(b) of title 5, United States Code,”.

1 (81) Section 3(g)(4) of Public Law 100–571
2 (16 U.S.C. 410qq–2(g)(4)) is amended by striking
3 “section 14(b) of the Federal Advisory Committee
4 Act (Act of October 6, 1972; 86 Stat. 776),” and in-
5 serting “section 1013(b) of title 5, United States
6 Code,”.

7 (82) Section 106(h) of the Omnibus Insular
8 Areas Act of 1992 (16 U.S.C. 410tt–4(h)) is amend-
9 ed—

10 (A) in the subsection heading, by striking
11 “FEDERAL ADVISORY COMMITTEE ACT” and
12 inserting “CHAPTER 10 OF TITLE 5, UNITED
13 STATES CODE”; and

14 (B) in text, by striking “section 14(b) of
15 the Federal Advisory Committee Act, and ex-
16 cept as otherwise provided in this title, the pro-
17 visions of the Federal Advisory Committee Act
18 (5 U.S.C. App.)” and inserting “section
19 1013(b) of title 5, United States Code, and ex-
20 cept as otherwise provided in this title, the pro-
21 visions of chapter 10 of title 5, United States
22 Code,”.

23 (83) Section 201(i) of the Dayton Aviation
24 Heritage Preservation Act of 1992 (16 U.S.C.
25 410ww–21(i)) is amended—

1 (A) in the subsection heading, by striking
2 “FACA” and inserting “CHAPTER 10 OF TITLE
3 5, UNITED STATES CODE”; and

4 (B) in text, by striking “Section 14(b) of
5 the Federal Advisory Committee Act (5 U.S.C.
6 App.)” and inserting “Section 1013(b) of title
7 5, United States Code,”.

8 (84) Section 307(c) of the California Desert
9 Protection Act of 1994 (16 U.S.C. 410aaa–6(c)) is
10 amended by striking “The Federal Advisory Com-
11 mittee Act” and inserting “Chapter 10 of title 5,
12 United States Code,”.

13 (85) Section 407(c) of the California Desert
14 Protection Act of 1994 (16 U.S.C. 410aaa–27(c)) is
15 amended by striking “The Federal Advisory Com-
16 mittee Act” and inserting “Chapter 10 of title 5,
17 United States Code,”.

18 (86) Section 518(c) of the California Desert
19 Protection Act of 1994 (16 U.S.C. 410aaa–58(c)) is
20 amended by striking “The Federal Advisory Com-
21 mittee Act” and inserting “Chapter 10 of title 5,
22 United States Code,”.

23 (87) Section 10(d) of the Great Sand Dunes
24 National Park and Preserve Act of 2000 (16 U.S.C.
25 410hhh–8(d)) is amended by striking “the Federal

1 Advisory Committee Act (5 U.S.C. App.)” and in-
2 serting “chapter 10 of title 5, United States Code,”.

3 (88) Section 7001(e)(9) of the Omnibus Public
4 Land Management Act of 2009 (16 U.S.C.
5 410lll(e)(9)) is amended—

6 (A) in the paragraph heading, by striking
7 “FACA NONAPPLICABILITY” and inserting
8 “NONAPPLICABILITY OF CHAPTER 10 OF TITLE
9 5, UNITED STATES CODE”; and

10 (B) in text, by striking “Section 14(b) of
11 the Federal Advisory Committee Act (5 U.S.C.
12 App.)” and inserting “Section 1013(b) of title
13 5, United States Code,”.

14 (89) Section 3032(k)(9) of the Military Con-
15 struction Authorization Act for Fiscal Year 2015
16 (16 U.S.C. 410qqq(k)(9)) is amended—

17 (A) in the paragraph heading, by striking
18 “FACA NONAPPLICABILITY” and inserting
19 “NONAPPLICABILITY OF CHAPTER 10 OF TITLE
20 5, UNITED STATES CODE”; and

21 (B) in text, by striking “Section 14(b) of
22 the Federal Advisory Committee Act (5 U.S.C.
23 App.)” and inserting “Section 1013(b) of title
24 5, United States Code,”.

1 (90) Section 5(e) of Public Law 101–377 (16
2 U.S.C. 430g–8(e)) is amended by striking “section
3 14 of the Federal Advisory Committee Act (5 U.S.C.
4 App.)” and inserting “section 1013 of title 5, United
5 States Code,”.

6 (91) Section 14 of the Winding Stair Mountain
7 National Recreation and Wilderness Area Act (16
8 U.S.C. 460vv–12) is amended by striking “the Fed-
9 eral Advisory Committee Act (Public Law 92–463),”
10 and inserting “chapter 10 of title 5, United States
11 Code,”.

12 (92) Section 206(e) of the West Virginia Na-
13 tional Interest River Conservation Act of 1987 (16
14 U.S.C. 460ww–5(e)) is amended by striking “the
15 Federal Advisory Committee Act (Act of October 6,
16 1972; 86 Stat. 776). The provisions of section 14(b)
17 of such Act (relating to the charter of the Com-
18 mittee)” and inserting “chapter 10 of title 5, United
19 States Code. The provisions of section 1013(b) of
20 title 5, United States Code (relating to the charter
21 of the Committee),”.

22 (93) Section 1029(g)(4) of the Omnibus Parks
23 and Public Lands Management Act of 1996 (16
24 U.S.C. 460kkk(g)(4)) is amended—

1 (A) in the paragraph heading, by striking
2 “FACA” and inserting “CHAPTER 10 OF TITLE
3 5, UNITED STATES CODE”; and

4 (B) in text, by striking “section 14 of the
5 Federal Advisory Committee Act (5 U.S.C.
6 App.),” and inserting “section 1013 of title 5,
7 United States Code,”.

8 (94) Section 522(h) of the Land Between the
9 Lakes Protection Act of 1998 (16 U.S.C. 460lll–
10 22(h)) is amended by striking “Section 14(a)(2) of
11 the Federal Advisory Committee Act (5 U.S.C.
12 App.)” and inserting “Section 1013(a) of title 5,
13 United States Code,”.

14 (95) Section 8(c)(1) of the McInnis Canyons
15 National Conservation Area and Black Ridge Can-
16 yons Wilderness Act of 2000 (16 U.S.C. 460mmm–
17 6(c)(1)) is amended by striking “the Federal Advi-
18 sory Committee Act (5 U.S.C. App.);” and inserting
19 “chapter 10 of title 5, United States Code;”.

20 (96) Section 131(h) of the Steens Mountain Co-
21 operative Management and Protection Act of 2000
22 (16 U.S.C. 460nnn–51(h)) is amended by striking
23 “the Federal Advisory Committee Act (5 U.S.C.
24 App.).” and inserting “chapter 10 of title 5, United
25 States Code.”.

1 (97) Section 2407(c)(1) of the Omnibus Public
2 Land Management Act of 2009 (16 U.S.C. 460zzz–
3 6(c)(1)) is amended by striking “the Federal Advi-
4 sory Committee Act (5 U.S.C. App.);” and inserting
5 “chapter 10 of title 5, United States Code;”.

6 (98) Section 8(a) of Public Law 93–535 (16
7 U.S.C. 541g(a)) is amended by striking “the Fed-
8 eral Advisory Committee Act (86 Stat. 770),” and
9 inserting “chapter 10 of title 5, United States
10 Code,”.

11 (99) Section 4(o) of the National Wildlife Ref-
12 uge System Administration Act of 1966 (16 U.S.C.
13 668dd(o)) is amended by striking “the Federal Advi-
14 sory Committee Act (5 U.S.C. App.).” and inserting
15 “chapter 10 of title 5, United States Code.”.

16 (100) Section 1(a)(2) [title IX, §902(f)] of
17 Public Law 106–553 (16 U.S.C. 669 note) is
18 amended—

19 (A) in the subsection heading, by striking
20 “FACA” and inserting “INAPPLICABILITY OF
21 CHAPTER 10 OF TITLE 5, UNITED STATES
22 CODE”; and

23 (B) in text, by striking “the Federal Advi-
24 sory Committee Act (5 U.S.C. App.).” and in-

1 serting “chapter 10 of title 5, United States
2 Code.”.

3 (101) Section 11(e) of the Pittman-Robertson
4 Wildlife Restoration Act (16 U.S.C. 669h–2(e)) is
5 amended—

6 (A) in the subsection heading, by striking
7 “FEDERAL ADVISORY COMMITTEE ACT” and
8 inserting “CHAPTER 10 OF TITLE 5, UNITED
9 STATS CODE”; and

10 (B) in text, by striking “The Federal Advi-
11 sory Committee Act (5 U.S.C. App.)” and in-
12 serting “Chapter 10 of title 5, United States
13 Code,”.

14 (102) Section 1007 of the Omnibus Parks and
15 Public Lands Management Act of 1996 (16 U.S.C.
16 698u–5) is amended—

17 (A) in subsection (f), by striking “the Fed-
18 eral Advisory Committee Act (5 U.S.C. App.),”
19 and inserting “chapter 10 of title 5, United
20 States Code,”; and

21 (B) in subsection (i), by striking “section
22 14(b) of the Federal Advisory Committee Act
23 (15 U.S.C. App.)” and inserting “section
24 1013(b) of title 5, United States Code,”.

1 (103) Section 14(f) of the Dingell-Johnson
2 Sport Fish Restoration Act (16 U.S.C. 777m(f)) is
3 amended—

4 (A) in the subsection heading, by striking
5 “FEDERAL ADVISORY COMMITTEE ACT” and
6 inserting “CHAPTER 10 OF TITLE 5, UNITED
7 STATES CODE”; and

8 (B) in text, by striking “The Federal Advi-
9 sory Committee Act (5 U.S.C. App.)” and in-
10 sserting “Chapter 10 of title 5, United States
11 Code,”.

12 (104) Section 4(h)(10)(D)(iii) of the Pacific
13 Northwest Electric Power Planning and Conserva-
14 tion Act (16 U.S.C. 839b(h)(10)(D)(iii)), as added
15 to the “Northwest Power Planning and Conservation
16 Act” (meaning the Pacific Northwest Electric Power
17 Planning and Conservation Act), is amended by
18 striking “the Federal Advisory Committee Act.” and
19 inserting “chapter 10 of title 5, United States
20 Code.”.

21 (105) Section 4(a)(1)(E) of the Tuna Conven-
22 tions Act of 1950 (16 U.S.C. 953(a)(1)(E)) is
23 amended by striking “the Federal Advisory Com-
24 mittee Act (5 U.S.C. App.)” and inserting “chapter
25 10 of title 5, United States Code.”.

1 (106) Section 4(b)(6) of the Atlantic Tunas
2 Convention Act of 1975 (16 U.S.C. 971b(b)(6)) is
3 amended by striking “the Federal Advisory Com-
4 mittee Act (5 U.S.C. App.)” and inserting “chapter
5 10 of title 5, United States Code.”.

6 (107) Section 3(a)(67)(B)(vii) of the Wild and
7 Scenic Rivers Act (16 U.S.C. 1274(a)(67)(B)(vii)) is
8 amended by striking “section 14(b) of the Federal
9 Advisory Committee Act (Act of October 6, 1972; 86
10 Stat. 776),” and inserting “section 1013(b) of title
11 5, United States Code,”.

12 (108) Section 117(d)(2) of the Marine Mammal
13 Protection Act of 1972 (16 U.S.C. 1386(d)(2)) is
14 amended by striking “the Federal Advisory Com-
15 mittee Act (5 App. U.S.C.)” and inserting “chapter
16 10 of title 5, United States Code.”.

17 (109) Section 118(f)(6)(D) of the Marine Mam-
18 mal Protection Act of 1972 (16 U.S.C.
19 1387(f)(6)(D)) is amended by striking “the Federal
20 Advisory Committee Act (5 App. U.S.C.)” and in-
21 serting “chapter 10 of title 5, United States Code.”.

22 (110) Section 120(i)(1)(B) of the Marine Mam-
23 mal Protection Act of 1972 (16 U.S.C.
24 1389(i)(1)(B)) is amended by striking “the Federal

1 Advisory Committee Act (5 App. U.S.C.)” and in-
2 serting “chapter 10 of title 5, United States Code.”.

3 (111) Section 404(a)(1)(B) of the Marine
4 Mammal Protection Act of 1972 (16 U.S.C.
5 1421c(a)(1)(B)) is amended by striking “The Fed-
6 eral Advisory Committee Act (5 App. U.S.C.)” and
7 inserting “Chapter 10 of title 5, United States
8 Code,”.

9 (112) Section 315(a) of the National Marine
10 Sanctuaries Act (16 U.S.C. 1445a(a)) is amended
11 by striking “the Federal Advisory Committee Act.”
12 and inserting “chapter 10 of title 5, United States
13 Code.”.

14 (113) Section 4(f)(2) of the Endangered Spe-
15 cies Act of 1973 (16 U.S.C. 1533(f)(2)) is amended
16 by striking “the Federal Advisory Committee Act.”
17 and inserting “chapter 10 of title 5, United States
18 Code.”.

19 (114) Section 14(b) of the Forest and Range-
20 land Renewable Resources Planning Act of 1974 (16
21 U.S.C. 1612(b)) is amended by striking “the Fed-
22 eral Advisory Committee Act (86 Stat. 770)” and
23 inserting “chapter 10 of title 5, United States
24 Code,”.

1 (115) Section 5(d) of Public Law 100–629 (16
2 U.S.C. 1823 note) is amended—

3 (A) in the subsection heading, by striking
4 “FEDERAL ADVISORY COMMITTEE ACT” and
5 inserting “CHAPTER 10 OF TITLE 5, UNITED
6 STATES CODE”; and

7 (B) in text, by striking “The Federal Advi-
8 sory Committee Act (5 U.S.C. App. 1 et seq.)”
9 and inserting “Chapter 10 of title 5, United
10 States Code,”.

11 (116) Section 302(i)(1) of the Magnuson-Ste-
12 vens Fishery Conservation and Management Act (16
13 U.S.C. 1852(i)(1)) is amended by striking “The
14 Federal Advisory Committee Act (5 U.S.C. App. 1)”
15 and inserting “Chapter 10 of title 5, United States
16 Code,”.

17 (117) Section 303(d) of the Atlantic Salmon
18 Convention Act of 1982 (16 U.S.C. 3602(d)) is
19 amended by striking “The Federal Advisory Com-
20 mittee Act (5 U.S.C. App. 1 et seq.)” and inserting
21 “Chapter 10 of title 5, United States Code,”.

22 (118) Section 3(i) of the Pacific Salmon Treaty
23 Act of 1985 (16 U.S.C. 3632(i)) is amended by
24 striking “The Federal Advisory Committee Act (5

1 U.S.C. App. 1 et seq.)” and inserting “Chapter 10
2 of title 5, United States Code,”.

3 (119) Section 1262(d) of the Food Security Act
4 of 1985 (16 U.S.C. 3862(d)), as generally amended
5 by Public Law 110–246 as the “Farm Security Act
6 of 1985” (meaning the Food Security Act of 1985),
7 is amended—

8 (A) in the subsection heading, by striking
9 “FACA REQUIREMENTS” and inserting “RE-
10 QUIREMENTS OF CHAPTER 10 OF TITLE 5,
11 UNITED STATES CODE”;

12 (B) in paragraph (1), by striking “the
13 Federal Advisory Committee Act (5 U.S.C.
14 App.)” and inserting “chapter 10 of title 5,
15 United States Code.”; and

16 (C) in paragraph (2), by striking “the
17 Federal Advisory Committee Act (5 U.S.C.
18 App.),” and inserting “chapter 10 of title 5,
19 United States Code,”.

20 (120) Section 2104(e) of the African Elephant
21 Conservation Act (16 U.S.C. 4214(e)) is amended—

22 (A) in the subsection heading, by striking
23 “FEDERAL ADVISORY COMMITTEE ACT” and
24 inserting “CHAPTER 10 OF TITLE 5, UNITED
25 STATES CODE”; and

1 (B) in text, by striking “The Federal Advi-
2 sory Committee Act (5 U.S.C. App.)” and in-
3 sserting “Chapter 10 of title 5, United States
4 Code,”.

5 (121) Section 7(c) of the Asian Elephant Con-
6 servation Act of 1997 (16 U.S.C. 4265a(c)) is
7 amended—

8 (A) in the subsection heading, by striking
9 “FEDERAL ADVISORY COMMITTEE ACT” and
10 inserting “CHAPTER 10 OF TITLE 5, UNITED
11 STATES CODE”; and

12 (B) in text, by striking “The Federal Advi-
13 sory Committee Act (5 U.S.C. App.)” and in-
14 sserting “Chapter 10 of title 5, United States
15 Code,”.

16 (122) Section 4(a)(1) of the North American
17 Wetlands Conservation Act (16 U.S.C. 4403(a)(1))
18 is amended by striking “Public Law 92–463, as
19 amended,” and inserting “chapter 10 of title 5,
20 United States Code,”.

21 (123) Section 9(c) of the Rhinoceros and Tiger
22 Conservation Act of 1994 (16 U.S.C. 5305c(c)) is
23 amended—

24 (A) in the subsection heading, by striking
25 “FEDERAL ADVISORY COMMITTEE ACT” and

1 inserting “CHAPTER 10 OF TITLE 5, UNITED
2 STATES CODE”; and

3 (B) in text, by striking “The Federal Advi-
4 sory Committee Act (5 U.S.C. App.)” and in-
5 sserting “Chapter 10 of title 5, United States
6 Code,”.

7 (124) Section 202(f)(2) of the Northwest Atlan-
8 tic Fisheries Convention Act of 1995 (16 U.S.C.
9 5601(f)(2)) is amended by striking “The Federal
10 Advisory Committee Act (5 U.S.C. App.)” and in-
11 sserting “Chapter 10 of title 5, United States Code,”.

12 (125) Section 208(d) of the Northwest Atlantic
13 Fisheries Convention Act of 1995 (16 U.S.C.
14 5607(d)) is amended by striking “The Federal Advi-
15 sory Committee Act (5 U.S.C. App.)” and inserting
16 “Chapter 10 of title 5, United States Code,”.

17 (126) Section 706 of the Yukon River Salmon
18 Act of 1995 (16 U.S.C. 5705) is amended by strik-
19 ing “The Federal Advisory Committee Act (5 U.S.C.
20 App.)” and inserting “Chapter 10 of title 5, United
21 States Code,”.

22 (127) Section 204 of the Yukon River Salmon
23 Act of 2000 (16 U.S.C. 5723) is amended by strik-
24 ing “The Federal Advisory Committee Act (5 U.S.C.

1 App.)” and inserting “Chapter 10 of title 5, United
2 States Code,”.

3 (128) Section 7(b)(3) of the Neotropical Migra-
4 tory Bird Conservation Act (16 U.S.C. 6106(b)(3))
5 is amended—

6 (A) in the paragraph heading, by striking
7 “FEDERAL ADVISORY COMMITTEE ACT” and in-
8 serting “CHAPTER 10 OF TITLE 5, UNITED
9 STATES CODE”; and

10 (B) in text, by striking “The Federal Advi-
11 sory Committee Act (5 U.S.C. App.)” and in-
12 serting “Chapter 10 of title 5, United States
13 Code,”.

14 (129) Section 4(i)(5) of the Great Ape Con-
15 servation Act of 2000 (16 U.S.C. 6303(i)(5)) is
16 amended—

17 (A) in the paragraph heading, by striking
18 “FACA” and inserting “CHAPTER 10 OF TITLE
19 5, UNITED STATES CODE”; and

20 (B) in text, by striking “The Federal Advi-
21 sory Committee Act (5 App. U.S.C.)” and in-
22 serting “Chapter 10 of title 5, United States
23 Code,”.

24 (130) Section 103(b)(2) of the Healthy Forests
25 Restoration Act of 2003 (16 U.S.C. 6513(b)(2)) is

1 amended by striking “The Federal Advisory Com-
2 mittee Act (5 U.S.C. App.)” and inserting “Chapter
3 10 of title 5, United States Code,”.

4 (131) Section 6(c) of the Marine Turtle Con-
5 servation Act of 2004 (16 U.S.C. 6605(c)) is amend-
6 ed—

7 (A) in the subsection heading, by striking
8 “Federal Advisory Committee Act” and insert-
9 ing “CHAPTER 10 OF TITLE 5, UNITED
10 STATES CODE”; and

11 (B) in text, by striking “The Federal Advi-
12 sory Committee Act (5 U.S.C. App.)” and in-
13 serting “Chapter 10 of title 5, United States
14 Code,”.

15 (132) Section 804(d)(12) of the Federal Lands
16 Recreation Enhancement Act (16 U.S.C.
17 6803(d)(12)) is amended—

18 (A) in the paragraph heading, by striking
19 “FEDERAL ADVISORY COMMITTEE ACT” and in-
20 serting “CHAPTER 10 OF TITLE 5, UNITED
21 STATES CODE”; and

22 (B) in text, by striking “the Federal Advi-
23 sory Committee Act (5 U.S.C. App.)” and in-
24 serting “chapter 10 of title 5, United States
25 Code.”.

