

are substituted for “[Committee on] Government Operations [of the House of Representatives]” on authority of section 1(a) of Public Law 104-14 (2 U.S.C. note prec. 21), House Resolution No. 5 (106th Congress, January 6, 1999), House Resolution No. 6 (110th Congress, January 5, 2007), and rule X(1)(n) of the Rules of the House of Representatives, adopted by House Resolution No. 6 (116th Congress, January 9, 2019).

In subsection (g)(1), the words “Committee on Oversight and Reform” are substituted for “[Committee on] Government Reform and Oversight” on authority of rule X(1)(n) of the Rules of the House of Representatives, adopted by House Resolution No. 6 (116th Congress, January 9, 2019).

Editorial Notes

REFERENCES IN TEXT

The Presidential Protection Assistance Act of 1976, referred to in subsec. (a)(1)(F), is Pub. L. 94-524, Oct. 17, 1976, 90 Stat. 2475, which enacted and amended provisions set out as notes under section 3056 of Title 18, Crimes and Criminal Procedure. For complete classification of this Act to the Code, see Tables.

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Committee on Oversight and Reform of House of Representatives changed to Committee on Oversight and Accountability of House of Representatives by House Resolution No. 5, One Hundred Eighteenth Congress, Jan. 9, 2023.

§ 413. Special provisions concerning the Department of Justice

(a) IN GENERAL.—

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

(A) ongoing civil or criminal investigations or proceedings;

(B) undercover operations;

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

(D) intelligence or counterintelligence matters; or

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

(2) **AUTHORITY OF ATTORNEY GENERAL TO PROHIBIT CARRYING OUT OR COMPLETING CERTAIN AUDITS AND INVESTIGATIONS.**—With respect to the information described under paragraph (1), the Attorney General may prohibit the Inspector General 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 Attorney General 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 Attorney General exercises any power under paragraph (1) or (2), the Attorney General shall notify the Inspector General in writing, stating the reasons for such exercise. Within 30 days after receipt of any such notice, the Inspector General shall transmit a copy of such notice to the Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary of the Senate and the Committee on Oversight and Reform and the Committee on the Judiciary of the House of Representatives, and to other appropriate committees or subcommittees of the Congress.

(b) **CARRYING OUT DUTIES AND RESPONSIBILITIES.**—In carrying out the duties and responsibilities specified in this chapter, the Inspector General of the Department of Justice—

(1) may initiate, conduct and supervise such audits and investigations in the Department of Justice as the Inspector General considers appropriate;

(2) except as specified in subsection (a) and paragraph (3), may investigate allegations of criminal wrongdoing or administrative misconduct by an employee of the Department of Justice, or may, in the discretion of the Inspector General, refer such allegations to the Office of Professional Responsibility or the internal affairs office of the appropriate component of the Department of Justice;

(3) shall refer to the Counsel, Office of Professional Responsibility of the Department of Justice, allegations of misconduct involving Department attorneys, investigators, or law enforcement personnel, where the allegations relate to the exercise of the authority of an attorney to investigate, litigate, or provide legal advice, except that no such referral shall be made if the attorney is employed in the Office of Professional Responsibility;

(4) may investigate allegations of criminal wrongdoing or administrative misconduct by a person who is the head of any agency or component of the Department of Justice; and

(5) shall forward the results of any investigation conducted under paragraph (4), along with any appropriate recommendation for disciplinary action, to the Attorney General.

(c) **REPORTS.**—Any report required to be transmitted by the Attorney General to the appropriate committees or subcommittees of the Congress under section 405(e) of this title shall also be transmitted, within the 7-day period specified under that section, to the Committee on the Judiciary and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on the Judiciary and the Committee on Oversight and Reform of the House of Representatives.

(d) **REGULATION TO ENSURE REPORTING OF CERTAIN ALLEGATIONS TO INSPECTOR GENERAL.**—The Attorney General shall ensure by regulation that any component of the Department of Justice receiving a nonfrivolous allegation of criminal wrongdoing or administrative misconduct by an employee of the Department of Justice, except with respect to allegations described in subsection (b)(3), shall report that information to the Inspector General.

(Pub. L. 117–286, §3(b), Dec. 27, 2022, 136 Stat. 4233.)

