

title, the Administrator of the Agency for International Development shall not be bound by overseas personnel ceilings.

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

(Pub. L. 117–286, §3(b), Dec. 27, 2022, 136 Stat. 4227.)

#### HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i>  | <i>Source (Statutes at Large)</i>  |
|------------------------|----------------------------|--|
| 409(a) .....           | 5 U.S.C. App. (IGA §8A(f)) | Pub. L. 95–452, §8A(f), formerly (h), as added Pub. L. 97–113, title VII, §705(a)(3), Dec. 29, 1981, 95 Stat. 1545; redesignated (f), Pub. L. 105–277, div. G, subd. A, title XIV, §1422(b)(2)(C), Oct. 21, 1998, 112 Stat. 2681–792.  |
| 409(b) .....           | 5 U.S.C. App. (IGA §8A(c)) | Pub. L. 95–452, §8A(c), formerly (d), as added Pub. L. 97–113, title VII, §705(a)(3), Dec. 29, 1981, 95 Stat. 1545; redesignated (c), Pub. L. 105–277, div. G, subd. A, title XIV, §1422(b)(2)(C), Oct. 21, 1998, 112 Stat. 2681–792.  |
| 409(c) .....           | 5 U.S.C. App. (IGA §8A(d)) | Pub. L. 95–452, §8A(d), formerly (e), as added Pub. L. 97–113, title VII, §705(a)(3), Dec. 29, 1981, 95 Stat. 1545; redesignated (d), Pub. L. 105–277, div. G, subd. A, title XIV, §1422(b)(2)(C), Oct. 21, 1998, 112 Stat. 2681–792; Pub. L. 114–317, §7(d)(2)(E), Dec. 16, 2016, 130 Stat. 1606. |
| 409(d) .....           | 5 U.S.C. App. (IGA §8A(e)) | Pub. L. 95–452, §8A(e), formerly (g), as added Pub. L. 97–113, title VII, §705(a)(3), Dec. 29, 1981, 95 Stat. 1545; redesignated (e), Pub. L. 105–277, div. G, subd. A, title XIV, §1422(b)(2)(C), Oct. 21, 1998, 112 Stat. 2681–792.  |

In subsection (b), the reference to “section 406(a)(7) of this title” is substituted for “section 6(a)(6) of this Act” for clarity and to correct an error in the law. In the source law (section 8A(c) of the Inspector General Act of 1978), the reference to “section 6(a)(6) of this Act” is incorrect. Section 6(a)(6) of the Inspector General Act of 1978 was redesignated as section 6(a)(7) of that Act by section 107(1) of the Inspector General Act Amendments of 1988 (Public Law 100–504, 102 Stat. 2528).

In subsection (c), the words “overseas personnel ceilings” are substituted for “overseas personnel ceilings established under the Monitoring Overseas Direct Employment policy” to eliminate obsolete language. The Monitoring Overseas Direct Employment (MODE) policy was superseded by National Security Decision Directive No. 38 (NSDD-38) (June 2, 1982). (See <https://www.state.gov/m/pri/nsdd/45148.htm>, last visited December 14, 2017).

#### Editorial Notes

#### REFERENCES IN TEXT

The Foreign Assistance Act of 1961, referred to in subsec. (a), is Pub. L. 87–195, Sept. 4, 1961, 75 Stat. 424. Part I of the Act is classified generally to subchapter I (§2151 et seq.) of chapter 32 of Title 22, Foreign Relations and Intercourse. For complete classification of this Act to the Code, see Short Title note set out under section 2151 of Title 22 and Tables.

### § 410. Special provisions concerning the Nuclear Regulatory Commission

(a) **DELEGATION.**—The Chairman of the Commission may delegate the authority specified in the 2d sentence of section 403(a) of this title to another member of the Nuclear Regulatory Commission, but shall not delegate such authority to any other officer or employee of the Commission.

(b) **PERSONNEL.**—Notwithstanding paragraphs (7) and (8) of section 406(a) of this title, the Inspector General of the Nuclear Regulatory Commission is authorized to select, appoint, and employ such officers and employees as may be necessary for carrying out the functions, powers, and duties of the Office of Inspector General and to obtain the temporary or intermittent services of experts or consultants or an organization of experts or consultants, subject to the applicable laws and regulations that govern such selections, appointments, and employment, and the obtaining of such services, within the Nuclear Regulatory Commission.

(Pub. L. 117–286, §3(b), Dec. 27, 2022, 136 Stat. 4228.)

#### HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i>   |
|------------------------|---------------------------|---|
| 410 .....              | 5 U.S.C. App. (IGA §8B)   | Pub. L. 95–452, §8B, as added Pub. L. 100–504, title I, §102(f), Oct. 18, 1988, 102 Stat. 2517. |

### § 411. Special provisions concerning the Federal Deposit Insurance Corporation

(a) **DELEGATION.**—The Chairperson of the Federal Deposit Insurance Corporation may delegate the authority specified in the 2d sentence of section 403(a) of this title to the Vice Chairperson of the Board of Directors of the Federal Deposit Insurance Corporation, but may not delegate such authority to any other officer or employee of the Corporation.