1 (133) Section 503(d)(1)(C) of the Western and
2 Central Pacific Fisheries Convention Implementation
3 Act (16 U.S.C. 6902(d)(1)(C)) is amended by strik-
4 ing “the Federal Advisory Committee Act (5 U.S.C.
5 App.).” and inserting “chapter 10 of title 5, United
6 States Code.”.

7 (134) Section 208(b)(3) of title 18, United
8 States Code, is amended by striking “the Federal
9 Advisory Committee Act” and inserting “chapter 10
10 of title 5”.

11 (135) Section 3056(a)(7) of title 18, United
12 States Code, is amended by striking “the Federal
13 Advisory Committee Act (5 U.S.C. App. 2).” and in-
14 serting “chapter 10 of title 5.”.

15 (136) Section 105 of the USA PATRIOT Act
16 (Public Law 107–56, 18 U.S.C. 3056 note) is
17 amended by striking “the Federal Advisory Com-
18 mittee Act (5 U.S.C. App. 2).” and inserting “chap-
19 ter 10 of title 5, United States Code.”.

20 (137) Section 13031(k) of the Trade Adjust-
21 ment Assistance Reform and Extension Act of 1986
22 (19 U.S.C. 58c(k)) is amended by striking “section
23 14 of the Federal Advisory Committee Act.” and in-
24 serting “section 1013 of title 5, United States
25 Code.”.

1 (138) Section 135(f) of the Trade Act of 1974
2 (19 U.S.C. 2155(f)) is amended—

3 (A) in the subsection heading, by striking
4 “FEDERAL ADVISORY COMMITTEE ACT” and
5 inserting “CHAPTER 10 OF TITLE 5, UNITED
6 STATES CODE”;

7 (B) in the matter before paragraph (1), by
8 striking “the Federal Advisory Committee Act”
9 and inserting “chapter 10 of title 5, United
10 States Code,”;

11 (C) in paragraph (2)(A), by striking “sub-
12 sections (a) and (b) of sections 10 and 11 of
13 the Federal Advisory Committee Act” and in-
14 serting “subsections (a) and (b) of sections
15 1009 and 1010 of title 5, United States Code”;
16 and

17 (D) in paragraph (2)(B), by striking “sub-
18 section (a)(2) of section 14 of the Federal Advi-
19 sory Committee Act,” and inserting “subsection
20 (a) of section 1013 of title 5, United States
21 Code,”.

22 (139) Section 127(j) of the Trade Deficit Re-
23 view Commission Act (Public Law 105–277, 19
24 U.S.C. 2213 note) is amended—

1 (A) in the subsection heading, by striking
2 “FEDERAL ADVISORY COMMITTEE ACT” and
3 inserting “CHAPTER 10 OF TITLE 5, UNITED
4 STATES CODE”; and

5 (B) in text, by striking “the Federal Advi-
6 sory Committee Act (Public Law 92–463; 5
7 U.S.C. App.)” and inserting “chapter 10 of
8 title 5, United States Code,”.

9 (140) Section 306(h) of the Convention on Cul-
10 tural Property Implementation Act (19 U.S.C.
11 2605(h)) is amended—

12 (A) in the subsection heading, by striking
13 “FEDERAL ADVISORY COMMITTEE ACT” and
14 inserting “CHAPTER 10 OF TITLE 5, UNITED
15 STATES CODE”; and

16 (B) in text, by striking “the Federal Advi-
17 sory Committee Act (Public Law 92–463; 5
18 U.S.C. Appendix I) shall apply to the Com-
19 mittee except that the requirements of sub-
20 sections (a) and (b) of section 10 and section
21 11 of such Act” and inserting “chapter 10 of
22 title 5, United States Code, shall apply to the
23 Committee, except that the requirements of
24 subsections (a) and (b) of section 1009 and sec-
25 tion 1010 of title 5, United States Code”.

1 (141) Section 102(b)(1) of the North American
2 Free Trade Agreement Implementation Act (19
3 U.S.C. 3312(b)(1)) is amended (matter at end) by
4 striking “The Federal Advisory Committee Act (5
5 U.S.C. App.)” and inserting “Chapter 10 of title 5,
6 United States Code,”.

7 (142) Section 102(b)(1)(B) of the Uruguay
8 Round Agreements Act (19 U.S.C. 3512(b)(1)(B))
9 is amended (matter at end) by striking “The Fed-
10 eral Advisory Committee Act (5 U.S.C. App.)” and
11 inserting “Chapter 10 of title 5, United States
12 Code,”.

13 (143) Section 109 of the Trade Facilitation and
14 Trade Enforcement Act of 2015 (19 U.S.C. 4316)
15 is amended—

16 (A) in subsection (d), by striking “section
17 10(f) of the Federal Advisory Committee Act (5
18 U.S.C. App.),” and inserting “section 1009(f)
19 of title 5, United States Code,”; and

20 (B) in subsection (f), by striking “Section
21 14(a)(2) of the Federal Advisory Committee
22 Act (5 U.S.C. App.; relating to the termination
23 of advisory committees)” and inserting “Section
24 1013(a) of title 5, United States Code,”.

1 (144) Section 702(g) of the Trade Facilitation
2 and Trade Enforcement Act of 2015 (19 U.S.C.
3 4422(g)) is amended—

4 (A) in the subsection heading, by striking
5 “THE FEDERAL ADVISORY COMMITTEE ACT”
6 and inserting “CHAPTER 10 OF TITLE 5,
7 UNITED STATES CODE”;

8 (B) in paragraph (1), by striking “the
9 Federal Advisory Committee Act (5 U.S.C.
10 App.)” and inserting “chapter 10 of title 5,
11 United States Code,”; and

12 (C) in paragraph (2), by striking “section
13 10 and section 11 of the Federal Advisory Com-
14 mittee Act” and inserting “section 1009 and
15 section 1010 of title 5, United States Code”.

16 (145) Section 12(g) of the National Museum of
17 the American Indian Act (20 U.S.C. 80q–10(g)) is
18 amended—

19 (A) in the subsection heading, by striking
20 “THE FEDERAL ADVISORY COMMITTEE ACT”
21 and inserting “CHAPTER 10 OF TITLE 5,
22 UNITED STATES CODE”; and

23 (B) in text, by striking “The Federal Advi-
24 sory Committee Act (5 U.S.C. App.)” and in-

1 serting “Chapter 10 of title 5, United States
2 Code,”.

3 (146) Section 114(d)(4) of the Higher Edu-
4 cation Act of 1965 (20 U.S.C. 1011c(d)(4)) is
5 amended—

6 (A) in the paragraph heading, by striking
7 “FEDERAL ADVISORY COMMITTEE ACT” and in-
8 serting “CHAPTER 10 OF TITLE 5, UNITED
9 STATES CODE”; and

10 (B) in text, by striking “The Federal Advi-
11 sory Committee Act (5 U.S.C. App.) shall apply
12 to the Committee, except that section 14 of
13 such Act” and inserting “Chapter 10 of title 5,
14 United States Code, shall apply to the Com-
15 mittee, except that section 1013 of title 5,
16 United States Code,”.

17 (147) Section 491(k) of the Higher Education
18 Act of 1965 (20 U.S.C. 1098(k)) is amended by
19 striking “the Federal Advisory Committee Act (5
20 U.S.C. App. I)” and inserting “chapter 10 of title
21 5, United States Code,”.

22 (148) Section 492(e) of the Higher Education
23 Act of 1965 (20 U.S.C. 1098a(e)) is amended—

24 (A) in the subsection heading, by striking
25 “FEDERAL ADVISORY COMMITTEE ACT” and

1 inserting “CHAPTER 10 OF TITLE 5, UNITED
2 STATES CODE”; and

3 (B) in text, by striking “The Federal Advi-
4 sory Committee Act” and inserting “Chapter
5 10 of title 5, United States Code,”.

6 (149) Section 114(d)(1)(D) of the Vocational
7 Education Act of 1963 (20 U.S.C. 2324(d)(1)(D)) is
8 amended—

9 (A) in the subparagraph heading, by strik-
10 ing “FACA” and inserting “CHAPTER 10 OF
11 TITLE 5, UNITED STATES CODE”; and

12 (B) in text, by striking “The Federal Advi-
13 sory Committee Act (5 U.S.C. App.)” and in-
14 serting “Chapter 10 of title 5, United States
15 Code,”.

16 (150) Section 9(b)(6) of the National Environ-
17 mental Education Act (20 U.S.C. 5508(b)(6)) is
18 amended by striking “Section 14(a) of the Federal
19 Advisory Committee Act” and inserting “Section
20 1013(a) of title 5, United States Code,”.

21 (151) Section 11(f) of the Morris K. Udall and
22 Stewart L. Udall Foundation Act (20 U.S.C.
23 5607b(f)) is amended by striking “the Federal Advi-
24 sory Committee Act (5 U.S.C. App.)” and inserting
25 “chapter 10 of title 5, United States Code.”.

1 (152) Section 1601(b)(4)(A) of the Elementary
2 and Secondary Education Act of 1965 (20 U.S.C.
3 6571(b)(4)(A)) is amended by striking “the Federal
4 Advisory Committee Act (5 U.S.C. App.);” and in-
5 serting “chapter 10 of title 5, United States Code;”.

6 (153) Section 114(g) of the Education Sciences
7 Reform Act of 2002 (20 U.S.C. 9514(g)) is amend-
8 ed by striking “The Federal Advisory Committee
9 Act (5 U.S.C. App.)” and inserting “Chapter 10 of
10 title 5, United States Code,”.

11 (154) Section 302(h) of the National Assess-
12 ment of Educational Progress Authorization Act (20
13 U.S.C. 9621(h)) is amended by striking “The Fed-
14 eral Advisory Committee Act (5 U.S.C. App.) shall
15 not apply with respect to the Assessment Board,
16 other than sections 10, 11, and 12 of such Act.” and
17 inserting “Chapter 10 of title 5, United States Code,
18 shall not apply with respect to the Assessment
19 Board, other than sections 1009, 1010, and 1011 of
20 title 5, United States Code.”.

21 (155) Section 513(b) of the Federal Food,
22 Drug, and Cosmetic Act (21 U.S.C. 360c(b)) is
23 amended—

24 (A) in paragraph (1), by striking “Section
25 14 of the Federal Advisory Committee Act” and

1 inserting “Section 1013 of title 5, United
2 States Code,”; and

3 (B) in paragraph (8), by striking the
4 “Federal Advisory Committee Act.” and insert-
5 ing “chapter 10 of title 5, United States
6 Code.”.

7 (156) Section 520(f)(3) of the Federal Food,
8 Drug, and Cosmetic Act (21 U.S.C. 360j(f)(3)) is
9 amended (matter at end) by striking “Section 14 of
10 the Federal Advisory Committee Act” and inserting
11 “Section 1013 of title 5, United States Code,”.

12 (157) Section 567(a)(4) of the Federal Food,
13 Drug, and Cosmetic Act (21 U.S.C. 360bbb–6(a)(4))
14 is amended by striking “Section 14 of the Federal
15 Advisory Committee Act” and inserting “Section
16 1013 of title 5, United States Code,”.

17 (158) Section 572(d)(3)(C) of the Federal
18 Food, Drug, and Cosmetic Act (21 U.S.C. 360ccc–
19 1(d)(3)(C)) is amended by striking “the Federal Ad-
20 visory Committee Act, 5 U.S.C. App. 2.” and insert-
21 ing “chapter 10 of title 5, United States Code.”.

22 (159) Section 712(a)(1) of the Federal Food,
23 Drug, and Cosmetic Act (21 U.S.C. 379d–1(a)(1))
24 is amended by striking “the Federal Advisory Com-

1 mittee Act” and inserting “chapter 10 of title 5,
2 United States Code,”.

3 (160) Section 917(d) of the Federal Food,
4 Drug, and Cosmetic Act (21 U.S.C. 387q(d)) is
5 amended—

6 (A) in the subsection heading, by striking
7 “FACA” and inserting “CHAPTER 10 OF TITLE
8 5, UNITED STATES CODE”;

9 (B) in paragraph (3)—

10 (i) in the paragraph heading, by strik-
11 ing “FACA” and inserting “CHAPTER 10 OF
12 TITLE 5, UNITED STATES CODE”; and

13 (ii) in text, by striking “Section 14 of
14 the Federal Advisory Committee Act” and
15 inserting “Section 1013 of title 5, United
16 States Code,”.

17 (161) Section 410(h) of the Federal Meat In-
18 spection Act (21 U.S.C. 679a(h)) is amended by
19 striking “The Federal Advisory Committee Act (5
20 U.S.C. App.)” and inserting “Chapter 10 of title 5,
21 United States Code,”.

22 (162) Section 810(i)(1) of the Foreign Nar-
23 cotics Kingpin Designation Act (21 U.S.C.
24 1908(i)(1)) is amended by striking “the Federal Ad-

1 visory Committee Act (5 U.S.C. App.)” and insert-
2 ing “chapter 10 of title 5, United States Code,”.

3 (163) Section 543(b) of the North American
4 Free Trade Agreement Implementation Act (22
5 U.S.C. 290m–2(b)) is amended—

6 (A) in paragraph (1), by striking “the
7 Federal Advisory Committee Act.” and insert-
8 ing “chapter 10 of title 5, United States
9 Code.”; and

10 (B) in paragraph (4)(D), by striking “the
11 Federal Advisory Committee Act.” and insert-
12 ing “chapter 10 of title 5, United States
13 Code.”.

14 (164) Section 8(a) of the U.S. Holocaust Assets
15 Commission Act of 1998 (Public Law 105–186, 22
16 U.S.C. 1621 note) is amended—

17 (A) in the subsection heading, by striking
18 “FACA” and inserting “CHAPTER 10 OF TITLE
19 5, UNITED STATES CODE”; and

20 (B) in text, by striking “The Federal Advi-
21 sory Committee Act (5 U.S.C. App.)” and in-
22 serting “Chapter 10 of title 5, United States
23 Code,”.

24 (165) Section 301(h) of the International Trav-
25 el Act of 1961 (22 U.S.C. 2124(h)) is amended by

1 striking “the Federal Advisory Committee Act” and
2 inserting “chapter 10 of title 5, United States
3 Code,”.

4 (166) Section 234A(b)(4) of the Foreign Assist-
5 ance Act of 1961 (22 U.S.C. 2194b(b)(4)) is amend-
6 ed—

7 (A) in the paragraph heading, by striking
8 “FEDERAL ADVISORY COMMITTEE ACT” and in-
9 serting “CHAPTER 10 OF TITLE 5, UNITED
10 STATES CODE”; and

11 (B) in text, by striking “the Federal Advi-
12 sory Committee Act (5 U.S.C. App.)” and in-
13 serting “chapter 10 of title 5, United States
14 Code.”.

15 (167) Section 637(g) of the HELP Commission
16 Act (22 U.S.C. 2394b(g)) is amended by striking
17 “The Federal Advisory Committee Act (5 U.S.C.
18 App.)” and inserting “Chapter 10 of title 5, United
19 States Code,”.

20 (168) Section 8D(f) of the Peace Corps Act (22
21 U.S.C. 2507d(f)) is amended—

22 (A) in the subsection heading, by striking
23 “FACA” and inserting “CHAPTER 10 OF TITLE
24 5, UNITED STATES CODE”; and

1 (B) in text, by striking “The Federal Advi-
2 sory Committee Act (5 U.S.C. App.)” and in-
3 sserting “Chapter 10 of title 5, United States
4 Code,”.

5 (169) Section 406(f)(3) of the State Depart-
6 ment Basic Authorities Act of 1956 (22 U.S.C.
7 4356(f)(3)) is amended by striking “The Federal
8 Advisory Committee Act shall not apply to the Advi-
9 sory Committee to the extent that the provisions of
10 this title are inconsistent with that Act.” and insert-
11 ing “Chapter 10 of title 5, United States Code, shall
12 not apply to the Advisory Committee to the extent
13 that the provisions of this title are inconsistent with
14 that chapter.”.

15 (170) Section 303(d) of the Diplomatic Security
16 Act (22 U.S.C. 4833(d)) is amended by striking
17 “the Federal Advisory Committee Act (5 U.S.C.
18 App. 1 et seq.)” and inserting “chapter 10 of title
19 5, United States Code,”.

20 (171) Section 202(e) of the Support for East
21 European Democracy (SEED) Act of 1989 (22
22 U.S.C. 5422(e)) is amended by striking “the Federal
23 Advisory Committee Act (5 U.S.C. App.)” and in-
24 sserting “chapter 10 of title 5, United States Code.”.

1 (172) Section 206 of the International Reli-
2 gious Freedom Act of 1998 (22 U.S.C. 6434) is
3 amended by striking “The Federal Advisory Com-
4 mittee Act (5 U.S.C. App.)” and inserting “Chapter
5 10 of title 5, United States Code,”.

6 (173) Section 1238(g) of the Floyd D. Spence
7 National Defense Authorization Act for Fiscal Year
8 2001 (22 U.S.C. 7002(g)) is amended—

9 (A) in the subsection heading, by striking
10 “FACA” and inserting “CHAPTER 10 OF TITLE
11 5, UNITED STATES CODE”; and

12 (B) in text, by striking “the Federal Advi-
13 sory Committee Act (5 U.S.C. App.)” and in-
14 serting “chapter 10 of title 5, United States
15 Code,”.

16 (174) Section 5204(h)(2) of the Intelligent
17 Transportation Systems Act of 1998 (Public Law
18 105–178, 23 U.S.C. 502 note) is amended—

19 (A) in the paragraph heading, by striking
20 “FEDERAL ADVISORY COMMITTEE ACT” and in-
21 serting “CHAPTER 10 OF TITLE 5, UNITED
22 STATES CODE”; and

23 (B) in text, by striking “the Federal Advi-
24 sory Committee Act (5 U.S.C. App.).” and in-

1 serting “chapter 10 of title 5, United States
2 Code.”.

3 (175) Section 6011(i) of the Intermodal Sur-
4 face Transportation Efficiency Act of 1991 (Public
5 Law 102–240, 23 U.S.C. 502 note) is amended by
6 striking “Section 14 of the Federal Advisory Com-
7 mittee Act” and inserting “Section 1013 of title 5,
8 United States Code,”.

9 (176) Section 5305(h)(5) of SAFETEA–LU
10 (Public Law 109–59, 23 U.S.C. 512 note) is amend-
11 ed—

12 (A) in the paragraph heading, by striking
13 “FEDERAL ADVISORY COMMITTEE ACT” and in-
14 serting “CHAPTER 10 OF TITLE 5, UNITED
15 STATES CODE”; and

16 (B) in text, by striking “the Federal Advi-
17 sory Committee Act (5 U.S.C. App).” and in-
18 serting “chapter 10 of title 5, United States
19 Code.”.

20 (177) Section 5307(a)(4)(B) of SAFETEA–LU
21 (Public Law 109–59, 23 U.S.C. 512 note) is amend-
22 ed—

23 (A) in the subparagraph heading, by strik-
24 ing “ADVISORY COMMITTEE ACT” and inserting

1 “CHAPTER 10 OF TITLE 5, UNITED STATES
2 CODE”; and

3 (B) in text, by striking “the Federal Advi-
4 sory Committee Act (5 U.S.C. App.)” and in-
5 sserting “chapter 10 of title 5, United States
6 Code.”.

7 (178) Section 515(h)(5) of title 23, United
8 States Code, is amended—

9 (A) in the paragraph heading, by striking
10 “FEDERAL ADVISORY COMMITTEE ACT” and in-
11 sserting “CHAPTER 10 OF TITLE 5, UNITED
12 STATES CODE”; and

13 (B) in text, by striking “the Federal Advi-
14 sory Committee Act (5 U.S.C. App.)” and in-
15 sserting “chapter 10 of title 5, United States
16 Code.”.

17 (179) Section 4(d)(2) of the Saint Elizabeths
18 Hospital and District of Columbia Mental Health
19 Services Act (24 U.S.C. 225b(d)(2)) is amended by
20 striking “the Federal Advisory Committee Act.” and
21 inserting “chapter 10 of title 5, United States
22 Code.”.

23 (180) Section 19 of Public Law 103–435 (25
24 U.S.C. 166) is amended—

1 (A) in the section heading, by striking
2 “FEDERAL ADVISORY COMMITTEE ACT”
3 and inserting “CHAPTER 10 OF TITLE 5,
4 UNITED STATES CODE”; and

5 (B) in text, by striking “the Federal Advi-
6 sory Committee Act (5 U.S.C. App.)” and in-
7 serting “chapter 10 of title 5, United States
8 Code.”.

9 (181) Section 3307(j) of the Youth Drug and
10 Mental Health Services Act (Public Law 106–310,
11 25 U.S.C. 1671 note) is amended by striking “Sec-
12 tion 14 of the Federal Advisory Committee Act (5
13 U.S.C. App.)” and inserting “Section 1013 of title
14 5, United States Code,”.

15 (182) Section 1138(b) of the Education Amend-
16 ments of 1978 (25 U.S.C. 2018(b)) is amended—

17 (A) in paragraph (3)(E), by striking “the
18 Federal Advisory Committee Act (5 U.S.C.
19 App.)” and inserting “chapter 10 of title 5,
20 United States Code.”; and

21 (B) in paragraph (4), by striking “section
22 7(d) of the Federal Advisory Committee Act,”
23 and inserting “section 1006(d) of title 5,
24 United States Code,”.

