

“(a) INSPECTORS GENERAL CRIMINAL INVESTIGATOR ACADEMY.—

“(1) ESTABLISHMENT.—There is established the Criminal Investigator Academy within the Department of the Treasury. The Criminal Investigator Academy is established for the purpose of performing investigator training services for offices of inspectors general created under chapter 4 of title 5, United States Code.

“(2) EXECUTIVE DIRECTOR.—The Criminal Investigator Academy shall be administered by an Executive Director who shall report to an inspector general for an establishment as defined in section 401 of title 5, United States Code—

“(A) designated by the President’s Council on Integrity and Efficiency; or

“(B) if that council is eliminated, by a majority vote of the inspectors general created under chapter 4 of title 5, United States Code.

“(b) INSPECTORS GENERAL FORENSIC LABORATORY.—

“(1) ESTABLISHMENT.—There is established the Inspectors General Forensic Laboratory within the Department of the Treasury. The Inspectors General Forensic Laboratory is established for the purpose of performing forensic services for offices of inspectors general created under chapter 4 of title 5, United States Code.

“(2) EXECUTIVE DIRECTOR.—The Inspectors General Forensic Laboratory shall be administered by an Executive Director who shall report to an inspector general for an establishment as defined in section 401 of title 5, United States Code—

“(A) designated by the President’s Council on Integrity and Efficiency; or

“(B) if that council is eliminated, by a majority vote of the inspectors general created under chapter 4 of title 5, United States Code.

“(c) SEPARATE APPROPRIATIONS ACCOUNT.—[Amended section 1105 of Title 31, Money and Finance.]

“(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to carry out this section such sums as may be necessary for fiscal year 2001 and each fiscal year thereafter.”

§ 407. Complaints by employees

(a) RECEIPT AND INVESTIGATION.—The Inspector General may receive and investigate complaints or information from an employee of the establishment concerning the possible existence of an activity constituting a violation of law, rules, or regulations, or mismanagement, gross waste of funds, abuse of authority, or a substantial and specific danger to the public health and safety.

(b) PROHIBITION ON DISCLOSURE OF IDENTITY.—The Inspector General shall not, after receipt of a complaint or information from an employee, disclose the identity of the employee without the consent of the employee, unless the Inspector General determines the disclosure is unavoidable during the course of the investigation.

(c) PROHIBITION ON REPRISAL.—Any employee who has authority to take, direct others to take, recommend, or approve any personnel action, shall not, with respect to that authority, take or threaten to take any action against any employee as a reprisal for making a complaint or disclosing information to an Inspector General, unless the complaint was made or the information disclosed with the knowledge that it was false or with willful disregard for its truth or falsity.

(Pub. L. 117–286, §3(b), Dec. 27, 2022, 136 Stat. 4224.)

HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
407	5 U.S.C. App. (IGA §7)	Pub. L. 95–452, §7, Oct. 12, 1978, 92 Stat. 1105.

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

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

(b) AUTHORITY OF SECRETARY OF DEFENSE.—

(1) IN GENERAL.—Notwithstanding the last two sentences of section 403(a) of this title, the Inspector General shall be under the authority, direction, and control of the Secretary of Defense with respect to audits or investigations, or the issuance of subpoenas, which require access to information concerning—

(A) sensitive operational plans;

(B) intelligence matters;

(C) counterintelligence matters;

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

(E) other matters the disclosure of which would constitute a serious threat to national security.

(2) AUTHORITY TO PROHIBIT AUDIT OR INVESTIGATION.—With respect to the information described in paragraph (1), the Secretary of Defense may prohibit the Inspector General from initiating, carrying out, or completing any audit or investigation, from accessing information described in paragraph (1), or from issuing any subpoena, after the Inspector General has decided to initiate, carry out, or complete such audit or investigation, access such information, or to issue such subpoena, if the Secretary determines that such prohibition is necessary to preserve the national security interests of the United States.

(3) STATEMENT CONCERNING EXERCISE OF POWER.—If the Secretary of Defense exercises any power under paragraph (1) or (2), the Inspector General shall submit a statement concerning that exercise of power within 30 days to the Committee on Armed Services and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Armed Services and the Committee on Oversight and Reform of the House of Representatives and to other appropriate committees or subcommittees of the Congress.

(4) STATEMENT OF REASONS FOR EXERCISE OF POWER.—The Secretary shall, within 30 days after submission of a statement under paragraph (3), transmit a statement of the reasons for the exercise of power under paragraph (1) or (2) to the congressional committees specified in paragraph (3) and to other appropriate committees or subcommittees.

(c) ADDITIONAL DUTIES AND RESPONSIBILITIES.—In addition to the other duties and responsibilities specified in this chapter, the Inspector General of the Department of Defense shall—