(b) **PERSONNEL.**—Notwithstanding paragraphs (7) and (8) of section 406(a) of this title, the Inspector General of the Federal Deposit Insurance Corporation may select, appoint, and employ such officers and employees as may be necessary for carrying out the functions, powers, and duties of the Office of Inspector General and may obtain the temporary or intermittent services of experts or consultants or an organization of experts or consultants, subject to the applicable laws and regulations that govern such selections, appointments, and employment, and the obtaining of such services, within the Federal Deposit Insurance Corporation.

(Pub. L. 117–286, §3(b), Dec. 27, 2022, 136 Stat. 4228.)

#### HISTORICAL AND REVISION NOTES

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i>  |
|------------------------|---------------------------|--|
| 411 .....              | 5 U.S.C. App. (IGA §8C)   | Pub. L. 95–452, §8C, as added Pub. L. 103–204, §23(a)(2), Dec. 17, 1993, 107 Stat. 2407. |

**§ 412. Special provisions concerning the Department of the Treasury****(a) IN GENERAL.—**

(1) **AUTHORITY OF SECRETARY OF TREASURY OVER CERTAIN AUDITS AND INVESTIGATIONS.**—Notwithstanding the 2d sentence and last sentence of section 403(a) of this title, the Inspector General of the Department of the Treasury shall be under the authority, direction, and control of the Secretary of the Treasury with respect to audits or investigations, or the issuance of subpoenas, which require access to sensitive information concerning—

(A) ongoing criminal investigations or proceedings;

(B) undercover operations;

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

(D) deliberations and decisions on policy matters, including documented information used as a basis for making policy decisions, the disclosure of which could reasonably be expected to have a significant influence on the economy or market behavior;

(E) intelligence or counterintelligence matters; or

(F) other matters the disclosure of which would constitute a serious threat to national security or to the protection of any person or property authorized protection by section 3056 of title 18, section 3056A of title 18, or any provision of the Presidential Protection Assistance Act of 1976 (Public Law 94-524, 18 U.S.C. 3056 note).

(2) **AUTHORITY OF SECRETARY OF TREASURY TO PROHIBIT CARRYING OUT OR COMPLETING CERTAIN AUDITS AND INVESTIGATIONS.**—With respect to the information described under paragraph (1), the Secretary of the Treasury may prohibit the Inspector General of the Department of the Treasury from carrying out or completing any audit or investigation, from accessing information described in paragraph (1), or from issuing any subpoena, after such 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 prevent the disclosure of any information described under paragraph (1) or to prevent significant impairment to the national interests of the United States.

(3) **NOTIFICATION AND STATEMENT OF REASONS FOR EXERCISE OF POWER.**—If the Secretary of the Treasury exercises any power under paragraph (1) or (2), the Secretary of the Treasury shall notify the Inspector General of the Department of the Treasury in writing, stating the reasons for such exercise. Within 30 days after receipt of any such notice, the Inspector General of the Department of the Treasury shall transmit a copy of such notice to the Committee on Homeland Security and Governmental Affairs and the Committee on Finance of the Senate and the Committee on Oversight and Reform and the Committee on Ways and Means of the House of Representatives, and to other appropriate committees or subcommittees of the Congress.

(4) **EXCEPTION RELATING TO TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION.**—The

Secretary of the Treasury may not exercise any power under paragraph (1) or (2) with respect to the Treasury Inspector General for Tax Administration.

**(b) OVERSIGHT RESPONSIBILITY FOR INTERNAL INVESTIGATIONS.—**

(1) **IN GENERAL.**—In carrying out the duties and responsibilities specified in this chapter, the Inspector General of the Department of the Treasury shall have oversight responsibility for the internal investigations performed by the Office of Internal Affairs of the Tax and Trade Bureau. The head of such office shall promptly report to the Inspector General of the Department of the Treasury the significant activities being carried out by such office.

(2) **EXERCISE OF DUTIES AND RESPONSIBILITIES.**—The Inspector General of the Department of the Treasury shall exercise all duties and responsibilities of an Inspector General for the Department of the Treasury other than the duties and responsibilities exercised by the Treasury Inspector General for Tax Administration.

(3) **ESTABLISHMENT OF PROCEDURES.**—The Secretary of the Treasury shall establish procedures under which the Inspector General of the Department of the Treasury and the Treasury Inspector General for Tax Administration will—

(A) determine how audits and investigations are allocated in cases of overlapping jurisdiction; and

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

(c) **AUDITS AND INVESTIGATIONS IN DEPARTMENT OF TREASURY.**—Notwithstanding subsection (b), the Inspector General of the Department of the Treasury may initiate, conduct and supervise such audits and investigations in the Department of the Treasury (including the bureau referred to in subsection (b)) as the Inspector General of the Department of the Treasury considers appropriate.

(d) **AUTHORITY TO PROVIDE WRITTEN NOTICE TO TAX AND TRADE BUREAU.**—If the Inspector General of the Department of the Treasury initiates an audit or investigation under subsection (c) concerning the bureau referred to in subsection (b), the Inspector General of the Department of the Treasury may provide the head of the office of such bureau referred to in subsection (b) with written notice that the Inspector General of the Department of the Treasury has initiated such an audit or investigation. If the Inspector General of the Department of the Treasury issues a notice under the preceding sentence, no other audit or investigation shall be initiated into the matter under audit or investigation by the Inspector General of the Department of the Treasury, and any other audit or investigation of such matter shall cease.

**(e) TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION.—**

(1) **ACCESS TO RETURNS AND RETURN INFORMATION.**—The Treasury Inspector General for Tax Administration shall have access to returns and return information, as defined in section