1 (183) Section 15(m) of the Indian Law En-
2 forcement Reform Act (25 U.S.C. 2812(m)) is
3 amended—

4 (A) in the subsection heading, by striking
5 “FACA” and inserting “CHAPTER 10 OF TITLE
6 5, UNITED STATES CODE”; and

7 (B) in text, by striking “The Federal Advi-
8 sory Committee Act (5 U.S.C. App.)” and in-
9 serting “Chapter 10 of title 5, United States
10 Code,”.

11 (184) Section 306(c) of the American Indian
12 Trust Fund Management Reform Act of 1994 (25
13 U.S.C. 4046(c)) is amended—

14 (A) in the subsection heading, by striking
15 “FACA” and inserting “CHAPTER 10 OF TITLE
16 5, UNITED STATES CODE”; and

17 (B) in text, by striking “the Federal Advi-
18 sory Committee Act.” and inserting “chapter
19 10 of title 5, United States Code.”.

20 (185) Section 9 of the Indian Tribal Regulatory
21 Reform and Business Development Act of 2000
22 (Public Law 106–447, 25 U.S.C. 4301 note) is
23 amended—

24 (A) in the section heading, by striking
25 “FEDERAL ADVISORY COMMITTEE ACT”

1 and inserting “CHAPTER 10 OF TITLE,
2 UNITED STATES CODE”; and

3 (B) in text, by striking “the Federal Advi-
4 sory Committee Act (5 U.S.C. App.)” and in-
5 serting “chapter 10 of title 5, United States
6 Code.”.

7 (186) Section 15(d)(2)(F) of the Wagner-
8 Peyser Act (29 U.S.C. 491–2(d)(2)(F)) is amended
9 by striking “Section 14 of the Federal Advisory
10 Committee Act (5 U.S.C. App.)” and inserting “Sec-
11 tion 1013 of title 5, United States Code,”.

12 (187) Section 205(i) of the Rehabilitation Act
13 of 1973 (29 U.S.C. 765(i)) is amended by striking
14 “Section 14 of the Federal Advisory Committee Act
15 (5 U.S.C. App.)” and inserting “Section 1013 of
16 title 5, United States Code,”.

17 (188) Section 904(a)(6) of the Food and Drug
18 Administration Safety and Innovation Act (Public
19 Law 112–144, 29 U.S.C. 792 note) is amended—

20 (A) in the paragraph heading, by striking
21 “FACA WAIVER” and inserting “WAIVER OF
22 CHAPTER 10 OF TITLE 5, UNITED STATES
23 CODE”; and

24 (B) in text, by striking “The Federal Advi-
25 sory Committee Act (5 U.S.C. App.)” and in-

1 serting “Chapter 10 of title 5, United States
2 Code,”.

3 (189) Section 512(e) of the Employee Retirement
4 Income Security Act of 1974 (29 U.S.C.
5 1142(e)) is amended by striking “Section 14(a) of
6 the Federal Advisory Committee Act (relating to ter-
7 mination)” and inserting “Section 1013(a) of title 5,
8 United States Code (relating to termination),”.

9 (190) Section 517(f)(3) of the Employee Retirement
10 Income Security Act of 1974 (29 U.S.C.
11 1147(f)(3)) is amended—

12 (A) in the paragraph heading, by striking
13 “FACA” and inserting “CHAPTER 10 OF TITLE
14 5, UNITED STATES CODE”; and

15 (B) in text, by striking “the Federal Advi-
16 sory Committee Act (5 U.S.C. App.)” and in-
17 serting “chapter 10 of title 5, United States
18 Code,”.

19 (191) Section 4002(h)(8) of the Employee Re-
20 tirement Income Security Act of 1974 (29 U.S.C.
21 1302(h)(8)) is amended by striking “The Federal
22 Advisory Committee Act” and inserting “Chapter 10
23 of title 5, United States Code,”.

24 (192) Section 166(i)(4)(G) of the Workforce In-
25 novation and Opportunity Act (29 U.S.C.

1 3221(i)(4)(G)) is amended by striking “Section 14
2 of the Federal Advisory Committee Act (5 U.S.C.
3 App.)” and inserting “Section 1013 of title 5,
4 United States Code,”.

5 (193) Section 9(f) of the Mining and Mineral
6 Resources Institutes Act (30 U.S.C. 1229(f)) is
7 amended by striking “Section 10 of the Federal Ad-
8 visory Committee Act (5 U.S.C. App.)” and insert-
9 ing “Section 1009 of title 5, United States Code,”.

10 (194) Section 624(d) of the Treasury and Gen-
11 eral Government Appropriations Act, 2001 (Public
12 Law 106–554, 31 U.S.C. 1105 note) is amended by
13 striking “the Federal Advisory Committee Act (5
14 U.S.C. App.)” and inserting “chapter 10 of title 5,
15 United States Code,”.

16 (195) Section 202(c)(2) of the Government Se-
17 curities Act Amendments of 1993 (Public Law 103–
18 202, 31 U.S.C. 3121 note) is amended by striking
19 “section 10(c) of the Federal Advisory Committee
20 Act” and inserting “section 1009(c) of title 5,
21 United States Code,”.

22 (196) Section 5135(h) of title 31, United States
23 Code, is amended—

1 (A) in the subsection heading, by striking
2 “FEDERAL ADVISORY COMMITTEE ACT” and
3 inserting “CHAPTER 10 OF TITLE 5”; and

4 (B) in text, by striking “the Federal Advi-
5 sory Committee Act” and inserting “chapter 10
6 of title 5”.

7 (197) Section 1564(c) of the Annunzio-Wylie
8 Anti-Money Laundering Act (Public Law 102–550,
9 31 U.S.C. 5311 note) is amended—

10 (A) in the subsection heading, by striking
11 “FEDERAL ADVISORY COMMITTEE ACT” and
12 inserting “CHAPTER 10 OF TITLE 5, UNITED
13 STATES CODE”; and

14 (B) in text, by striking “The Federal Advi-
15 sory Committee Act” and inserting “Chapter
16 10 of title 5, United States Code,”.

17 (198) Section 8(f)(9) of the National Dam
18 Safety Program Act (33 U.S.C. 467f(f)(9)) is
19 amended—

20 (A) in the paragraph heading, by striking
21 “FEDERAL ADVISORY COMMITTEE ACT” and in-
22 sserting “CHAPTER 10 OF TITLE 5, UNITED
23 STATES CODE”; and

24 (B) in text, by striking “The Federal Advi-
25 sory Committee Act (5 U.S.C. App.)” and in-

1 serting “Chapter 10 of title 5, United States
2 Code,”.

3 (199) Section 8004(g)(2)(D) of the Water Re-
4 sources Development Act of 2007 (Public Law 110-
5 114, 33 U.S.C. 652 note) is amended—

6 (A) in the subparagraph heading, by strik-
7 ing “FEDERAL ADVISORY COMMITTEE ACT” and
8 inserting “CHAPTER 10 OF TITLE 5, UNITED
9 STATES CODE”; and

10 (B) in text, by striking “the Federal Advi-
11 sory Committee Act (5 U.S.C. App.)” and in-
12 serting “chapter 10 of title 5, United States
13 Code.”.

14 (200) Section 3(a) of the Oceans Act of 2000
15 (Public Law 106-256, 33 U.S.C. 857-19 note) is
16 amended by striking “The Federal Advisory Com-
17 mittee Act (5 U.S.C. App.), except for sections 3, 7,
18 and 12,” and inserting “Chapter 10 of title 5,
19 United States Code, except for sections 1001, 1006,
20 and 1011,”.

21 (201) Section 311(t)(2)(C)(viii) of the Federal
22 Water Pollution Control Act (33 U.S.C.
23 1321(t)(2)(C)(viii)) is amended—

24 (A) in the clause heading, by striking
25 “FEDERAL ADVISORY COMMITTEE ACT” and in-

1 serting “CHAPTER 10 OF TITLE 5, UNITED
2 STATES CODE”; and

3 (B) in text, by striking “the Federal Advi-
4 sory Committee Act (5 U.S.C. App.)” and in-
5 serting “chapter 10 of title 5, United States
6 Code.”.

7 (202) Section 302(f) of the Water Resources
8 Development Act of 1986 (33 U.S.C. 2251(f)) is
9 amended—

10 (A) in paragraph (1) by striking “the Fed-
11 eral Advisory Committee Act (5 U.S.C. App.),
12 other than section 14,” and inserting “chapter
13 10 of title 5, United States Code, other than
14 section 1013,”; and

15 (B) in paragraph (2), by striking “the
16 Federal Advisory Committee Act (5 U.S.C.
17 App.),” and inserting “chapter 10 of title 5,
18 United States Code,”.

19 (203) Section 2034(j) of the Water Resources
20 Development Act of 2007 (33 U.S.C. 2343(j)) is
21 amended—

22 (A) in the subsection heading, by striking
23 “FACA” and inserting “CHAPTER 10 OF TITLE
24 5, UNITED STATES CODE”; and

1 (B) in text, by striking “The Federal Advi-
2 sory Committee Act (5 U.S.C. App.)” and in-
3 sserting “Chapter 10 of title 5, United States
4 Code,”.

5 (204) Section 2035(g) of the Water Resources
6 Development Act of 2007 (33 U.S.C. 2344(g)) is
7 amended—

8 (A) in the subsection heading, by striking
9 “FACA” and inserting “CHAPTER 10 OF TITLE
10 5, UNITED STATES CODE”; and

11 (B) in text, by striking “The Federal Advi-
12 sory Committee Act (5 U.S.C. App.)” and in-
13 sserting “Chapter 10 of title 5, United States
14 Code,”.

15 (205) Section 5008(c) of the Oil Pollution Act
16 of 1990 (33 U.S.C. 2738(c)) is amended by striking
17 “The Federal Advisory Committee Act (5 U.S.C.
18 App. 2)” and inserting “Chapter 10 of title 5,
19 United States Code,”.

20 (206) Section 903(b) of the Oceans and Human
21 Health Act (33 U.S.C. 3102(b)) is amended by
22 striking “The Federal Advisory Committee Act (5
23 U.S.C. App.)” and inserting “Chapter 10 of title 5,
24 United States Code,”.

1 (207) Section 9003(h) of the National Levee
2 Safety Act of 2007 (33 U.S.C. 3302(h)) is amend-
3 ed—

4 (A) in the subsection heading, by striking
5 “FEDERAL ADVISORY COMMITTEE ACT” and
6 inserting “CHAPTER 10 OF TITLE 5, UNITED
7 STATES CODE”; and

8 (B) in text, by striking “The Federal Advi-
9 sory Committee Act (5 U.S.C. App.)” and in-
10 sserting “Chapter 10 of title 5, United States
11 Code,”.

12 (208) Section 12005(b) of the Omnibus Public
13 Land Management Act of 2009 (33 U.S.C. 3405(b))
14 is amended—

15 (A) in the subsection heading, by striking
16 “FEDERAL ADVISORY COMMITTEE ACT” and
17 inserting “CHAPTER 10 OF TITLE 5, UNITED
18 STATES CODE”; and

19 (B) in text, by striking “Section 14 of the
20 Federal Advisory Committee Act (5 U.S.C.
21 App.)” and inserting “Section 1013 of title 5,
22 United States Code,”.

23 (209) Section 12304(d)(4)(E) of the Integrated
24 Coastal and Ocean Observation System Act of 2009
25 (33 U.S.C. 3603(d)(4)(E)) is amended by striking

1 “Section 14 of the Federal Advisory Committee Act
2 (5 U.S.C. App.)” and inserting “Section 1013 of
3 title 5, United States Code,”.

4 (210) Section 807(e) of the Omnibus Crime
5 Control and Safe Streets Act of 1968 (34 U.S.C.
6 10226(e)) is amended by striking “the Federal Advi-
7 sory Committee Act (5 U.S.C. App.)” and inserting
8 “chapter 10 of title 5, United States Code.”.

9 (211) Section 210303(b)(2) of the DNA Identifi-
10 cation Act of 1994 (34 U.S.C. 12591(b)(2)) is
11 amended by striking “Section 14 of the Federal Ad-
12 visory Committee Act (5 U.S.C. App.)” and insert-
13 ing “Section 1013 of title 5, United States Code,”.

14 (212) Section 7(n) of the Prison Rape Elimini-
15 nation Act of 2003 (34 U.S.C. 30306(n)) is amend-
16 ed by striking “the Federal Advisory Committee
17 Act.” and inserting “chapter 10 of title 5, United
18 States Code.”.

19 (213) Section 215(d) of the National Crime
20 Prevention and Privacy Compact Act of 1998 (34
21 U.S.C. 40314(d)) is amended—

22 (A) in the subsection heading, by striking
23 “FEDERAL ADVISORY COMMITTEE ACT” and
24 inserting “CHAPTER 10 OF TITLE 5, UNITED
25 STATES CODE”; and

1 (B) in text, by striking “the Federal Advi-
2 sory Committee Act (5 U.S.C. App.)” and in-
3 sserting “chapter 10 of title 5, United States
4 Code.”.

5 (214) Section 217 [Article VIII(a) of the Na-
6 tional Crime Prevention and Privacy Compact] of
7 the National Crime Prevention and Privacy Compact
8 Act of 1998 (34 U.S.C. 40316) is amended by strik-
9 ing “the Federal Advisory Committee Act (5 U.S.C.
10 App.)” and inserting “chapter 10 of title 5, United
11 States Code,”.

12 (215) Section 5(h) of title 35, United States
13 Code, is amended—

14 (A) in the subsection heading, by striking
15 “FEDERAL ADVISORY COMMITTEE ACT” and
16 inserting “CHAPTER 10 OF TITLE 5”; and

17 (B) in text, by striking “The Federal Advi-
18 sory Committee Act (5 U.S.C. App.)” and in-
19 sserting “Chapter 10 of title 5”.

20 (216) Section 8(b) of the World War I Centen-
21 nial Commission Act (Public Law 112–272, 36
22 U.S.C. note prec. 101) is amended—

23 (A) in the subsection heading, by striking
24 “FEDERAL ADVISORY COMMITTEE ACT” and

1 inserting “CHAPTER 10 OF TITLE 5, UNITED
2 STATES CODE”;

3 (B) in paragraph (1), by striking “the
4 Federal Advisory Committee Act (5 U.S.C.
5 App.)” and inserting “chapter 10 of title 5,
6 United States Code,”; and

7 (C) in paragraph (2), by striking “Section
8 14(a)(2) of such Act” and inserting “Section
9 1013(a) of title 5, United States Code,”.

10 (217) Section 545(d) of title 38, United States
11 Code, is amended—

12 (A) in paragraph (1), by striking “the
13 Federal Advisory Committee Act (5 U.S.C.
14 App.)” and inserting “chapter 10 of title 5”;
15 and

16 (B) in paragraph (2), by striking “Section
17 14 of such Act” and inserting “Section 1013 of
18 title 5”.

19 (218) Section 546(f) of title 38, United States
20 Code, is amended—

21 (A) in the subsection heading, by striking
22 “FEDERAL ADVISORY COMMITTEE ACT” and
23 inserting “CHAPTER 10 OF TITLE 5”;

24 (B) in paragraph (1), by striking “the
25 Federal Advisory Committee Act (5 U.S.C.

1 App.)” and inserting “chapter 10 of title 5”;
2 and

3 (C) in paragraph (2), by striking “Section
4 14 of such Act” and inserting “Section 1013 of
5 title 5”.

6 (219) Section 7314(d)(4) of title 38, United
7 States Code, is amended by striking “the Federal
8 Advisory Committee Act.” and inserting “chapter 10
9 of title 5.”.

10 (220) Section 7320(e)(4) of title 38, United
11 States Code, is amended by striking “the Federal
12 Advisory Committee Act (5 U.S.C. App.)” and in-
13 serting “chapter 10 of title 5.”.

14 (221) Section 2(b)(4) of the Department of
15 Veterans Affairs Emergency Preparedness Act of
16 2002 (Public Law 107–287, 38 U.S.C. 7325 note)
17 is amended by striking “the Federal Advisory Com-
18 mittee Act (5 U.S.C. App.)” and inserting “chapter
19 10 of title 5, United States Code.”.

20 (222) Section 303(a) of the Veterans Health
21 Programs Improvement Act of 2004 (Public Law
22 108–422, 38 U.S.C. 7328 note) is amended by strik-
23 ing “the Federal Advisory Committee Act (5 U.S.C.
24 App.)” and inserting “chapter 10 of title 5, United
25 States Code.”.

1 (223) Section 7329(d)(4) of title 38, United
2 States Code, is amended by striking “the Federal
3 Advisory Committee Act.” and inserting “chapter 10
4 of title 5.”.

5 (224) Section 7330(d)(4) of title 38, United
6 States Code, is amended by striking “the Federal
7 Advisory Committee Act.” and inserting “chapter 10
8 of title 5.”.

9 (225) Section 7330A(e)(5) of title 38, United
10 States Code, is amended by striking “the Federal
11 Advisory Committee Act.” and inserting “chapter 10
12 of title 5.”.

13 (226) Section 407(b)(3) of title 39, United
14 States Code, is amended by striking “the Federal
15 Advisory Committee Act)” and inserting “chapter
16 10 of title 5)”.

17 (227) Section 217(d) of the Public Health Serv-
18 ice Act (42 U.S.C. 218(d)) is amended by striking
19 “Section 14(a) of the Federal Advisory Committee
20 Act” and inserting “Section 1013(a) of title 5,
21 United States Code,”.

22 (228) Section 319L(e)(2) of the Public Health
23 Service Act (42 U.S.C. 247d–7e(e)(2)) is amended
24 by striking “section 14 of the Federal Advisory

1 Committee Act,” and inserting “section 1013 of title
2 5, United States Code,”.

3 (229) Section 337(c) of the Public Health Serv-
4 ice Act (42 U.S.C. 254j(c)) is amended by striking
5 “Section 14 of the Federal Advisory Committee Act”
6 and inserting “Section 1013 of title 5, United States
7 Code,”.

8 (230) Section 399U(e) of the Public Health
9 Service Act (42 U.S.C. 280g–10(e)) is amended by
10 striking “Appendix 2 of title 5, United States
11 Code.” and inserting “chapter 10 of title 5, United
12 States Code.”.

13 (231) Section 402(b) (matter after last para-
14 graph) of the Public Health Service Act (42 U.S.C.
15 282(b) (matter after last paragraph)) is amended by
16 striking “The Federal Advisory Committee Act” and
17 inserting “Chapter 10 of title 5, United States
18 Code,”.

19 (232) Section 405(c) (matter after paragraph
20 (4)) of the Public Health Service Act (42 U.S.C.
21 284(c)) is amended by striking “The Federal Advi-
22 sory Committee Act” and inserting “Chapter 10 of
23 title 5, United States Code,”.

24 (233) Section 14(d) of the Best Pharma-
25 ceuticals for Children Act (42 U.S.C. 284m–1(d)) is

1 amended by striking “section 14 of the Federal Ad-
2 visory Committee Act,” and inserting “section 1013
3 of title 5, United States Code,”.

4 (234) Section 452(c)(1) (matter after subpara-
5 graph (F)) of the Public Health Service Act (42
6 U.S.C. 285g-4(c)(1)) is amended by striking “The
7 Federal Advisory Committee Act” and inserting
8 “Chapter 10 of title 5, United States Code,”.

9 (235) Section 3(d)(1) of the ICCVAM Author-
10 ization Act of 2000 (42 U.S.C. 285l-3(d)(1)) is
11 amended by striking “the Federal Advisory Com-
12 mittee Act.” and inserting “chapter 10 of title 5,
13 United States Code.”.

14 (236) Section 501(h) of the Public Health Serv-
15 ice Act (42 U.S.C. 290aa(h)) is amended by striking
16 “The Federal Advisory Committee Act” and insert-
17 ing “Chapter 10 of title 5, United States Code,”.

18 (237) Section 749(g) of the Public Health Serv-
19 ice Act (42 U.S.C. 293l(g)) is amended—

20 (A) in the subsection heading, by striking
21 “FACA” and inserting “CHAPTER 10 OF TITLE
22 5, UNITED STATES CODE”; and

23 (B) in text, by striking “The Federal Advi-
24 sory Committee Act shall apply to the Advisory
25 Committee under this section only to the extent

1 that the provisions of such Act” and inserting
2 “Chapter 10 of title 5, United States Code,
3 shall apply to the Advisory Committee under
4 this section only to the extent that the provi-
5 sions of chapter 10 of title 5, United States
6 Code,”.

7 (238) Section 757(g) of the Public Health Serv-
8 ice Act (42 U.S.C. 294f(g)) is amended—

9 (A) in the subsection heading, by striking
10 “FACA” and inserting “CHAPTER 10 OF TITLE
11 5, UNITED STATES CODE”; and

12 (B) in text, by striking “The Federal Advi-
13 sory Committee Act shall apply to the Advisory
14 Committee under this section only to the extent
15 that the provisions of such Act” and inserting
16 “Chapter 10 of title 5, United States Code,
17 shall apply to the Advisory Committee under
18 this section only to the extent that the provi-
19 sions of chapter 10 of title 5, United States
20 Code,”.

21 (239) Section 5101(c)(1) of the Patient Protec-
22 tion and Affordable Care Act (42 U.S.C. 294q(c)(1))
23 is amended by striking “section 5 of the Federal Ad-
24 visory Committee Act (5 U.S.C. App.)” and insert-
25 ing “section 1004 of title 5, United States Code.”.

1 (240) Section 851(h) of the Public Health Serv-
2 ice Act (42 U.S.C. 297t(h)) is amended—

3 (A) in the subsection heading, by striking
4 “FACA” and inserting “CHAPTER 10 OF TITLE
5 5, UNITED STATES CODE”; and

6 (B) in text, by striking “The Federal Advi-
7 sory Committee Act shall apply to the Advisory
8 Committee under this section only to the extent
9 that the provisions of such Act” and inserting
10 “Chapter 10 of title 5, United States Code,
11 shall apply to the Advisory Committee under
12 this section only to the extent that the provi-
13 sions of chapter 10 of title 5, United States
14 Code,”.

15 (241) Section 915(a)(5) of the Public Health
16 Service Act (42 U.S.C. 299b–4(a)(5)) is amended by
17 striking “Appendix 2 of title 5, United States
18 Code.” and inserting “chapter 10 of title 5, United
19 States Code.”.

20 (242) Section 942(j) of the Public Health Serv-
21 ice Act (42 U.S.C. 299c(j)) is amended by striking
22 “section 14(a) of the Federal Advisory Committee
23 Act,” and inserting “section 1013(a) of title 5,
24 United States Code,”.

1 (243) Section 941(c)(3) of the Public Health
2 Service Act (42 U.S.C. 299e-1(c)(3)) is amended by
3 striking “section 14(a) of the Federal Advisory Com-
4 mittee Act,” and inserting “section 1013(a) of title
5 5, United States Code,”.

6 (244) Section 1111(g) of the Public Health
7 Service Act (42 U.S.C. 300b-10(g)) is amended—

8 (A) in paragraph (1), by striking “section
9 14 of the Federal Advisory Committee Act,”
10 and inserting “section 1013 of title 5, United
11 States Code,”; and

12 (B) in paragraph (2), by striking “the
13 Federal Advisory Committee Act, an advisory
14 committee established by the President or an
15 officer of the Federal Government under section
16 9(a) of such Act.” and inserting “chapter 10 of
17 title 5, United States Code, an advisory com-
18 mitted established by the President or an offi-
19 cer of the Federal Government under section
20 1008(a) of title 5, United States Code.”.

21 (245) Section 1446(d) of the Public Health
22 Service Act (42 U.S.C. 300j-5(d)) is amended by
23 striking “Section 14(a) of the Federal Advisory
24 Committee Act (relating to termination)” and insert-

1 ing “Section 1013(a) of title 5, United States Code
2 (relating to termination),”.

3 (246) Section 3002(e) of the Public Health
4 Service Act (42 U.S.C. 300jj–12(e)) is amended—

5 (A) in the subsection heading, by striking
6 “FACA” and inserting “CHAPTER 10 OF TITLE
7 5, UNITED STATES CODE”; and

8 (B) in text, by striking “The Federal Advi-
9 sory Committee Act (5 U.S.C. App.), other
10 than section 14 of such Act,” and inserting
11 “Chapter 10 of title 5, United States Code,
12 other than section 1013 of title 5, United
13 States Code,”.

14 (247) Section 3302(a)(6) of the Public Health
15 Service Act (42 U.S.C. 300mm–1(a)(6)) is amend-
16 ed—

17 (A) in the paragraph heading, by striking
18 “FACA” and inserting “CHAPTER 10 OF TITLE 5,
19 UNITED STATES CODE”; and

20 (B) in text, by striking “the Federal Advi-
21 sory Committee Act.” and inserting “Chapter
22 10 of title 5, United States Code.”.

23 (248) Section 3(b)(3) of the Social Security
24 Disability Benefits Reform Act of 1984 (Public Law
25 98–460, 42 U.S.C. 423 note) is amended by striking

1 “the Federal Advisory Committee Act)” and insert-
2 ing “Chapter 10 of title 5, United States Code”).

3 (249) Section 703(h) of the Social Security Act
4 (42 U.S.C. 903(h)) is amended—

5 (A) in the subsection heading, by striking
6 “FEDERAL ADVISORY COMMITTEE ACT” and
7 inserting “CHAPTER 10 OF TITLE 5, UNITED
8 STATES CODE”; and

9 (B) in text, by striking “the Federal Advi-
10 sory Committee Act (5 U.S.C. App.)” and in-
11 sserting “chapter 10 of title 5, United States
12 Code.”.

13 (250) Section 5006(e)(1) of the American Re-
14 covery and Reinvestment Act of 2009 (42 U.S.C.
15 1320b–24) is amended by striking “the Federal Ad-
16 visory Committee Act (5 U.S.C. App.)” and insert-
17 ing “chapter 10 of title 5, United States Code.”.

18 (251) Section 1834A(f)(2) of the Social Secu-
19 rity Act (42 U.S.C. 1395m–1(f)(2)) is amended—

20 (A) in the paragraph heading, by striking
21 “FACA” and inserting “CHAPTER 10 OF TITLE 5,
22 UNITED STATES CODE”; and

23 (B) in text, by striking “the Federal Advi-
24 sory Committee Act (5 U.S.C. App.)” and in-

1 serting “chapter 10 of title 5, United States
2 Code.”.

3 (252) Section 1847(c)(4) of the Social Security
4 Act (42 U.S.C. 1395w-3(c)(4)) is amended—

5 (A) in the paragraph heading, by striking
6 “FACA” and inserting “CHAPTER 10 OF TITLE 5,
7 UNITED STATES CODE”; and

8 (B) in text, by striking “the Federal Advi-
9 sory Committee Act (5 U.S.C. App.)” and in-
10 serting “chapter 10 of title 5, United States
11 Code,”.

12 (253) Section 3134(b)(1)(A) of the Patient
13 Protection and Affordable Care Act (Public Law
14 111-148, 42 U.S.C. 1395w-4 note) is amended by
15 striking “the Federal Advisory Committee Act (5
16 U.S.C. App.)” and inserting “chapter 10 of title 5,
17 United States Code,”.

18 (254) Section 4012(c) of the Balanced Budget
19 Act of 1997 (Pub. L. 105-33, 42 U.S.C. 1395w-23
20 note) is amended by striking “section 9(c) of the
21 Federal Advisory Committee Act (5 U.S.C. App.),”
22 and inserting “section 1008(c) of title 5, United
23 States Code,”.

24 (255) Section 1868(c)(1)(G) of the Social Secu-
25 rity Act (42 U.S.C. 1395ee(c)(1)(G)) is amended by

1 striking “Section 14 of the Federal Advisory Com-
2 mittee Act (5 U.S.C. App.)” and inserting “Section
3 1013 of title 5, United States Code,”.

4 (256) Section 2021(j) of the Social Security Act
5 (42 U.S.C. 1397k(j)) is amended by striking “Sec-
6 tion 14 of the Federal Advisory Committee Act (5
7 U.S.C. App.)” and inserting “Section 1013 of title
8 5, United States Code,”.

9 (257) Section 2022(j) of the Social Security Act
10 (42 U.S.C. 1397k–1(j)) is amended by striking
11 “Section 14 of the Federal Advisory Committee Act
12 (5 U.S.C. App.)” and inserting “Section 1013 of
13 title 5, United States Code,”.

14 (258) Section 23(j) of the National Science
15 Foundation Authorization Act of 2002 (42 U.S.C.
16 1862n–9(j)) is amended by striking “Section 14 of
17 the Federal Advisory Committee Act” and inserting
18 “Section 1013 of title 5, United States Code,”.

19 (259) Section 1061(l)(2) of the National Secu-
20 rity Intelligence Reform Act of 2004 (42 U.S.C.
21 2000ee(l)(2)) is amended by striking “section 3(2)
22 of the Federal Advisory Committee Act (5 U.S.C.
23 App.).” and inserting “section 1001(2) of title 5,
24 United States Code).”.

1 (260) Section 170(l) of the Atomic Energy
2 Damages Act (42 U.S.C. 2210(l)) is amended—

3 (A) in paragraph (1), by striking “the
4 Federal Advisory Committee Act (5 U.S.C.
5 App.)” and inserting “chapter 10 of title 5,
6 United States Code,”; and

7 (B) in paragraph (4)—

8 (i) in subparagraph (A), by striking
9 “the Federal Advisory Committee Act (5
10 U.S.C. App.) and title 5, United States
11 Code.” and inserting “title 5, United
12 States Code.”; and

13 (ii) in subparagraphs (E) and (F), by
14 striking “the Federal Advisory Committee
15 Act (5 U.S.C. App.)” and inserting “chap-
16 ter 10 of title 5, United States Code,”.

17 (261) Section 308 of the Denali Commission
18 Act of 1998 (Public Law 105–277, 42 U.S.C. 3121
19 note) is amended—

20 (A) in the section heading, by striking
21 “FEDERAL ADVISORY COMMITTEE ACT”
22 and inserting “CHAPTER 10 OF TITLE 5,
23 UNITED STATES CODE”; and

1 (B) in text, by striking “The Federal Advi-
2 sory Committee Act” and inserting “Chapter
3 10 of title 5, United States Code,”.

4 (262) Section 309(b)(5) of the Denali Commis-
5 sion Act of 1998 (Public Law 105–277, 42 U.S.C.
6 3121 note) is amended—

7 (A) in the paragraph heading, by striking
8 “FACA” and inserting “CHAPTER 10 OF TITLE
9 5, UNITED STATES CODE,”; and

10 (B) in text by striking “the Federal Advi-
11 sory Committee Act (5 U.S.C. App.)” and in-
12 sserting “chapter 10 of title 5, United States
13 Code,”.

14 (263) Section 1345(b) of the National Flood
15 Insurance Act of 1968 (42 U.S.C. 4081(b)) is
16 amended by striking “the Federal Advisory Com-
17 mittee Act (5 U.S.C. App.)” and inserting “chapter
18 10 of title 5, United States Code.”.

19 (264) Section 106(g) of the Energy Reorganiza-
20 tion Act of 1974 (42 U.S.C. 5816(g)) is amended by
21 striking “the Federal Advisory Committee Act (Pub-
22 lic Law 92–463),” and inserting “chapter 10 of title
23 5, United States Code,”.

24 (265) Section 253(e)(1) of the Energy Policy
25 and Conservation Act (42 U.S.C. 6273(e)(1)) is

1 amended by striking “sections 10 and 11 of the
2 Federal Advisory Committee Act,” and inserting
3 “sections 1009 and 1010 of title 5, United States
4 Code,”.

5 (266) Section 624 of the Department of Energy
6 Organization Act (42 U.S.C. 7234) is amended by
7 striking “the Federal Advisory Committee Act” and
8 inserting “chapter 10 of title 5, United States
9 Code,”.

10 (267) Section 3112 of the National Defense
11 Authorization Act for Fiscal Year 2004 (Public Law
12 108–136, 42 U.S.C. 7234 note) is amended—

13 (A) in the section heading, by striking
14 “FEDERAL ADVISORY COMMITTEE ACT”
15 and inserting “CHAPTER 10 OF TITLE 5,
16 UNITED STATES CODE,”; and

17 (B) in text, by striking “section 3 of the
18 Federal Advisory Committee Act (5 U.S.C.
19 App.)” and inserting “section 1001 of title 5,
20 United States Code.”.

21 (268) Section 3142(f) of the Department of
22 Energy Facilities Safeguards, Security, and Coun-
23 terintelligence Enhancement Act of 1999 (42 U.S.C.
24 7383(f)) is amended—

1 (A) in the subsection heading, by striking
2 “FACA” and inserting “CHAPTER 10 OF TITLE
3 5, UNITED STATES CODE”; and

4 (B) in text, by striking “the Federal Advi-
5 sory Committee Act (5 U.S.C. App.)” and in-
6 sserting “chapter 10 of title 5, United States
7 Code.”.

8 (269) Section 169B(c)(4) of the Clean Air Act
9 (42 U.S.C. 7492(c)(4)) is amended by striking “the
10 Federal Advisory Committee Act (5 U.S.C. Appendix
11 2, Section 1).” and inserting “chapter 10 of title 5,
12 United States Code.”.

13 (270) Section 176A(b)(2) of the Clean Air Act
14 (42 U.S.C. 7506a(b)(2)) is amended by striking
15 “the Federal Advisory Committee Act (5 U.S.C.
16 App.)” and inserting “chapter 10 of title 5, United
17 States Code.”.

18 (271) Section 5(a)(5)(D) of the Earthquake
19 Hazards Reduction Act of 1977 (42 U.S.C.
20 7704(a)(5)(D)) is amended—

21 (A) in the subparagraph heading, by strik-
22 ing “FEDERAL ADVISORY COMMITTEE ACT AP-
23 PPLICATION” and inserting “APPLICATION OF
24 CHAPTER 10 OF TITLE 5, UNITED STATES
25 CODE”; and

1 (B) in text, by striking “Section 14 of the
2 Federal Advisory Committee Act (5 App.
3 U.S.C. 14)” and inserting “Section 1013 of
4 title 5, United States Code,”.

5 (272) Section 172(e) of the Nuclear Waste Pol-
6 icy Act of 1982 (42 U.S.C. 10173b(e)) is amend-
7 ed—

8 (A) in the subsection heading, by striking
9 “FEDERAL ADVISORY COMMITTEE ACT” and
10 inserting “CHAPTER 10 OF TITLE 5, UNITED
11 STATES CODE”; and

12 (B) in text, by striking “the Federal Advi-
13 sory Committee Act” and inserting “chapter 10
14 of title 5, United States Code,”.

15 (273) Section 408(10) of the Nuclear Waste
16 Policy Act of 1982 (42 U.S.C. 10248(10)) is amend-
17 ed by striking “the Federal Advisory Committee Act
18 (5 U.S.C. App.)” and inserting “chapter 10 of title
19 5, United States Code.”.

20 (274) Section 163(c) of the National and Com-
21 munity Service Act of 1990 (42 U.S.C. 12623(c)) is
22 amended by striking “Section 14 of the Federal Ad-
23 visory Committee Act (5 U.S.C. App.)” and insert-
24 ing “Section 1013 of title 5, United States Code,”.

1 (275) Section 192A(h) of the National and
2 Community Service Act of 1990 (42 U.S.C.
3 12651b(h)) is amended by striking “The Federal
4 Advisory Committee Act (5 U.S.C. App.)” and in-
5 serting “Chapter 10 of title 5, United States Code,”.

6 (276) Section 103(h)(7) of the Energy Policy
7 Act of 1992 (42 U.S.C. 13458(h)(7)) is amended by
8 striking “Section 14 of the Federal Advisory Com-
9 mittee Act” and inserting “Section 1013 of title 5,
10 United States Code,”.

11 (277) Section 205(e) of the National Wind-
12 storm Impact Reduction Act of 2004 (42 U.S.C.
13 15704(e)) is amended by striking “section 14(b)(2)
14 of the Federal Advisory Committee Act (5 U.S.C.
15 App.), the Advisory Committee shall not be required
16 to file a charter subsequent to its initial charter,
17 filed under section 9(c) of such Act,” and inserting
18 “section 1013(b)(2) of title 5, United States Code,
19 the Advisory Committee shall not be required to file
20 a charter subsequent to its initial charter, filed
21 under section 1008(c) of title 5, United States
22 Code,”.

23 (278) Section 990(b) of the Energy Research,
24 Development, Demonstration, and Commercial Ap-
25 plication Act of 2005 (42 U.S.C. 16354(b)) is

1 amended by striking “the Federal Advisory Com-
2 mittee Act (5 U.S.C. App.)” and inserting “chapter
3 10 of title 5, United States Code,”.

4 (279) Section 494(e) of the Energy Independ-
5 ence and Security Act of 2007 (42 U.S.C. 17123(e))
6 is amended—

7 (A) in the subsection heading, by striking
8 “FACA EXEMPTION” and inserting “EXEMP-
9 TION FROM CHAPTER 10 OF TITLE 5, UNITED
10 STATES CODE”; and

11 (B) in text, by striking “section 14 of the
12 Federal Advisory Committee Act (5 U.S.C.
13 App.)” and inserting “section 1013 of title 5,
14 United States Code.”.

15 (280) Section 641(e)(3)(B) of the United
16 States Energy Storage Competitiveness Act of 2007
17 (42 U.S.C. 17231(e)(3)(B)) is amended—

18 (A) in the subparagraph heading, by strik-
19 ing “FEDERAL ADVISORY COMMITTEE ACT” and
20 inserting “CHAPTER 10 OF TITLE 5, UNITED
21 STATES CODE”; and

22 (B) in text, by striking “The Federal Advi-
23 sory Committee Act (5 U.S.C. App.)” and in-
24 sserting “Chapter 10 of title 5, United States
25 Code,”.

1 (281) Section 1303(a)(3) of the Energy Inde-
2 pendence and Security Act of 2007 (42 U.S.C.
3 17383(a)(3)) is amended—

4 (A) in the paragraph heading, by striking
5 “FEDERAL ADVISORY COMMITTEE ACT” and in-
6 serting “CHAPTER 10 OF TITLE 5, UNITED
7 STATES CODE”; and

8 (B) in text, by striking “The Federal Advi-
9 sory Committee Act (5 U.S.C. App.)” and in-
10 serting “Chapter 10 of title 5, United States
11 Code,”.

12 (282) Section 1322(b)(4)(E) of the Patient
13 Protection and Affordable Care Act (42 U.S.C.
14 18042(b)(4)(E)) is amended—

15 (A) in the subparagraph heading, by strik-
16 ing “FACA” and inserting “CHAPTER 10 OF
17 TITLE 5, UNITED STATES CODE”; and

18 (B) in text, by striking “The Federal Advi-
19 sory Committee Act (5 U.S.C. App.) shall apply
20 to the advisory board, except that section 14 of
21 such Act” and inserting “Chapter 10 of title 5,
22 United States Code, shall apply to the advisory
23 board, except that section 1013 of title 5,
24 United States Code,”.

1 (283) Section 205 of the Energy and Water
2 Development Appropriations Act, 1993 (43 U.S.C.
3 1475a) is amended by striking “the Federal Advi-
4 sory Committee Act (5 U.S.C. Appendix (1988)):
5 and inserting “chapter 10 of title 5, United States
6 Code:”.

7 (284) Section 4(b) of the Colorado River
8 Floodway Protection Act (43 U.S.C. 1600b(b)) is
9 amended by striking “the Federal Advisory Com-
10 mittee Act (Public Law 92–463; 5 U.S.C. App. I)”
11 and inserting “chapter 10 of title 5, United States
12 Code,”.

13 (285) Section 309(a) of the Federal Land Pol-
14 icy and Management Act of 1976 (43 U.S.C.
15 1739(a)) is amended by striking “the Federal Advi-
16 sory Committee Act (86 Stat. 770; 5 U.S.C. App.
17 1).” and inserting “chapter 10 of title 5, United
18 States Code.”.

19 (286) Section 8(d)(2) of the President John F.
20 Kennedy Assassination Records Collection Act of
21 1992 (Public Law 102–526, 44 U.S.C. 2107 note)
22 is amended by striking “the Federal Advisory Com-
23 mittee Act (5 U.S.C. App.).” and inserting “chapter
24 10 of title 5, United States Code.”.

1 (287) Section 2701(b) of title 44, United States
2 Code, is amended by striking “the Federal Advisory
3 Committee Act (5 U.S.C. App.), except that the
4 Committee shall be of permanent duration, notwith-
5 standing any provision of section 14 of the Federal
6 Advisory Committee Act.” and inserting “chapter 10
7 of title 5, except that the Committee shall be of per-
8 manent duration, notwithstanding any provision of
9 section 1013 of title 5.”.

10 (288) Section 1168(a) of the Northeast Rail
11 Service Act of 1981 (45 U.S.C. 1116(a)) is amended
12 by striking “the Federal Advisory Committee Act,”
13 and inserting “chapter 10 of title 5, United States
14 Code,”.

15 (289) Section 613(a) of the Alaska Railroad
16 Transfer Act of 1982 (45 U.S.C. 1212(a)) is amend-
17 ed by striking “the Federal Advisory Committee Act
18 (5 U.S.C. App. 1 et seq.),” and inserting “chapter
19 10 of title 5, United States Code,”.

20 (290) Section 7510(c)(9) of title 46, United
21 States Code, is amended—

22 (A) in the paragraph heading, by striking
23 “FACA” and inserting “CHAPTER 10 OF TITLE
24 5”; and

1 (B) in text, by striking “The Federal Advi-
2 sory Committee Act (5 U.S.C. App.)” and in-
3 sserting “Chapter 10 of title 5”.

4 (291) Section 9307 of title 46, United States
5 Code, is amended—

6 (A) in subsection (c)(2), by striking “sec-
7 tion 10(c) of the Federal Advisory Committee
8 Act (5 U.S.C. App.)” and inserting “section
9 1009(c) of title 5.”; and

10 (B) in subsection (f)(1), by striking “The
11 Federal Advisory Committee Act (5 U.S.C.
12 App.)” and inserting “Chapter 10 of title 5”.

13 (292) Section 51313(d) of title 46, United
14 States Code, is amended by striking “The Federal
15 Advisory Committee Act (5 App. U.S.C.)” and in-
16 sserting “Chapter 10 of title 5”.

17 (293) Section 109(a)(2) of the Maritime Trans-
18 portation Security Act of 2002 (Public Law 107-
19 295, 46 U.S.C. 70101 note) is amended by striking
20 “the Federal Advisory Committee Act (5 U.S.C.
21 App.),” and inserting “chapter 10 of title 5, United
22 States Code,”.

23 (294) Section 70112(b)(4)(B) of title 46,
24 United States Code, is amended by striking “section
25 10(c) of the Federal Advisory Committee Act (5

1 U.S.C. App.)” and inserting “section 1009(c) of
2 title 5.”.

3 (295) Section 70112(b)(7) of title 46, United
4 States Code, is amended—

5 (A) in the paragraph heading, by striking
6 “FACA” and inserting “CHAPTER 10 OF TITLE
7 5”; and

8 (B) in text, by striking “The Federal Advi-
9 sory Committee Act (5 U.S.C. App.)” and in-
10 sserting “Chapter 10 of title 5”.

11 (296) Section 332(b)(4) of the Communications
12 Act of 1934 (47 U.S.C. 332(b)(4)) is amended by
13 striking “the Federal Advisory Committee Act.” and
14 inserting “chapter 10 of title 5, United States
15 Code.”.

16 (297) Section 201(h) of the Twenty-First Cen-
17 tury Communications and Video Accessibility Act of
18 2010 (Public Law 111–260, 47 U.S.C. 613 note) is
19 amended—

20 (A) in the subsection heading, by striking
21 “FEDERAL ADVISORY COMMITTEE ACT” and
22 inserting “CHAPTER 10 OF TITLE 5, UNITED
23 STATES CODE”; and

24 (B) in text, by striking “The Federal Advi-
25 sory Committee Act (5 U.S.C. App.)” and in-

1 serting “Chapter 10 of title 5, United States
2 Code,”.

3 (298) Section 106(f) of the Twenty-First Cen-
4 tury Communications and Video Accessibility Act of
5 2010 (47 U.S.C. 615c(f)) is amended—

6 (A) in the subsection heading, by striking
7 “FEDERAL ADVISORY COMMITTEE ACT” and
8 inserting “CHAPTER 10 OF TITLE 5, UNITED
9 STATES CODE”; and

10 (B) in text, by striking “The Federal Advi-
11 sory Committee Act (5 U.S.C. App.)” and in-
12 serting “Chapter 10 of title 5, United States
13 Code,”.

14 (299) Section 113 of the National Tele-
15 communications and Information Administration Or-
16 ganization Act (47 U.S.C. 923) is amended—

17 (A) in subsection (h)(3)(E), by striking
18 “The Federal Advisory Committee Act (5
19 U.S.C. App.)” and inserting “Chapter 10 of
20 title 5, United States Code,”; and

21 (B) in subsection (i)(9), by striking “The
22 Federal Advisory Committee Act (5 U.S.C.
23 App.)” and inserting “Chapter 10 of title 5,
24 United States Code,”.

1 (300) Section 603(f) of the Warning, Alert, and
2 Response Network Act (47 U.S.C. 1202(f)) is
3 amended—

4 (A) in the subsection heading, by striking
5 “FEDERAL ADVISORY COMMITTEE ACT” and
6 inserting “CHAPTER 10 OF TITLE 5, UNITED
7 STATES CODE”; and

8 (B) in text, by striking “the Federal Advi-
9 sory Committee Act (5 U.S.C. App.) nor any
10 rule, order, or regulation promulgated under
11 that Act” and inserting “chapter 10 of title 5,
12 United States Code, nor any rule, order, or reg-
13 ulation promulgated under that chapter”.

14 (301) Section 6203(e) of the Middle Class Tax
15 Relief and Job Creation Act of 2012 (47 U.S.C.
16 1423(e)) is amended—

17 (A) in the subsection heading, by striking
18 “FACA” and inserting “CHAPTER 10 OF TITLE
19 5, UNITED STATES CODE”; and

20 (B) in text, by striking “The Federal Advi-
21 sory Committee Act (5 U.S.C. App.)” and in-
22 serting “Chapter 10 of title 5, United States
23 Code,”.

24 (302) Section 106(p)(5) of title 49, United
25 States Code, is amended—

1 (A) in the paragraph heading, by striking
2 “FEDERAL ADVISORY COMMITTEE ACT” and in-
3 serting “CHAPTER 10 OF TITLE 5”; and

4 (B) in text, by striking “The Federal Advi-
5 sory Committee Act (5 U.S.C. App.)” and in-
6 serting “Chapter 10 of title 5”.

7 (303) Section 1325(a)(4) of title 49, United
8 States Code, is amended by striking “the Federal
9 Advisory Committee Act.” and inserting “chapter 10
10 of title 5.”.

11 (304) Section 6305(e) of title 49, United States
12 Code, is amended—

13 (A) in the subsection heading, by striking
14 “FEDERAL ADVISORY COMMITTEE ACT” and
15 inserting “CHAPTER 10 OF TITLE 5”; and

16 (B) in text, by striking “The Federal Advi-
17 sory Committee Act (5 U.S.C. App.) shall apply
18 to the advisory council established under this
19 section, except that section 14 of that Act” and
20 inserting “Chapter 10 of title 5 shall apply to
21 the advisory council established under this sec-
22 tion, except that section 1013 of title 5”.

23 (305) Section 14504a(d)(9) of title 49, United
24 States Code, is amended—

1 (A) in the paragraph heading, by striking
2 “FEDERAL ADVISORY COMMITTEE ACT” and in-
3 serting “CHAPTER 10 OF TITLE 5”; and

4 (B) in text, by striking “The Federal Advi-
5 sory Committee Act (5 U.S.C. App.)” and in-
6 serting “Chapter 10 of title 5”.

7 (306) Section 20133(d) of title 49, United
8 States Code, is amended by striking “the Federal
9 Advisory Committee Act (5 U.S.C. App.),” and in-
10 serting “chapter 10 of title 5,”.

11 (307) Section 502(e)(5) of the Passenger Rail
12 Investment and Improvement Act of 2008 (Public
13 Law 110–432, 49 U.S.C. 26106 note) is amended by
14 striking “the Federal Advisory Committee Act (P.L.
15 92–463)” and inserting “chapter 10 of title 5,
16 United States Code,”.

17 (308) Section 30306(i) of title 49, United
18 States Code, is amended by striking “sections 10(e)
19 and (f) and 14 of the Federal Advisory Committee
20 Act (5 App. U.S.C.)” and inserting “sections
21 1009(e) and (f) and 1013 of title 5.”.

22 (309) Section 4144(d) of the Motor Carrier
23 Safety Reauthorization Act of 2005 (Public Law
24 109–59, 49 U.S.C. 31100 note) is amended by strik-
25 ing “the Federal Advisory Committee Act (5 U.S.C.

1 App.),” and inserting “chapter 10 of title 5, United
2 States Code,”.

3 (310) Section 5106(a)(5) of the FAST Act
4 (Public Law 114–94, 49 U.S.C. 31102 note) is
5 amended by striking “The Federal Advisory Com-
6 mittee Act (5 U.S.C. App.)” and inserting “Chapter
7 10 of title 5, United States Code,”.

8 (311) Section 274(b)(5)(C) of the Air Traffic
9 Management System Performance Improvement Act
10 of 1996 (Public Law 104–264, 49 U.S.C. 40101
11 note) is amended—

12 (A) in the subparagraph heading, by strik-
13 ing “FACA” and inserting “CHAPTER 10 OF
14 TITLE 5, UNITED STATES CODE,”; and

15 (B) in text, by striking “the Federal Advi-
16 sory Committee Act (5 U.S.C. App.)” and in-
17 sserting “chapter 10 of title 5, United States
18 Code.”.

19 (312) Section 805(d) of the National Parks Air
20 Tour Management Act of 2000 (Public Law 106–
21 181, 49 U.S.C. 40128 note) is amended—

22 (A) in the subsection heading, by striking
23 “FACA” and inserting “CHAPTER 10 OF TITLE
24 5, UNITED STATES CODE”; and

25 (B) in paragraph (3)—

1 (i) in the paragraph heading, by strik-
2 ing “FACA” and inserting “CHAPTER 10
3 OF TITLE 5, UNITED STATES CODE”; and

4 (ii) in text, by striking “Section 14 of
5 the Federal Advisory Committee Act (5
6 U.S.C. App.)” and inserting “Section 1013
7 of title 5, United States Code,”.

8 (313) Section 44508(d) of title 49, United
9 States Code, is amended by striking “Section 14 of
10 the Federal Advisory Committee Act (5 App.
11 U.S.C.)” and inserting “Section 1013 of title 5”.

12 (314) Section 44511(f)(2) of title 49, United
13 States Code, is amended by striking “Section 14 of
14 the Federal Advisory Committee Act” and inserting
15 “Section 1013 of title 5”.

16 (315) Section 204(f) of the Airline Safety and
17 Federal Aviation Administration Extension Act of
18 2010 (Public Law 111–216, 49 U.S.C. 44701 note)
19 is amended—

20 (A) in the subsection heading, by striking
21 “FEDERAL ADVISORY COMMITTEE ACT” and
22 inserting “CHAPTER 10 OF TITLE 5, UNITED
23 STATES CODE”; and

24 (B) in text, by striking “The Federal Advi-
25 sory Committee Act (5 U.S.C. App.)” and in-

1 serting “Chapter 10 of title 5, United States
2 Code,”.

3 (316) Section 44903(f) of title 49, United
4 States Code, is amended by striking “the Federal
5 Advisory Committee Act (5 U.S.C. App.)” and in-
6 serting “chapter 10 of title 5.”.

7 (317) Section 44946(f) of title 49, United
8 States Code, is amended—

9 (A) in the subsection heading, by striking
10 “FACA” and inserting “CHAPTER 10 OF TITLE
11 5”; and

12 (B) in text, by striking “The Federal Advi-
13 sory Committee Act (5 U.S.C. App.)” and in-
14 serting “Chapter 10 of title 5”.

15 (318) Section 703(l) of the Public Interest De-
16 classification Act of 2000 (Public Law 106–567, 50
17 U.S.C. 3161 note) is amended by striking “the Fed-
18 eral Advisory Committee Act (5 U.S.C. App.)” and
19 inserting “chapter 10 of title 5, United States
20 Code,”.

21 (319) Section 410(b)(3) of the Intelligence Au-
22 thorization Act for Fiscal Year 2010 (50 U.S.C.
23 3309(3)) is amended by striking “section 4(b)(3) of
24 the Federal Advisory Committee Act (5 U.S.C.
25 App.) that an advisory committee cannot comply

1 with the requirements of such Act.” and inserting
2 “section 1003(b)(3) of title 5, United States Code,
3 that an advisory committee cannot comply with the
4 requirements of chapter 10 of title 5, United States
5 Code.”.

6 (320) Section 19(c) of the National Security
7 Agency Act of 1959 (50 U.S.C. 3617(c)) is amended
8 by striking “The Federal Advisory Committee Act (5
9 U.S.C. App.)” and inserting “Chapter 10 of title 5,
10 United States Code,”.

11 (321) Section 708(d)(1) of the Defense Produc-
12 tion Act of 1950 (50 U.S.C. 4558(d)(1)) is amended
13 by striking “the Federal Advisory Committee Act,
14 whether or not such Act” and inserting “chapter 10
15 of title 5, United States Code, whether or not such
16 chapter”.

17 (322) Section 708(n) of the Defense Production
18 Act of 1950 (50 U.S.C. 4558(n)) is amended—

19 (A) in the subsection heading, by striking
20 “ADVISORY COMMITTEE ACT PROVISIONS” and
21 inserting “CHAPTER 10 OF TITLE 5, UNITED
22 STATES CODE,”; and

23 (B) in text, by striking “the Federal Advi-
24 sory Committee Act (5 U.S.C. App.)” and in-

1 serting “chapter 10 of title 5, United States
2 Code,”.

3 (323) Section 722(e) of the Defense Production
4 Act of 1950 (50 U.S.C. 4567(e)) is amended—

5 (A) in the subsection heading, by striking
6 “FEDERAL ADVISORY COMMITTEE ACT” and
7 inserting “CHAPTER 10 OF TITLE 5, UNITED
8 STATES CODE”; and

9 (B) in text, by striking “the Federal Advi-
10 sory Committee Act (5 U.S.C. App.)” and in-
11 serting “chapter 10 of title 5, United States
12 Code,”.

13 (324) Section 121(b) of the National Aero-
14 nautics and Space Administration Authorization Act,
15 Fiscal Year 1991 (Public Law 101–611, 51 U.S.C.
16 20111 note) is amended by striking “section
17 14(a)(2) of the Federal Advisory Committee Act.”
18 and inserting “section 1013(a) of title 5, United
19 States Code.”.

20 (325) Section 40308(a) of title 51, United
21 States Code, is amended by striking “the Federal
22 Advisory Committee Act (5 App. U.S.C.).” and in-
23 serting “chapter 10 of title 5.”.

24 (326) Section 60304(a) of title 51, United
25 States Code, is amended by striking “section 14 of

1 the Federal Advisory Committee Act (5 App.
2 U.S.C.),” and inserting “section 1013 of title 5,”.

3 (327) Section 70906(a) of title 51, United
4 States Code, is amended by striking “the Federal
5 Advisory Committee Act” and inserting “chapter 10
6 of title 5”.

7 (328) Section 100906(b) of title 54, United
8 States Code, is amended by striking “Section 14(b)
9 of the Federal Advisory Committee Act (5 U.S.C.
10 App.)” and inserting “Section 1013(b) of title 5”.

11 (329) Section 101919(e) of title 54, United
12 States Code, is amended by striking “the Federal
13 Advisory Committee Act (5 U.S.C. App.)” and in-
14 serting “chapter 10 of title 5.”.

15 (330) Section 102303(h) of title 54, United
16 States Code, is amended—

17 (A) in the subsection heading, by striking
18 “FEDERAL ADVISORY COMMITTEE ACT” and
19 inserting “CHAPTER 10 OF TITLE 5”; and

20 (B) in text, by striking “The Federal Advi-
21 sory Committee Act (5 U.S.C. App.), with the
22 exception of section 14(b),” and inserting
23 “Chapter 10 of title 5, with the exception of
24 section 1013(b),”.

1 (331) Section 304105(i) of title 54, United
2 States Code, is amended—

3 (A) in the subsection heading, by striking
4 “FEDERAL ADVISORY COMMITTEE ACT” and
5 inserting “CHAPTER 10 OF TITLE 5”; and

6 (B) in text, by striking “the Federal Advi-
7 sory Committee Act (5 U.S.C. App.)” and in-
8 sserting “chapter 10 of title 5.”.

9 (b) AMENDMENTS TO UPDATE REFERENCES TO IN-
10 SPECTOR GENERAL ACT OF 1978.—

11 (1) Subsection (d)(1) of the Library of Con-
12 gress Inspector General Act of 2005 (2 U.S.C.
13 185(d)(1)) is amended by striking “Sections 4, 5
14 (other than subsections (a)(13)), 6(a) (other than
15 paragraphs (7) and (8) thereof), and 7 of the In-
16 spector General Act of 1978 (5 U.S.C. App.)” and
17 inserting “Sections 404, 405 (other than subsection
18 (b)(13)), 406(a) (other than paragraphs (7) and (8)
19 thereof), and 407 of title 5, United States Code,”.

20 (2) Section 3(8)(B)(xvii) of the Lobbying Dis-
21 closure Act of 1995 (2 U.S.C. 1602(8)(B)(xvii)) is
22 amended by striking “the Inspector General Act of
23 1978,” and inserting “chapter 4 of title 5, United
24 States Code,”.

1 (3) Subsection (d)(1) of the Architect of the
2 Capitol Inspector General Act of 2007 (2 U.S.C.
3 1808(d)(1)) is amended by striking “Sections 4, 5
4 (other than subsections (a)(13) and (e)(1)(B) there-
5 of), 6 (other than subsection (a)(7) and (8) thereof),
6 and 7 of the Inspector General Act of 1978 (5
7 U.S.C. App.)” and inserting “Sections 404, 405
8 (other than subsections (b)(13) and (f)(1)(B) there-
9 of), 406 (other than subsection (a)(7) and (8) there-
10 of), and 407 of title 5, United States Code,”.

11 (4) Section 1004 of the Legislative Branch Ap-
12 propriations Act, 2006 (2 U.S.C. 1909) is amend-
13 ed—

14 (A) in subsection (c)(1), by striking “sec-
15 tion 4 of the Inspector General Act of 1978, (5
16 U.S.C. App. 4),” and inserting “section 404 of
17 title 5, United States Code,”;

18 (B) in subsection (c)(2)—

19 (i) by striking “section 5 (other than
20 subsection (a)(13) thereof) of the Inspector
21 General Act of 1978, (5 U.S.C. App. 5).”
22 and inserting “section 405 (other than
23 subsection (b)(13) thereof) of title 5,
24 United States Code.”;

1 (ii) by striking “section 5 of such
2 Act” and inserting “section 405 of such
3 title”; and

4 (iii) by striking “section 5(b) of such
5 Act.” and inserting “section 405(c) of such
6 title.”; and

7 (C) in subsection (d)(1), by striking “sec-
8 tion 6(a) of the Inspector General Act of 1978,
9 (5 U.S.C. App. 6(a)), other than paragraphs
10 (7) and (8) of such section.” and inserting
11 “section 406(a) of title 5, United States Code,
12 other than paragraphs (7) and (8) of such sec-
13 tion.”.

14 (5) Section 6(c) of the Inspector General Re-
15 form Act of 2008 (Public Law 110–409, 122 Stat.
16 4305) is amended by striking “sections 3(g) and
17 8G(g) of the Inspector General Act of 1978 (5
18 U.S.C. App.) (as amended by this section).” and in-
19 serting “sections 403(g) and 415(g) of title 5,
20 United States Code.”.

21 (6) Section 4(d) of the Inspector General Re-
22 form Act of 2008 (Public Law 110–409, 122 Stat.
23 4304) is amended—

24 (A) in paragraph (1), by striking “section
25 12(2) of the Inspector General Act of 1978 (5

1 U.S.C. App.) (as amended by section 7(a) of
2 this Act);” and inserting “section 401 of title 5,
3 United States Code;” and

4 (B) in paragraph (2), by striking “section
5 8G(2) of the Inspector General Act of 1978 (5
6 U.S.C. App.);” and inserting “section 415(a) of
7 title 5, United States Code;”.

8 (7) Section 101(d)(3) of title I of division C of
9 the Omnibus Consolidated and Emergency Supple-
10 mental Appropriations Act, 1999 (Public Law 105-
11 277, 112 Stat. 2681–585), as amended by section
12 1000(a)(5) [title II, §239(a)] of Public Law 106-
13 113 (113 Stat. 1536, 1501A–302), is amended by
14 striking “section 8D(j) of the Inspector General Act
15 of 1978 (5 U.S.C. App.)” and inserting “section
16 412(j) of title 5, United States Code;”.

17 (8) Section 845(a)(1) of the Acquisition Im-
18 provement and Accountability Act of 2007 (Public
19 Law 110–181, div. A, title VIII, 122 Stat. 240) is
20 amended by striking “the Inspector General Act of
21 1978” and inserting “chapter 4 of title 5, United
22 States Code;”.

23 (9) Section 6009(b) of the Federal Acquisition
24 Streamlining Act of 1994 (Public Law 103–355,
25 108 Stat. 3367), as amended by section 810 of the

1 National Defense Authorization Act for Fiscal Year
2 1996 (Public Law 104–106, 110 Stat. 394) is
3 amended by striking “section 5(a)(3) of the Inspec-
4 tor General Act of 1978 (5 U.S.C. App.)” and in-
5 serting “section 405(b)(3) of title 5, United States
6 Code,”.

7 (10) Section 2 of Public Law 106–422 (114
8 Stat. 1873) is amended—

9 (A) in subsection (a)(1), by striking “the
10 Inspector General Act of 1978 (5 U.S.C.
11 App.)” and inserting “chapter 4 of title 5,
12 United States Code.”;

13 (B) in subsection (a)(2) (matter before
14 subparagraph (A)), by striking “section 11 of
15 the Inspector General Act of 1978 (5 U.S.C.
16 App.)” and inserting “section 401 of title 5,
17 United States Code”;

18 (C) in subsection (a)(2)(B), by striking
19 “the Inspector General Act of 1978 (5 U.S.C.
20 App.)” and inserting “chapter 4 of title 5,
21 United States Code.”;

22 (D) in subsection (b)(1), by striking “the
23 Inspector General Act of 1978 (5 U.S.C.
24 App.)” and inserting “chapter 4 of title 5,
25 United States Code.”;

1 (E) in subsection (b)(2) (matter before
2 subparagraph (A)), by striking “section 11 of
3 the Inspector General Act of 1978 (5 U.S.C.
4 App.)” and inserting “section 401 of title 5,
5 United States Code”; and

6 (F) in subsection (b)(2)(B), by striking
7 “the Inspector General Act of 1978 (5 U.S.C.
8 App.)” and inserting “chapter 4 of title 5,
9 United States Code.”.

10 (11) Section 403(c) of the Intelligence Author-
11 ization Act for Fiscal Year 2014 (Public Law 113–
12 126, 128 Stat. 1409) is amended by striking “sec-
13 tion 3 of the Inspector General Act of 1978 (5
14 U.S.C. App.),” and inserting “section 403 of title 5,
15 United States Code,”.

16 (12) Section 413(c) of the Intelligence Author-
17 ization Act for Fiscal Year 2014 (Public Law 113–
18 126, 128 Stat. 1410) is amended by striking “sec-
19 tion 3 of the Inspector General Act of 1978 (5
20 U.S.C. App.),” and inserting “section 403 of title 5,
21 United States Code,”.

22 (13) Section 11314(a)(1) of the Passenger Rail
23 Reform and Investment Act of 2015 (Public Law
24 114–94, div. A, title XI, 129 Stat. 1674) is amended
25 by striking “the Inspector General Act of 1978 (5

1 U.S.C. App.),” and inserting “chapter 4 of title 5,
2 United States Code,”.

3 (14) The matter under the headings “RE-
4 LATED AGENCIES”, “COMMISSION ON CIVIL
5 RIGHTS”, “SALARIES AND EXPENSES”, and “(IN-
6 CLUDING TRANSFER OF FUNDS)”, in title IV of the
7 Commerce, Justice, Science, and Related Agencies
8 Appropriations Act, 2013 (Public Law 113–6, div.
9 B, 127 Stat. 266) is amended—

10 (A) in the 4th proviso, by striking “the In-
11 spector General Act of 1978:” and inserting
12 “chapter 4 of title 5, United States Code:”; and

13 (B) in the 7th proviso (which is not classi-
14 fied to the United States Code), by striking
15 “section 5 of the Inspector General Act of
16 1978)” and inserting “section 405 of title 5,
17 United States Code)”.

18 (15) Section 1229 of the National Defense Au-
19 thorization Act for Fiscal Year 2008 (Public Law
20 110–181) is amended—

21 (A) in subsection (c)(6), by striking “sec-
22 tion 3(b) of the Inspector General Act of 1978
23 (5 U.S.C. App.).” and inserting “section 403(b)
24 of title 5, United States Code.”;

25 (B) in subsection (f)(3)—

1 (i) in the paragraph heading, by strik-
2 ing “INSPECTOR GENERAL ACT OF 1978”
3 and inserting “CHAPTER 4 OF TITLE 5,
4 UNITED STATES CODE”; and

5 (ii) in text, by striking “the Inspector
6 General Act of 1978.” and inserting
7 “chapter 4 of title 5, United States
8 Code.”; and

9 (C) in subsection (g)—

10 (i) in paragraph (1)—

11 (I) in the paragraph heading, by
12 striking “INSPECTOR GENERAL ACT
13 OF 1978” and inserting “CHAPTER 4
14 OF TITLE 5, UNITED STATES CODE”;
15 and

16 (II) in text, by striking “section
17 6 of the Inspector General Act of
18 1978,” and inserting “section 406 of
19 title 5, United States Code,”; and

20 (ii) in paragraph (2), by striking “sec-
21 tion 4(b)(1) of the Inspector General Act
22 of 1978.” and inserting “section 404(b)(1)
23 of title 5, United States Code.”.

24 (16) The 2d proviso in the matter under the
25 headings “CHEMICAL SAFETY AND HAZARD INVES-

1 TIGATION BOARD” and “SALARIES AND EXPENSES”
2 in title III of the Departments of Veterans Affairs
3 and Housing and Urban Development, and Inde-
4 pendent Agencies Appropriations Act, 2002 (Public
5 Law 107–73, 115 Stat. 679) is amended by striking
6 “the Inspector General Act of 1978, as amended:”
7 and inserting “chapter 4 of title 5, United States
8 Code:”.

9 (17) Section 3001 of the Emergency Supple-
10 mental Appropriations Act for Defense and for the
11 Reconstruction of Iraq and Afghanistan, 2004 (Pub-
12 lic Law 108–106) is amended—

13 (A) in subsection (c)(4), by striking “sec-
14 tion 3(b) of the Inspector General Act of 1978
15 (5 U.S.C. App.)” and inserting “section 403(b)
16 of title 5, United States Code.”;

17 (B) in subsection (f)(3), by striking “the
18 Inspector General Act of 1978.” and inserting
19 “chapter 4 of title 5, United States Code.”;

20 (C) in subsection (g)—

21 (i) in paragraph (1), by striking “sec-
22 tion 6 of the Inspector General Act of
23 1978,” and inserting “section 406 of title
24 5, United States Code,”; and

1 (ii) in paragraph (2), by striking “sec-
2 tion 4(b)(1) of the Inspector General Act
3 of 1978.” and inserting “section 404(b)(1)
4 of title 5, United States Code.”; and

5 (D) in subsection (i)(3), by striking “sec-
6 tion 5 of the Inspector General Act of 1978.”
7 and inserting “section 405 of title 5, United
8 States Code.”.

9 (18) Section 409(b) of the Amtrak Reform and
10 Accountability Act of 1997 (Public Law 105–134,
11 111 Stat. 2587) is amended by striking “the Inspec-
12 tor General Act of 1978.” and inserting “chapter 4
13 of title 5, United States Code.”.

14 (19) Section 102(e)(4) of the Inspector General
15 Act Amendments of 1988 (Public Law 100–504,
16 102 Stat. 2517) is amended by striking “section
17 3(b) of the Inspector General Act of 1978.” and in-
18 serting “section 403(b) of title 5, United States
19 Code.”.

20 (20) Section 7 of the Special Inspector General
21 for the Troubled Asset Relief Program Act of 2009
22 (Public Law 111–15, 123 Stat. 1605) is amended by
23 striking “section 11 of the Inspector General Act of
24 1978 (5 U.S.C. App.)” and inserting “section 424 of
25 title 5, United States Code,”.

1 (21) Section 103(b) of the Homeland Security
2 Act of 2002 (6 U.S.C. 113(b)) is amended by strik-
3 ing “the Inspector General Act of 1978 (5 U.S.C.
4 App.).” and inserting “chapter 4 of title 5, United
5 States Code.”.

6 (22) Section 1413(a)(1)(A) of the National
7 Transit Systems Security Act of 2007 (6 U.S.C.
8 1142(a)(1)(A)) is amended by striking “the Inspec-
9 tor General Act of 1978 (5 U.S.C. App.; Public Law
10 95–452);” and inserting “chapter 4 of title 5,
11 United States Code;”.

12 (23) Section 1337 (matter after paragraph (3))
13 of the Food Stamp and Commodity Distribution
14 Amendments of 1981 (7 U.S.C. 2270 (matter after
15 paragraph (3))) is amended by striking “the author-
16 ity provided in section 6, or described in section 9,
17 of the Inspector General Act of 1978 (5 U.S.C. App.
18 6, 9).” and inserting “the authority provided in sec-
19 tion 406 of title 5, United States Code, or described
20 in section 9 of the Inspector General Act of 1978
21 (Public Law 95–452, 92 Stat. 1107).”.

22 (24) The proviso in the matter under the head-
23 ing “OFFICE OF THE INSPECTOR GENERAL (INCLUD-
24 ING TRANSFERS OF FUNDS)” in title I of the Agri-
25 culture, Rural Development, Food and Drug Admin-

1 istration, and Related Agencies Appropriations Act,
2 1999 (7 U.S.C. 2270a) is amended by striking “the
3 Inspector General Act of 1978,” and inserting
4 “chapter 4 of title 5, United States Code,”.

5 (25) Section 22(c) of the Department of Justice
6 Appropriation Authorization Act, Fiscal Year 1980
7 (Public Law 96–132, 8 U.S.C. 1551 note) is amend-
8 ed—

9 (A) in the matter before paragraph (1)—

10 (i) by striking “the Inspector General
11 Act of 1978 (Public Law 95–452)” and in-
12 serting “chapter 4 of title 5, United States
13 Code,”; and

14 (ii) by striking “such Act:” and in-
15 serting “such chapter:”;

16 (B) in paragraph (1), by striking “Section
17 4” and inserting “Section 404”;

18 (C) in paragraph (2), by striking “Section
19 5” and inserting “Section 405”;

20 (D) in paragraph (3), by striking “Section
21 6” and inserting “Section 406”; and

22 (E) in paragraph (4), by striking “Section
23 7” and inserting “Section 407”.

24 (26) Section 141 of title 10, United States
25 Code, is amended—

1 (A) in subsection (a), by striking “section
2 3 of the Inspector General Act of 1978 (Public
3 Law 95–452; 5 U.S.C. App. 3).” and inserting
4 “section 403 of title 5.”; and

5 (B) in subsection (b), by striking “the In-
6 spector General Act of 1978.” and inserting
7 “chapter 4 of title 5.”.

8 (27) Section 1034(b)(1)(B)(ii) of title 10,
9 United States Code, is amended by striking “the In-
10 spector General Act of 1978;” and inserting “chap-
11 ter 4 of title 5;”.

12 (28) Section 2409(g)(5) of title 10, United
13 States Code, is amended by striking “the Inspector
14 General Act of 1978” and inserting “chapter 4 of
15 title 5”.

16 (29) Section 1601(b) of the National Defense
17 Authorization Act for Fiscal Year 2014 (Public Law
18 113–66, 10 U.S.C. 2533a note) is amended by strik-
19 ing “section 8(f)(1) of the Inspector General Act of
20 1978 (5 U.S.C. App.).” and inserting “section
21 408(f)(1) of title 5, United States Code.”.

22 (30) Section 7020(d) of title 10, United States
23 Code, is amended by striking “the Inspector General
24 Act of 1978 (5 U.S.C. App. 3)” and inserting
25 “chapter 4 of title 5”.

1 (31) Section 8020(c) of title 10, United States
2 Code, is amended by striking “the Inspector General
3 Act of 1978 (5 U.S.C. App. 3)” and inserting
4 “chapter 4 of title 5”.

5 (32) Section 9020(d) of title 10, United States
6 Code, is amended by striking “the Inspector General
7 Act of 1978 (5 U.S.C. App. 3)” and inserting
8 “chapter 4 of title 5”.

9 (33) Section 216(j)(5)(A) of the Federal Credit
10 Union Act (12 U.S.C. 1790d(j)(5)(A)) is amended
11 by striking “section 8L of the Inspector General Act
12 of 1978 (5 U.S.C. App.)” and inserting “section 419
13 of title 5, United States Code,”.

14 (34) Section 1317(d) of the Federal Housing
15 Enterprises Financial Safety and Soundness Act of
16 1992 (12 U.S.C. 4517(d)) is amended by striking
17 “section 3(a) of the Inspector General Act of 1978.”
18 and inserting “section 403(a) of title 5, United
19 States Code.”.

20 (35) Section 121 of the Emergency Economic
21 Stabilization Act of 2008 (12 U.S.C. 5231) is
22 amended—

23 (A) in subsection (b)(4), by striking “sec-
24 tion 3(b) of the Inspector General Act of 1978

1 (5 U.S.C. App.)” and inserting “section 403(b)
2 of title 5, United States Code.”;

3 (B) in subsection (b)(6), by striking “sec-
4 tion 3(e) of the Inspector General Act of 1978
5 (5 U.S.C. App.)” and inserting “section 403(e)
6 of title 5, United States Code.”;

7 (C) in subsection (e)(3), by striking “the
8 Inspector General Act of 1978.” and inserting
9 “chapter 4 of title 5, United States Code.”;

10 (D) in subsection (d)(1), by striking “sec-
11 tion 6 of the Inspector General Act of 1978.”
12 and inserting “section 406 of title 5, United
13 States Code.”;

14 (E) in subsection (d)(2), by striking “sec-
15 tion 4(b)(1) of the Inspector General Act of
16 1978.” and inserting “section 404(b)(1) of title
17 5, United States Code.”;

18 (F) in subsection (d)(3), by striking “sec-
19 tion 6(e)(3) of the Inspector General Act of
20 1978 (5 U.S.C. App.)” and inserting “section
21 406(f)(3) of title 5, United States Code,”; and

22 (G) in subsection (h), by striking “section
23 11 of the Inspector General Act of 1978 (5
24 U.S.C. App.)” and inserting “section 424 of
25 title 5, United States Code,”.

1 (36) Section 211 of the Dodd-Frank Wall
2 Street Reform and Consumer Protection Act (12
3 U.S.C. 5391) is amended—

4 (A) in subsection (d)(3), by striking “sec-
5 tion 5(a) of the Inspector General Act of 1978
6 (5 U.S.C. App.),” and inserting “section 405(b)
7 of title 5, United States Code,”; and

8 (B) in subsection (e)(3), by striking “sec-
9 tion 5(a) of the Inspector General Act of 1978
10 (5 U.S.C. App.),” and inserting “section 405(b)
11 of title 5, United States Code,”.

12 (37) Section 30(b)(2)(B) of the Small Business
13 Act (15 U.S.C. 657(b)(2)(B)) is amended by strik-
14 ing “section 7 of the Inspector General Act of 1978
15 (5 U.S.C. App.);” and inserting “section 407 of title
16 5, United States Code;”.

17 (38) Section 6(d) of the John F. Kennedy Cen-
18 ter Act (20 U.S.C. 761(d)) is amended—

19 (A) by striking “the Inspector General Act
20 of 1978 (5 U.S.C. App. 3).” and inserting
21 “chapter 4 of title 5, United States Code.”; and

22 (B) by striking “such Act” and inserting
23 “such chapter”.

24 (39) Section 432(f)(2) of the Higher Education
25 Act of 1965 (20 U.S.C. 1082(f)(2)) is amended—

1 (A) by striking “section 6(a)(4) of the In-
2 spector General Act of 1978,” and inserting
3 “section 406(a)(4) of title 5, United States
4 Code,”; and

5 (B) by striking “that Act” and inserting
6 “chapter 4 of title 5, United States Code,”.

7 (40) Section 202(c) of the Department of Edu-
8 cation Organization Act (20 U.S.C. 3412(c)) is
9 amended by striking “the Inspector General Act of
10 1978 (as amended by section 508(n) of this Act).”
11 and inserting “chapter 4 of title 5, United States
12 Code.”.

13 (41) Section 211 of the Department of Edu-
14 cation Organization Act (20 U.S.C. 3422) is amend-
15 ed by striking “the Inspector General Act of 1978
16 (as amended by section 508(n) of this Act).” and in-
17 serting “chapter 4 of title 5, United States Code.”.

18 (42) Section 209(e)(1) of the Foreign Service
19 Act of 1980 (22 U.S.C. 3929(e)(1)) is amended—

20 (A) by striking “section 6 of the Inspector
21 General Act of 1978” and inserting “section
22 406 of title 5, United States Code,”;

23 (B) by striking “section 11(2) of such
24 Act)” and inserting “section 401 of title 5,
25 United States Code)”;

1 (C) by striking “that Act,” and inserting
2 “chapter 4 of title 5, United States Code,”; and

3 (D) by striking “section 6(b) and (c) of
4 such Act.” and inserting “section 406(c) and
5 (d) of title 5, United States Code.”.

6 (43) Section 339(c)(2) of the Admiral James
7 W. Nance and Meg Donovan Foreign Relations Au-
8 thorization Act, Fiscal Years 2000 and 2001, as en-
9 acted by section 1000(a)(7) of Public Law 106–113
10 (22 U.S.C. 3929 note) is amended by striking “sec-
11 tion 7(b) of the Inspector General Act of 1978 (5
12 U.S.C. app.);” and inserting “section 407(b) of title
13 5, United States Code;”.

14 (44) Section 413(b) of the Omnibus Diplomatic
15 Security and Antiterrorism Act of 1986 (22 U.S.C.
16 4861(b)) is amended by striking “the Inspector Gen-
17 eral Act of 1978.” and inserting “chapter 4 of title
18 5, United States Code.”.

19 (45) Section 308(j)(3) of the United States
20 International Broadcasting Act of 1994 (22 U.S.C.
21 6207(j)(3)) is amended by striking “the Inspector
22 General Act of 1978” and inserting “chapter 4 of
23 title 5, United States Code,”.

24 (46) Section 7803(d) of the Internal Revenue
25 Code of 1986 (26 U.S.C. 7803(d)) is amended—

1 (A) in paragraph (1) (matter before sub-
2 paragraph (A)), by striking “section 5 of the
3 Inspector General Act of 1978” and inserting
4 “section 405 of title 5, United States Code”;
5 and

6 (B) in paragraph (2)(A) (matter before
7 clause (i)), by striking “section 5 of the Inspec-
8 tor General Act of 1978” and inserting “section
9 405 of title 5, United States Code”.

10 (47) Section 9(b)(2) of Wagner-Peyser Act (29
11 U.S.C. 49h(b)(2)) is amended by striking “the In-
12 spector General Act.” and inserting “chapter 4 of
13 title 5, United States Code.”.

14 (48) Section 185(b)(3)(D) of the Workforce In-
15 novation and Opportunity Act (29 U.S.C.
16 3245(b)(3)(D)) is amended by striking “the Inspec-
17 tor General Act of 1978 (5 U.S.C. App.)” and in-
18 serting “chapter 4 of title 5, United States Code,”.

19 (49) Section 902(b)(2) of title 31, United
20 States Code, is amended by striking “the Inspector
21 General Act of 1978 (5 U.S.C. App.)” and inserting
22 “chapter 4 of title 5.”.

23 (50) Section 1105(a)(25) of title 31, United
24 States Code, is amended by striking “section 11(2)

1 of the Inspector General Act of 1978.” and inserting
2 “section 401 of title 5.”.

3 (51) Section 301(27) of the Community Re-
4 newal Tax Relief Act of 2000, as enacted by section
5 1(a)(7) of the Consolidated Appropriations Act,
6 2001 (Public Law 106–554, 31 U.S.C. 1113 note)
7 is amended—

8 (A) in the matter before subparagraph (A),
9 by striking “the Inspector General Act of 1978
10 (Public Law 95–452):” and inserting “chapter
11 4 of title 5, United States Code:”;

12 (B) in subparagraph (A), by striking “Sec-
13 tion 5(b).” and inserting “Section 405(c).”; and

14 (C) in subparagraph (B), by striking “Sec-
15 tion 5(d).” and inserting “Section 405(e).”.

16 (52) Section 3003(a)(2)(A) of the Federal Re-
17 ports Elimination and Sunset Act of 1995 (Public
18 Law 104–66, 31 U.S.C. 1113 note) is amended by
19 striking “the Inspector General Act of 1978 (5
20 U.S.C. App.);” and inserting “chapter 4 of title 5,
21 United States Code;”.

22 (53) Section 5(e)(1) of the Improper Payments
23 Elimination and Recovery Improvement Act of 2012
24 (Public Law 112–248, 31 U.S.C. 3321 note) is
25 amended by striking “subparagraph (A), (B), or (I)

1 of section 11(b)(1) of the Inspector General Act of
2 1978 (5 U.S.C. App.)” and inserting “subparagraph
3 (A), (B), or (I) of section 424(b)(1) of title 5,
4 United States Code,”.

5 (54) Section 804(b) (matter before paragraph
6 (1)) of the Federal Financial Management Improve-
7 ment Act of 1996 (Public Law 104–208, div. A,
8 §101(f) [title VIII], 31 U.S.C. 3512 note) is amend-
9 ed by striking “section 5(a) of the Inspector General
10 Act of 1978 (5 U.S.C. App.)” and inserting “section
11 405(b) of title 5, United States Code,”.

12 (55) Section 3521(e)(1) of title 31, United
13 States Code, is amended by striking “the Inspector
14 General Act of 1978 (5 U.S.C. App.),” and inserting
15 “chapter 4 of title 5,”.

16 (56) Section 3801(a) of title 31, United States
17 Code, is amended—

18 (A) in paragraph (1)(C), by striking “sec-
19 tion 11(2) of the Inspector General Act of
20 1978)” and inserting “section 401 of title 5”);

21 (B) in paragraph (1)(F), by striking “sec-
22 tion 8G(a)(2) of the Inspector General Act of
23 1978)” and inserting “section 415(a) of title
24 5”);

1 (C) in paragraph (4)(A)(i), by striking
2 “the Inspector General Act of 1978” and in-
3 serting “chapter 4 of title 5”; and

4 (D) in paragraph (4)(A)(ii), by striking
5 “the Inspector General Act of 1978” and in-
6 serting “chapter 4 of title 5”.

7 (57) Section 3808(c) of title 31, United States
8 Code, is amended by striking “the Inspector General
9 Act of 1978” and inserting “chapter 4 of title 5”.

10 (58) Section 9105(a)(1) of title 31, United
11 States Code, is amended by striking “the Inspector
12 General Act of 1978 (5 U.S.C. App.),” and inserting
13 “chapter 4 of title 5,”.

14 (59) Section 3703 of the Crime Control Act of
15 1990 (34 U.S.C. 11298) is amended—

16 (A) in subsection (a) (matter before para-
17 graph (1)), by striking “section 3 or 8G of the
18 Inspector General Act of 1978 (5 U.S.C.
19 App.)” and inserting “section 403 or 415 of
20 title 5, United States Code,”; and

21 (B) in subsection (b)(1), by striking “the
22 Inspector General Act of 1978 (5 U.S.C.
23 App.)” and inserting “chapter 4 of title 5,
24 United States Code.”.

1 (60) Section 312 of title 38, United States
2 Code, is amended—

3 (A) in subsection (a), by striking “the In-
4 spector General Act of 1978 (5 U.S.C. App.)”
5 and inserting “chapter 4 of title 5.”; and

6 (B) in subsection (c)(1) (matter before
7 subparagraph (A)), by striking “the Inspector
8 General Act of 1978 (5 U.S.C. App.)” and in-
9 serting “chapter 4 of title 5.”.

10 (61) Section 7366(a)(1)(B) of title 38, United
11 States Code, is amended—

12 (A) by striking “sections 4(a)(1) and
13 6(a)(1) of the Inspector General Act of 1978,”
14 and inserting “sections 404(a)(1) and 406(a)(1)
15 of title 5.”; and

16 (B) by striking “such Act.” and inserting
17 “chapter 4 of title 5.”.

18 (62) Section 202(e)(3) of title 39, United
19 States Code, is amended by striking “section 8G(e)
20 of the Inspector General Act of 1978.” and inserting
21 “section 415(e) of title 5.”.

22 (63) Section 410(b)(10) of title 39, United
23 States Code, is amended by striking “the Inspector
24 General Act of 1978;” and inserting “chapter 4 of
25 title 5;”.

1 (64) Section 504(h)(1) of title 39, United
2 States Code, is amended by striking “the Inspector
3 General Act of 1978,” and inserting “chapter 4 of
4 title 5.”.

5 (65) Section 1003 of title 39, United States
6 Code, is amended—

7 (A) in subsection (a), by striking “section
8 8G of the Inspector General Act of 1978,” and
9 inserting “section 415 of title 5,”; and

10 (B) in subsection (b), by striking “section
11 11(2) of the Inspector General Act of 1978.”
12 and inserting “section 401(1) of title 5.”.

13 (66) Section 2003(e)(1) of title 39, United
14 States Code, is amended by striking “section 8G(f)
15 of the Inspector General Act of 1978.” and inserting
16 “section 415(f) of title 5.”.

17 (67) Section 2009 of title 39, United States
18 Code, is amended by striking “section 8G(f) of the
19 Inspector General Act of 1978,” and inserting “sec-
20 tion 415(f) of title 5.”.

21 (68) Section 4(b) of the Mail Order Consumer
22 Protection Amendments of 1983 (Public Law 98–
23 186, 39 U.S.C. 3005 note) is amended by striking
24 “section 5 of the Inspector General Act of 1978 (5

1 U.S.C. App.)” and inserting “section 405 of title 5,
2 United States Code.”.

3 (69) Section 3013 (matter after paragraph (6))
4 of title 39, United States Code, is amended by strik-
5 ing “section 5 of the Inspector General Act of 1978”
6 and inserting “section 405 of title 5”.

7 (70) Section 15704(a) of title 40, United States
8 Code, is amended by striking “section 3(a) of the In-
9 spector General Act of 1978 (5 U.S.C. App.)” and
10 inserting “section 403(a) of title 5.”.

11 (71) Section 1505 of title 41, United States
12 Code, is amended by striking “the Inspector General
13 Act of 1978 (5 U.S.C. App.)” and inserting “chap-
14 ter 4 of title 5.”.

15 (72) Section 4705(a)(3) of title 41, United
16 States Code, is amended by striking “the Inspector
17 General Act of 1978 (5 U.S.C. App.)” and inserting
18 “chapter 4 of title 5.”.

19 (73) Section 4706(c)(1) of title 41, United
20 States Code, is amended by striking “section 3 or
21 8G of the Inspector General Act of 1978 (5 U.S.C.
22 App.)” and inserting “section 403 or 415 of title 5”.

23 (74) Section 4712(g)(2) of title 41, United
24 States Code, is amended by striking “the Inspector

1 General Act of 1978” and inserting “chapter 4 of
2 title 5”.

3 (75) Section 351A(i)(2) of the Public Health
4 Service Act (42 U.S.C. 262a(i)(2)) is amended by
5 striking “section 6 of the Inspector General Act of
6 1978 (5 U.S.C. App.)” and inserting “section 406
7 of title 5, United States Code.”.

8 (76) Section 702(e) of the Social Security Act
9 (42 U.S.C. 902(e)) is amended by striking “section
10 3(a) of the Inspector General Act of 1978.” and in-
11 sserting “section 403(a) of title 5, United States
12 Code.”.

13 (77) Section 1128A(m)(2)(B) of the Social Se-
14 curity Act (42 U.S.C. 1320a-7a(m)(2)(B)) is
15 amended by striking “the Inspector General Act of
16 1978 (5 U.S.C. App.)” and inserting “chapter 4 of
17 title 5, United States Code,”.

18 (78) Section 1128C(a) of the Social Security
19 Act (42 U.S.C. 1320a-7c(a)) is amended—

20 (A) in paragraph (4), by striking “para-
21 graphs (3) through (9) of section 6 of the In-
22 spector General Act of 1978 (5 U.S.C. App.)”
23 and inserting “paragraphs (3) through (9) of
24 section 406(a) of title 5, United States Code,”;
25 and

1 (B) in paragraph (5), by striking “the In-
2 spector General Act of 1978 (5 U.S.C. App.)”
3 and inserting “chapter 4 of title 5, United
4 States Code.”.

5 (79) Section 1128D(a)(1)(C) of the Social Se-
6 curity Act (42 U.S.C. 1320a-7d(a)(1)(C)) is amend-
7 ed by striking “section 5 of the Inspector General
8 Act of 1978 (5 U.S.C. App.),” and inserting “sec-
9 tion 405 of title 5, United States Code,”.

10 (80) Section 322(a) of the Atomic Energy Act
11 of 1954 (42 U.S.C. 2286k(a)) is amended by strik-
12 ing “the Inspector General Act of 1978 (5 U.S.C.
13 App.)” and inserting “chapter 4 of title 5, United
14 States Code.”.

15 (81) The last proviso in the matter under the
16 heading “NUCLEAR REGULATORY COMMISSION—OF-
17 FICE OF INSPECTOR GENERAL” in title IV of the
18 Energy and Water Development and Related Agen-
19 cies Appropriations Act, 2015 (42 U.S.C. 2286l) is
20 amended by striking “the Inspector General Act of
21 1978 (5 U.S.C. App.)” and inserting “chapter 4 of
22 title 5, United States Code,”.

23 (82) Section 160 of the Energy Policy Act of
24 1992 (42 U.S.C. 8262f) is amended—

1 (A) in subsection (a) (matter before para-
2 graph (1))—

3 (i) by striking “section 11(2) of the
4 Inspector General Act of 1978 (5 U.S.C.
5 App.),” and inserting “section 401(1) of
6 title 5, United States Code,”; and

7 (ii) by striking “section 8E(f)(1) as
8 established by section 8E(a)(2) of the In-
9 spector General Act Amendments of 1988
10 (Public Law 100–504)” and inserting
11 “section 415(f) of title 5, United States
12 Code,”; and

13 (B) in subsection (c), by striking “section
14 2 of the Inspector General Act of 1978 (5
15 U.S.C. App.)” and inserting “section 402 of
16 title 5, United States Code,”.

17 (83) Section 183(c)(2)(B) of the National and
18 Community Service Act of 1990 (42 U.S.C.
19 12643(c)(2)(B)) is amended by striking “the Inspec-
20 tor General Act of 1978 (5 U.S.C. App.)” and in-
21 serting “chapter 4 of title 5, United States Code.”.

22 (84) Section 204(b)(2) of the National and
23 Community Service Trust Act of 1993 (Public Law
24 103–82, 42 U.S.C. 12651 note) is amended—

1 (A) in subparagraph (A), by striking “the
2 Inspector General Act of 1978 (5 U.S.C.
3 App.);” and inserting “chapter 4 of title 5,
4 United States Code;”; and

5 (B) in subparagraph (B) (matter before
6 clause (i)), by striking “the Inspector General
7 Act of 1978,” and inserting “chapter 4 of title
8 5, United States Code,”.

9 (85) Section 192A(g)(6) of the National and
10 Community Service Act of 1990 (42 U.S.C.
11 12651b(g)(6)) is amended by striking “section 8E of
12 the Inspector General Act of 1978;” and inserting
13 “section 414 of title 5, United States Code;”.

14 (86) Section 193A(a) of the National and Com-
15 munity Service Act of 1990 (42 U.S.C. 12651d(a))
16 is amended by striking “section 8E of the Inspector
17 General Act of 1978.” and inserting “section 414 of
18 title 5, United States Code.”.

19 (87) Section 194(b)(2) of the National and
20 Community Service Act of 1990 (42 U.S.C.
21 12651e(b)(2)) is amended by striking “the Inspector
22 General Act of 1978.” and inserting “chapter 4 of
23 title 5, United States Code.”.

24 (88) Section 195(a) of the National and Com-
25 munity Service Act of 1990 (42 U.S.C. 12651f(a))

1 is amended by striking “section 8E of the Inspector
2 General Act of 1978,” and inserting “section 414 of
3 title 5, United States Code,”.

4 (89) Section 3555(b)(1) of title 44, United
5 States Code, is amended by striking “the Inspector
6 General Act of 1978,” and inserting “chapter 4 of
7 title 5,”.

8 (90) Section 3903(a) (matter before paragraph
9 (1)) of title 44, United States Code, is amended by
10 striking “Sections 4, 5, 6 (other than subsection
11 (a)(7) and (8) thereof), and 7 of the Inspector Gen-
12 eral Act of 1978 (Public Law 95–452; 5 U.S.C.
13 App. 3)” and inserting “Sections 404, 405, 406
14 (other than subsection (a)(7) and (8) thereof), and
15 407 of title 5”.

16 (91) Section 9–A(b) of the Organic Act of
17 Guam (48 U.S.C. 1422d(b)) is amended by striking
18 “the Inspector General Act of 1978 (92 Stat. 1101),
19 as amended.” and inserting “chapter 4 of title 5,
20 United States Code.”.

21 (92) Section 17(b) of the Revised Organic Act
22 of the Virgin Islands (48 U.S.C. 1599(b)) is amend-
23 ed by striking “the Inspector General Act of 1978
24 (92 Stat. 1101), as amended.” and inserting “chap-
25 ter 4 of title 5, United States Code.”.

1 (93) Section 501(c) of Public Law 96–205 (48
2 U.S.C. 1668(c)) is amended by striking “the Inspec-
3 tor General Act of 1978 (92 Stat. 1101), as amend-
4 ed.” and inserting “chapter 4 of title 5, United
5 States Code.”.

6 (94) Section 4(b) of the Act of June 30, 1954
7 (48 U.S.C. 1681b(b)) is amended by striking “the
8 Inspector General Act of 1978 (92 Stat. 1101), as
9 amended.” and inserting “chapter 4 of title 5,
10 United States Code.”.

11 (95) Section 114(o) of title 49, United States
12 Code, is amended by striking “the Inspector General
13 Act of 1978 (5 U.S.C. App.)” and inserting “chap-
14 ter 4 of title 5”.

15 (96) Section 1137(c) of title 49, United States
16 Code, is amended by striking “subsections (a) and
17 (b) of section 6 of the Inspector General Act of 1978
18 (5 U.S.C. App.).” and inserting “subsections (a) and
19 (c) of section 406 of title 5.”.

20 (97) Section 1326(c) of title 49, United States
21 Code, is amended by striking “subsections (a) and
22 (b) of section 6 of the Inspector General Act of 1978
23 (5 U.S.C. App.).” and inserting “subsections (a) and
24 (c) of section 406 of title 5.”.

1 (98) Section 20109(a)(1)(A) of title 49, United
2 States Code, is amended by striking “the Inspector
3 General Act of 1978 (5 U.S.C. App.; Public Law
4 95–452);” and inserting “chapter 4 of title 5;”.

5 (99) Section 103H(k)(5)(H) of the National Se-
6 curity Act of 1947 (50 U.S.C. 3033(k)(5)(H)) is
7 amended by striking “section 8H of the Inspector
8 General Act of 1978 (5 U.S.C. App.)” and inserting
9 “section 416 of title 5, United States Code.”.

10 (100) Section 507(a)(1) of the National Secu-
11 rity Act of 1947 (50 U.S.C. 3106(a)(1)) is amended
12 by striking “section 8H(g) of the Inspector General
13 Act of 1978.” and inserting “section 416(h) of title
14 5, United States Code.”.

15 (101) Section 3001(j)(1)(C)(i) of the Intel-
16 ligence Reform and Terrorism Prevention Act of
17 2004 (50 U.S.C. 3341(j)(1)(C)(i)) is amended by
18 striking “subsections (a)(1), (d), and (h) of section
19 8H of the Inspector General Act of 1978 (5 U.S.C.
20 App.);” and inserting “subsections (b)(1), (e), and
21 (i) of section 416 of title 5, United States Code;”.

22 (c) AMENDMENTS TO UPDATE REFERENCES TO
23 ETHICS IN GOVERNMENT ACT OF 1978.—

24 (1) Section 1201(e)(5) of the Legislative
25 Branch Appropriations Act, 2008 (2 U.S.C.

1 612(c)(5)) is amended by striking “the Ethics in
2 Government Act of 1978 (5 U.S.C. App.);” and in-
3 sserting “chapter 131 of title 5, United States
4 Code;”.

5 (2) Section 301(k) of the Congressional Ac-
6 countability Act of 1995 (2 U.S.C. 1381(k)) is
7 amended by striking “title I of the Ethics in Govern-
8 ment Act of 1978” and inserting “subchapter I of
9 chapter 131 of title 5, United States Code;”.

10 (3) Section 3(4)(D) of the Lobbying Disclosure
11 Act of 1995 (2 U.S.C. 1602(4)(D)) is amended by
12 striking “section 109(13) of the Ethics in Govern-
13 ment Act of 1978 (5 U.S.C. App.)” and inserting
14 “section 13101(13) of title 5, United States Code.”.

15 (4) Section 304 of the Honest Leadership and
16 Open Government Act of 2007 (2 U.S.C. 4712) is
17 amended—

18 (A) in subsection (a)(2), by striking “sec-
19 tion 103(h)(1) of the Ethics in Government Act
20 of 1978” and inserting “section 13105(h)(1) of
21 title 5, United States Code;” and

22 (B) in subsection (c), by striking “section
23 103(h)(1) of the Ethics in Government Act of
24 1978,” and inserting “section 13105(h)(1) of
25 title 5, United States Code;”.

1 (5) Section 901(a) of the Ethics Reform Act of
2 1989 (2 U.S.C. 4725(a)) is amended—

3 (A) in paragraph (2)(B), by striking “sec-
4 tion 102(a)(2)(A) of the Ethics in Government
5 Act of 1978;” and inserting “section
6 13104(a)(2)(A) of title 5, United States Code;”;
7 and

8 (B) in paragraph (3)(B), by striking “sec-
9 tion 107(2) of title I of the Ethics in Govern-
10 ment Act of 1978 (Public Law 95–521).” and
11 inserting “section 13101(16) of title 5, United
12 States Code.”.

13 (6) Section 3374(c)(2) of title 5, United States
14 Code, is amended by striking “the Ethics in Govern-
15 ment Act of 1978,” and inserting “chapter 131 of
16 this title.”.

17 (7) Section 1110(e)(2)(E) of the National De-
18 fense Authorization Act for Fiscal Year 2010 (Pub-
19 lic Law 111–84, 5 U.S.C. 3702 note) is amended by
20 striking “the Ethics in Government Act of 1978;”
21 and inserting “chapter 131 of title 5, United States
22 Code;”.

23 (8) Section 3704(b)(2)(E) of title 5, United
24 States Code, is amended by striking “the Ethics in

1 Government Act of 1978;” and inserting “chapter
2 131 of this title;”.

3 (9) Section 7353(d)(1)(E) of title 5, United
4 States Code, is amended by striking “title I of the
5 Ethics in Government Act of 1978 are transmitted
6 under such title,” and inserting “subchapter I of
7 chapter 131 of this title are transmitted under such
8 subchapter,”.

9 (10) Section 2(a) of Public Law 110–402 (5
10 U.S.C. 7353 note) is amended—

11 (A) in paragraph (1), by striking “section
12 109(5) of the Ethics in Government Act of
13 1978 (5 U.S.C. App.)” and inserting “section
14 13101(5) of title 5, United States Code.”; and

15 (B) in paragraph (2), by striking “section
16 109(10) of the Ethics in Government Act of
17 1978 (5 U.S.C. App.)” and inserting “section
18 13101(10) of title 5, United States Code.”.

19 (11) Section 2 of the Stop Trading on Congres-
20 sional Knowledge Act of 2012 (Public Law 112–105,
21 126 Stat. 291, 5 U.S.C. App. 101 note) is amend-
22 ed—

23 (A) in paragraph (2)(B), by striking “sec-
24 tion 109(11) of the Ethics in Government Act
25 of 1978 (5 U.S.C. App. 109(11)).” and insert-

1 ing “section 13101(11) of title 5, United States
2 Code.”;

3 (B) in paragraph (4), by striking “section
4 109(10) of the Ethics in Government Act of
5 1978 (U.S.C. App. 109(10)).” and inserting
6 “section 13101(10) of title 5, United States
7 Code.”;

8 (C) in paragraph (5), by striking “section
9 109(8) of the Ethics in Government Act of
10 1978 (5 U.S.C. App. 109(8)).” and inserting
11 “section 13101(9) of title 5, United States
12 Code.”; and

13 (D) in paragraph (6), by striking “section
14 109(18) of the Ethics in Government Act of
15 1978 (5 U.S.C. App. 109(18)).” and inserting
16 “section 13101(18) of title 5, United States
17 Code.”.

18 (12) Section 17(a) of the Stop Trading on Con-
19 gressional Knowledge Act of 2012 (Public Law 112-
20 105, 126 Stat. 303, 5 U.S.C. App. 101 note) is
21 amended by striking “section 101 of the Ethics in
22 Government Act of 1978 (5 U.S.C. App. 101)” and
23 inserting “section 13103 of title 5, United States
24 Code,”.

1 (13) Section 22(c) of the Lobbying Disclosure
2 Act of 1995 (Public Law 104–65, 109 Stat. 705, 5
3 U.S.C. App. 102 note) is amended by striking “title
4 I of the Ethics in Government Act of 1978” and in-
5 serting “subchapter I of chapter 131 of title 5,
6 United States Code,”.

7 (14) Section 1003(b) of the Legislative Branch
8 Appropriations Act, 2006 (Public Law 109–55, 119
9 Stat. 572, 5 U.S.C. App. 103 note) is amended by
10 striking “the Ethics in Government Act of 1978”
11 and inserting “chapter 131 of title 5, United States
12 Code,”.

13 (15) Section 8 of the Stop Trading on Congres-
14 sional Knowledge Act of 2012 (Public Law 112–105,
15 126 Stat. 295, 5 U.S.C. App. 105 note) is amend-
16 ed—

17 (A) in subsection (a)—

18 (i) in paragraph (1), by striking “title
19 I of the Ethics in Government Act of
20 1978” and inserting “subchapter I of
21 chapter 131 of title 5, United States
22 Code,”; and

23 (ii) in paragraph (3), by striking “sec-
24 tion 103(l) of the Ethics in Government
25 Act of 1978, as added by this Act,” and

1 inserting “section 13105(l) of title 5,
2 United States Code,”; and
3 (B) in subsection (b)—
4 (i) in paragraph (1)—
5 (I) in subparagraph (A), by strik-
6 ing “section 103(h)(1)(A) of title I of
7 the Ethics in Government Act of
8 1978;” and inserting “section
9 13105(h)(1)(A) of title 5, United
10 States Code;”; and
11 (II) in subparagraph (B)—
12 (aa) in clause (ii), by strik-
13 ing “section 103(l) of the Ethics
14 in Government Act of 1978,” and
15 inserting “section 13105(l) of
16 title 5, United States Code;”; and
17 (bb) in the matter following
18 clause (iii), by striking “title I of
19 the Ethics in Government Act of
20 1978 (5 U.S.C. App. 101 et
21 seq.),” and inserting “subchapter
22 I of chapter 131 of title 5,
23 United States Code;”;
24 (ii) in paragraph (2), by striking “sec-
25 tion 105(b)(2) of the Ethics in Govern-

1 ment Act of 1978” and inserting “section
2 13107(b)(2) of title 5, United States
3 Code,”;

4 (iii) in paragraph (3), by striking
5 “section 105(b)(1) of the Ethics in Gov-
6 ernment Act of 1978,” and inserting “sec-
7 tion 13107(b)(1) of title 5, United States
8 Code,”; and

9 (iv) in paragraph (4), by striking “the
10 Ethics in Government Act of 1978” and
11 inserting “chapter 131 of title 5, United
12 States Code,”.

13 (16) Section 11 of the Stop Trading on Con-
14 gressional Knowledge Act of 2012 (Public Law 112–
15 105, 126 Stat. 298, 5 U.S.C. App. 105 note) is
16 amended—

17 (A) in subsection (a)—

18 (i) in paragraph (1)—

19 (I) by striking “title I of the Eth-
20 ics in Government Act of 1978 (5
21 U.S.C. App. 101 et seq.),” and insert-
22 ing “subchapter I of chapter 131 of
23 title 5, United States Code,”; and

24 (II) by striking “section 101 of
25 that Act” and inserting “section

1 13103 of title 5, United States
2 Code,”; and

3 (ii) in paragraph (3), by striking “sec-
4 tion 103(l) of the Ethics in Government
5 Act of 1978, as added by this Act,” and
6 inserting “section 13105(l) of title 5,
7 United States Code,”; and

8 (B) in subsection (b)—

9 (i) in paragraph (1)—

10 (I) in subparagraph (A), by strik-
11 ing “section 103 of the Ethics in Gov-
12 ernment Act of 1978 (5 U.S.C. App.
13 103),” and inserting “section 13105
14 of title 5, United States Code,”;

15 (II) in subparagraph (B)(ii), by
16 striking “section 103(l) of the Ethics
17 in Government Act of 1978,” and in-
18 serting “section 13105(l) of title 5,
19 United States Code,”; and

20 (III) in the matter following
21 clause (iii) of subparagraph (B), by
22 striking “title I of the Ethics in Gov-
23 ernment Act of 1978 (5 U.S.C. App.
24 101 et seq.),” and inserting “sub-

1 chapter I of chapter 131 of title 5,
2 United States Code,”;

3 (ii) in paragraph (2), by striking “sec-
4 tion 105(b)(2) of the Ethics in Govern-
5 ment Act of 1978 (5 U.S.C. App.
6 105(b)(2))” and inserting “section
7 13107(b)(2) of title 5, United States
8 Code,”;

9 (iii) in paragraph (3), by striking
10 “section 105(b)(1) of the Ethics in Gov-
11 ernment Act of 1978 (5 U.S.C. App.
12 105(b)(1)),” and inserting “section
13 13107(b)(1) of title 5, United States
14 Code,”; and

15 (iv) in paragraph (4), by striking
16 “title I of the Ethics in Government Act of
17 1978” and inserting “subchapter I of
18 chapter 131 of title 5, United States
19 Code,”.

20 (17) Section 902(a) of the Ethics Reform Act
21 of 1989 (Public Law 101–194, 103 Stat. 1780, 5
22 U.S.C. App. 111 note) is amended by striking “title
23 I of the Ethics in Government Act of 1978” and in-
24 serting “subchapter I of chapter 131 of title 5,
25 United States Code,”.

1 (18) Section 7601(f)(4)(B)(ii) of the Agricul-
2 tural Act of 2014 (7 U.S.C. 5939(f)(4)(B)(ii)) is
3 amended by striking “section 109 of the Ethics in
4 Government Act of 1978 (5 U.S.C. App.)” and in-
5 serting “section 13101 of title 5, United States
6 Code)”.

7 (19) Section 1110(g)(2)(E) of the National De-
8 fense Authorization Act for Fiscal Year 2016 (Pub-
9 lic Law 114–92, 10 U.S.C. 1701 note) is amended
10 by striking “the Ethics in Government Act of 1978
11 (5 U.S.C. App. 101 et seq.);” and inserting “chapter
12 131 of title 5, United States Code;”.

13 (20) Section 232(b)(3)(B)(v) of the Carl Levin
14 and Howard P. “Buck” McKeon National Defense
15 Authorization Act for Fiscal Year 2015 (Public Law
16 113–291, 10 U.S.C. 2358 note) is amended by strik-
17 ing “The Ethics in Government Act of 1978 (5
18 U.S.C. App.)” and inserting “Chapter 131 of title
19 5, United States Code.”.

20 (21) Section 2904(h) of title 10, United States
21 Code, is amended by striking “title I of the Ethics
22 in Government Act of 1978 (5 U.S.C. App.)” and
23 inserting “subchapter I of chapter 131 of title 5.”.

24 (22) Section 3(k)(2)(C) of the Export-Import
25 Bank Act of 1945 (12 U.S.C. 635a(k)(2)(C)) is

1 amended by striking “the Ethics in Government Act
2 of 1978 (5 U.S.C. App. 101 et seq.)” and inserting
3 “chapter 131 of title 5, United States Code.”

4 (23) Section 5.11(c)(2)(C)(i) of the Farm Cred-
5 it Act of 1971 (12 U.S.C. 2245(c)(2)(C)(i)) is
6 amended by striking “the Ethics in Government Act
7 of 1978;” and inserting “chapter 131 of title 5,
8 United States Code;”.

9 (24) Section 21A of the Securities Exchange
10 Act of 1934 (15 U.S.C. 78u–1) is amended—

11 (A) in subsection (g)(2)(B)(ii), by striking
12 “section 109(11) of the Ethics in Government
13 Act of 1978 (5 U.S.C. App. 109(11)).” and in-
14 serting “section 13101(11) of title 5, United
15 States Code.”;

16 (B) in subsection (h)(2)—

17 (i) in subparagraph (B), by striking
18 “section 109(8) of the Ethics in Govern-
19 ment Act of 1978 (5 U.S.C. App.
20 109(8));” and inserting “section 13101(9)
21 of title 5, United States Code;”; and

22 (ii) in subparagraph (C), by striking
23 “section 109(10) of the Ethics in Govern-
24 ment Act of 1978 (5 U.S.C. App.
25 109(10)).” and inserting “section

1 13101(10) of title 5, United States Code.”;

2 and

3 (C) in subsection (i), by striking “section
4 101(f) of the Ethics in Government Act of
5 1978” and inserting “section 13103(f) of title
6 5, United States Code,”.

7 (25) Section 208(c)(2) of the Consumer Prod-
8 uct Safety Improvement Act of 2008 (15 U.S.C.
9 2053a(c)(2)) is amended by striking “the Ethics in
10 Government Act (5 U.S.C. App.)” and inserting
11 “chapter 131 of title 5, United States Code,”.

12 (26) Section 103(e)(5) of the Omnibus Parks
13 and Public Lands Management Act of 1996 (Public
14 Law 104–333, 16 U.S.C. 460bb note) is amended by
15 striking “the Ethics in Government Act,” and in-
16 serting “chapter 131 of title 5, United States
17 Code,”.

18 (27) Section 208 of title 18, United States
19 Code, is amended—

20 (A) in subsection (b)(3), by striking “the
21 Ethics in Government Act of 1978,” and insert-
22 ing “chapter 131 of title 5,”; and

23 (B) in subsection (d)(1)—

1 (i) by striking “section 105 of the
2 Ethics in Government Act of 1978.” and
3 inserting “section 13107 of title 5.”; and

4 (ii) by striking “the Ethics in Govern-
5 ment Act of 1978.” and inserting “chapter
6 131 of title 5.”.

7 (28) Section 116(c)(4)(D) of the Education
8 Sciences Reform Act of 2002 (20 U.S.C.
9 9516(c)(4)(D)) is amended by striking “the Ethics
10 in Government Act of 1978.” and inserting “chapter
11 131 of title 5, United States Code.”.

12 (29) Section 712(c) (matter before paragraph
13 (1)) of the Federal Food, Drug, and Cosmetic Act
14 (21 U.S.C. 379d–1(c) (matter before paragraph
15 (1))) is amended by striking “section 107(a)(2) of
16 the Ethics in Government Act of 1978,” and insert-
17 ing “section 13109(a)(2) of title 5, United States
18 Code,”.

19 (30) Section 1103(d)(1)(D) of the Panama
20 Canal Act of 1979 (22 U.S.C. 3613(d)(1)(D)) is
21 amended by striking “sections 501(a) and 502(a)(4)
22 of the Ethics in Government Act of 1978 (5 U.S.C.
23 App.),” and inserting “sections 13143(a) and
24 13144(a)(4) of title 5, United States Code,”.

1 (31) Section 1112(b)(5) of the Panama Canal
2 Act of 1979 (22 U.S.C. 3622(b)(5)) is amended by
3 striking “the Ethics in Government Act of 1978 (92
4 Stat. 1824), as amended;” and inserting “chapter
5 131 of title 5, United States Code;”.

6 (32) Section 3504(b) of the Panama Canal
7 Commission Authorization Act for Fiscal Year 1994
8 (Public Law 103–160, div. C, title XXXV, 22
9 U.S.C. 3641 note) is amended by striking “the Eth-
10 ics in Government Act of 1978 (5 U.S.C. App.),”
11 and inserting “chapter 131 of title 5, United States
12 Code,”.

13 (33) Section 7701(k) (matter before paragraph
14 (1)) of the Internal Revenue Code of 1986 (26
15 U.S.C. 7701(k) (matter before paragraph (1))) is
16 amended by striking “section 501(b) of the Ethics in
17 Government Act of 1978,” and inserting “section
18 13143(b) of title 5, United States Code,”.

19 (34) Section 7802(b)(3)(A) of the Internal Rev-
20 enue Code of 1986 (26 U.S.C. 7802(b)(3)(A)) is
21 amended by striking “section 101(f) of the Ethics in
22 Government Act of 1978 for purposes of title I of
23 such Act, except that section 101(d) of such Act”
24 and inserting “section 13103(f) of title 5, United
25 States Code, for purposes of subchapter I of chapter

1 131 of such title, except that section 13103(d) of
2 such title”.

3 (35) Section 731(i)(5) of title 31, United States
4 Code, is amended by striking “the Ethics in Govern-
5 ment Act of 1978 (5 U.S.C. App.);” and inserting
6 “chapter 131 of title 5;”.

7 (36) Section 3730(e)(2)(B) of title 31, United
8 States Code, is amended by striking “section 101(f)
9 of the Ethics in Government Act of 1978 (5 U.S.C.
10 App.).” and inserting “section 13103(f) of title 5.”.

11 (37) Section 3(h)(4)(A) of the National Foun-
12 dation on Fitness, Sports, and Nutrition Establish-
13 ment Act (Public Law 111–332, 36 U.S.C. note
14 prec. 20101) is amended by striking “section
15 109(16) of the Ethics in Government Act, 1978)”
16 and inserting “section 13101(16) of title 5, United
17 States Code)”.

18 (38) Section 399G(h)(4)(A) of the Public
19 Health Service Act (42 U.S.C. 280e–11(h)(4)(A)) is
20 amended by striking “the Ethics in Government
21 Act,” and inserting “chapter 131 of title 5, United
22 States Code,”.

23 (39) Section 499(j)(2) of the Public Health
24 Service Act (42 U.S.C. 290b(j)(2)) is amended by
25 striking “section 109(16) of the Ethics in Govern-

1 ment Act of 1978)” and inserting “section
2 13101(16) of title 5, United States Code”).

3 (40) Section 5101(c)(2)(D) of the Patient Pro-
4 tection and Affordable Care Act (42 U.S.C.
5 294q(c)(2)(D)) is amended by striking “title I of the
6 Ethics in Government Act of 1978.” and inserting
7 “subchapter I of chapter 131 of title 5, United
8 States Code.”.

9 (41) Section 1805(c)(2)(D) of the Social Secu-
10 rity Act (42 U.S.C. 1395b–6(c)(2)(D)) is amended
11 by striking “title I of the Ethics in Government Act
12 of 1978 (Public Law 95–521).” and inserting “sub-
13 chapter I of chapter 131 of title 5, United States
14 Code.”.

15 (42) Section 1868(c)(1)(B)(iv) of the Social Se-
16 curity Act (42 U.S.C. 1395ee(c)(1)(B)(iv)) is
17 amended by striking “title I of the Ethics in Govern-
18 ment Act of 1978 (Public Law 95–521).” and in-
19 serting “subchapter I of chapter 131 of title 5,
20 United States Code.”.

21 (43) Section 1900(c)(2)(D) of the Social Secu-
22 rity Act (42 U.S.C. 1396(c)(2)(D)) is amended by
23 striking “title I of the Ethics in Government Act of
24 1978 (Public Law 95–521).” and inserting “sub-

1 chapter I of chapter 131 of title 5, United States
2 Code.”.

3 (44) Section 204 of the National Science Foun-
4 dation Authorization Act of 1998 (42 U.S.C.
5 1862m) is amended by striking “the Ethics in Gov-
6 ernment Act of 1978 (5 U.S.C. App.)” and inserting
7 “chapter 131 of title 5, United States Code,”.

8 (45) Section 109(b) of the Puerto Rico Over-
9 sight, Management, and Economic Stability Act (48
10 U.S.C. 2129(b)) is amended by striking “section 102
11 of the Ethics in Government Act of 1978 (5 U.S.C.
12 App.).” and inserting “section 13104 of title 5,
13 United States Code.”.

14 (46) Section 106(p)(6)(I)(i) of title 49, United
15 States Code, is amended by striking “section 101(f)
16 of the Ethics in Government Act of 1978 for pur-
17 poses of title I of such Act; except that section
18 101(d) of such Act” and inserting “section 13103(f)
19 of title 5 for purposes of subchapter I of chapter
20 131 of such title; except that section 13103(d) of
21 such title”.

22 (47) Section 710(b)(5)(B) of the Defense Pro-
23 duction Act of 1950 (50 U.S.C. 4560(b)(5)(B)) is
24 amended—

1 (A) by striking “section 101 of the Ethics
 2 in Government Act of 1978,” and inserting
 3 “section 13103 of title 5, United States Code,”;
 4 and

5 (B) by striking “section 107 of that Act”
 6 and inserting “section 13109 of title 5, United
 7 States Code,”.

8 (d) AMENDMENTS TO UPDATE TABLES OF CON-
 9 TENTS IN TITLE 5, UNITED STATES CODE.—

10 (1) TABLE OF CONTENTS OF TITLE.—The table
 11 of contents of title 5, United States Code, is amend-
 12 ed by inserting after the item relating to part III the
 13 following:

“IV. Ethics Requirements 13101”.

14 (2) TABLE OF CONTENTS OF PART I.—The
 15 table of contents of part I of title 5, United States
 16 Code, is amended—

17 (A) by inserting after the item relating to
 18 chapter 3 the following:

“4. Inspectors General 401”;

19 and

20 (B) by inserting after the item relating to
 21 chapter 9 the following:

“10. Federal Advisory Committees 1001”.

22 (3) TABLE OF CONTENTS OF PART IV.—Part
 23 IV of title 5, United States Code, as inserted by sec-

1 tion 3(e), is amended by inserting after the heading
2 of part IV the following:

“Chap.	Sec.
“131. Ethics in Government	13101”.

3 **SEC. 5. TRANSITIONAL AND SAVINGS PROVISIONS.**

4 (a) **DEFINITIONS.**—In this section:

5 (1) **RESTATED PROVISION.**—The term “restated
6 provision” means a provision of title 5, United
7 States Code, that is enacted by section 3.

8 (2) **SOURCE PROVISION.**—The term “source
9 provision” means a provision of law that is replaced
10 by a restated provision.

11 (b) **CUTOFF DATE.**—The restated provisions replace
12 certain provisions of law enacted on or before October 19,
13 2021. If a law enacted after that date amends or repeals
14 a source provision, that law is deemed to amend or repeal,
15 as the case may be, the corresponding restated provision.
16 If a law enacted after that date is otherwise inconsistent
17 with a restated provision or a provision of this Act, that
18 law supersedes the restated provision or provision of this
19 Act to the extent of the inconsistency.

20 (c) **ORIGINAL DATE OF ENACTMENT UNCHANGED.**—
21 A restated provision is deemed to have been enacted on
22 the date of enactment of the corresponding source provi-
23 sion.

1 (d) REFERENCES TO RESTATED PROVISIONS.—A
2 reference to a restated provision is deemed to refer to the
3 corresponding source provision.

4 (e) REFERENCES TO SOURCE PROVISIONS.—A ref-
5 erence to a source provision, including a reference in a
6 regulation, order, or other law, is deemed to refer to the
7 corresponding restated provision.

8 (f) REGULATIONS, ORDERS, AND OTHER ADMINIS-
9 TRATIVE ACTIONS.—A regulation, order, or other admin-
10 istrative action in effect under a source provision con-
11 tinues in effect under the corresponding restated provi-
12 sion.

13 (g) ACTIONS TAKEN AND OFFENSES COMMITTED.—
14 An action taken or an offense committed under a source
15 provision is deemed to have been taken or committed
16 under the corresponding restated provision.

17 (h) LEGISLATIVE CONSTRUCTION.—An inference of
18 legislative construction is not to be drawn by reason of
19 a restated provision's location in the United States Code
20 or by reason of the heading used for the restated provi-
21 sion.

22 **SEC. 6. EFFECT OF REFERENCES TO TITLE 5 ON APPLICA-**
23 **TION OF ETHICS PROVISIONS.**

24 A Federal statute providing that title 5 of the United
25 States Code as a whole is inapplicable, or providing that

1 an appointment may be made without regard to the provi-
 2 sions of title 5 governing appointment in the competitive
 3 service, shall not affect the application of any provision
 4 of chapter 131 of title 5, United States Code.

5 **SEC. 7. REPEALS.**

6 The following provisions of law are repealed, except
 7 with respect to rights and duties that matured, penalties
 8 that were incurred, or proceedings that were begun before
 9 the date of enactment of this Act:

Schedule of Laws Repealed

Act	Section	United States Code Former Classification
Pub. L. 92-463 (Federal Advisory Committee Act)	2	5 U.S.C. App. (FACA §2).
	3	5 U.S.C. App. (FACA §3).
	4	5 U.S.C. App. (FACA §4).
	5	5 U.S.C. App. (FACA §5).
	6	5 U.S.C. App. (FACA §6).
	7	5 U.S.C. App. (FACA §7).
	8	5 U.S.C. App. (FACA §8).
	9	5 U.S.C. App. (FACA §9).
	10	5 U.S.C. App. (FACA §10).
	11	5 U.S.C. App. (FACA §11).
	12	5 U.S.C. App. (FACA §12).
	13	5 U.S.C. App. (FACA §13).
	14	5 U.S.C. App. (FACA §14).
	15	5 U.S.C. App. (FACA §15).
	Pub. L. 95-452 (Inspector General Act of 1978)	2
3		5 U.S.C. App. (IGA §3).
4		5 U.S.C. App. (IGA §4).
5		5 U.S.C. App. (IGA §5).
6		5 U.S.C. App. (IGA §6).
7		5 U.S.C. App. (IGA §7).
8		5 U.S.C. App. (IGA §8).
8A(e) through (f)		5 U.S.C. App. (IGA §§8A(e) through (f)).
8B		5 U.S.C. App. (IGA §8B).
8C		5 U.S.C. App. (IGA §8C).
8D		5 U.S.C. App. (IGA §8D).
8E		5 U.S.C. App. (IGA §8E).
8F		5 U.S.C. App. (IGA §8F).
8G		5 U.S.C. App. (IGA §8G).
8H	5 U.S.C. App. (IGA §8H).	
8I	5 U.S.C. App. (IGA §8I).	
8J	5 U.S.C. App. (IGA §8J).	
8L	5 U.S.C. App. (IGA §8L).	
8M	5 U.S.C. App. (IGA §8M).	
8N	5 U.S.C. App. (IGA §8N).	
9	5 U.S.C. App. (IGA §9).	
11	5 U.S.C. App. (IGA §11).	
12	5 U.S.C. App. (IGA §12).	
Pub. L. 95-521 (Ethics in Govern- ment Act of 1978)	101	5 U.S.C. App. (EGA §101).
	102	5 U.S.C. App. (EGA §102).
	103	5 U.S.C. App. (EGA §103).

Schedule of Laws Repealed—Continued

Act	Section	United States Code Former Classification
	104	5 U.S.C. App. (EGA §104).
	105	5 U.S.C. App. (EGA §105).
	106	5 U.S.C. App. (EGA §106).
	107	5 U.S.C. App. (EGA §107).
	108	5 U.S.C. App. (EGA §108).
	109	5 U.S.C. App. (EGA §109).
	110	5 U.S.C. App. (EGA §110).
	111	5 U.S.C. App. (EGA §111).
	401	5 U.S.C. App. (EGA §401).
	402	5 U.S.C. App. (EGA §402).
	403	5 U.S.C. App. (EGA §403).
	404	5 U.S.C. App. (EGA §404).
	405	5 U.S.C. App. (EGA §405).
	408	5 U.S.C. App. (EGA §408).
	501	5 U.S.C. App. (EGA §501).
	502	5 U.S.C. App. (EGA §502).
	503	5 U.S.C. App. (EGA §503).
	504	5 U.S.C. App. (EGA §504).
	505	5 U.S.C. App. (EGA §505).
Pub. L. 110-409 (Inspector General Reform Act of 2008)	4(a)(3)	5 U.S.C. App. (IGA §3) note.
	4(b)	5 U.S.C. App. (IGA §3) note.
	4(c)	5 U.S.C. App. (IGA §3) note.

House Calendar No. 52

117TH CONGRESS
1ST Session

H. R. 5961

[Report No. 117-193]

A BILL

To make revisions in title 5, United States Code, as necessary to keep the title current, and to make technical amendments to improve the United States Code.

NOVEMBER 30, 2021

Reported from the Committee on the Judiciary