AMENDMENTS NOT SHOWN IN TEXT

This section was derived from section 8E of the Inspector General Act of 1978, Pub. L. 95–452, which was set out in the former Appendix to this title, and as it existed as of Oct. 19, 2021. Section 8E of Pub. L. 95–452 was amended by Pub. L. 117–263, div. E, title LII, §5272(5), Dec. 23, 2022, 136 Stat. 3240, prior to being repealed and reenacted as this section by Pub. L. 117–286, §§3(b), 7, Dec. 27, 2022, 136 Stat. 4233, 4361. For applicability of those amendments to this section, see section 5(b) of Pub. L. 117–286, set out in a Transitional and Savings Provisions note preceding section 101 of this title. Section 8E of Pub. L. 95–452 was amended as follows:

(1) in subsection (a)(3), by striking “Committees on Governmental Affairs and Judiciary of the Senate and the Committees on Government Operations and Judiciary of the House of Representatives, and to other appropriate committees or subcommittees of the Congress” and inserting “appropriate congressional committees, including the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives”; and

(2) in subsection (c)—

(A) by striking “committees or subcommittees of the Congress” and inserting “congressional committees”; and

(B) by striking “Committees on the Judiciary and Governmental Affairs of the Senate and the Committees on the Judiciary and Government Operations of the House of Representatives” and inserting “Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives”.

Some of the text directed to be stricken in subsections (a)(3) and (c) did not appear exactly as quoted in the text enacted by Pub. L. 117–286. See Historical and Revision notes below.

For definition of “appropriate congressional committees” as seen in the above amendments by Pub. L. 117–263, see Amendments Not Shown in Text note set out under section 401 of this title.

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
413	5 U.S.C. App. (IGA §8E)	Pub. L. 95–452, §8E, formerly §8D, as added Pub. L. 100–504, title I, §102(f), Oct. 18, 1988, 102 Stat. 2520; renumbered §8E, Pub. L. 103–204, §23(a)(3), Dec. 17, 1993, 107 Stat. 2408; Pub. L. 107–273, div. A, title III, §308, Nov. 2, 2002, 116 Stat. 1784; Pub. L. 114–317, §§6(3), 7(d)(3)(D), Dec. 16, 2016, 130 Stat. 1604, 1606.

In subsection (a)(3) and subsection (c), the words “[Committee] on Homeland Security and Governmental Affairs [of the Senate]” are substituted for “[Committee] on Governmental Affairs [of the Senate]” because of Senate Resolution No. 445, 108th Congress, October 9, 2004 (effective January 4, 2005).

In subsection (a)(3) and subsection (c), the words “Committee on Oversight and Reform [of the House of Representatives]” are substituted for “[Committee on] Government Operations [of the House of Representatives]” on authority of section 1(a) of Public Law 104–14

(2 U.S.C. note prec. 21), House Resolution No. 5 (106th Congress, January 6, 1999), House Resolution No. 6 (110th Congress, January 5, 2007), and rule X(1)(n) of the Rules of the House of Representatives, adopted by House Resolution No. 6 (116th Congress, January 9, 2019).

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Committee on Oversight and Reform of House of Representatives changed to Committee on Oversight and Accountability of House of Representatives by House Resolution No. 5, One Hundred Eighteenth Congress, Jan. 9, 2023.

APPOINTMENT OF OVERSIGHT OFFICIAL WITHIN THE OFFICE OF INSPECTOR GENERAL

Pub. L. 107–273, div. A, title III, §309(a), Nov. 2, 2002, 116 Stat. 1784, provided that:

“(1) IN GENERAL.—The Inspector General of the Department of Justice shall direct that 1 official from the office of the Inspector General be responsible for supervising and coordinating independent oversight of programs and operations of the Federal Bureau of Investigation until September 30, 2004.

“(2) CONTINUATION OF OVERSIGHT.—The Inspector General may continue individual oversight in accordance with paragraph (1) after September 30, 2004, at the discretion of the Inspector General.”

REVIEW OF CIVIL RIGHTS COMPLAINTS BY THE DEPARTMENT OF JUSTICE

Pub. L. 107–56, title X, §1001, Oct. 26, 2001, 115 Stat. 391, provided that: “The Inspector General of the Department of Justice shall designate one official who shall—

“(1) review information and receive complaints alleging abuses of civil rights and civil liberties by employees and officials of the Department of Justice;

“(2) make public through the Internet, radio, television, and newspaper advertisements information on the responsibilities and functions of, and how to contact, the official; and

“(3) submit to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate on a semi-annual basis a report on the implementation of this subsection [section] and detailing any abuses described in paragraph (1), including a description of the use of funds appropriations used to carry out this subsection [section].”

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

(a) PERSONNEL.—Notwithstanding the provisions of paragraphs (7) and (8) of section 406(a) of this title, it is within the exclusive jurisdiction of the Inspector General of the Corporation for National and Community Service to—

(1) appoint and determine the compensation of such officers and employees in accordance with section 195(b) of the National and Community Service Act of 1990 (42 U.S.C. 12651f(b)); and

(2) procure the temporary and intermittent services of and compensate such experts and consultants, in accordance with section 3109(b) of this title,

as may be necessary to carry out the functions, powers, and duties of the Inspector General.

(b) REPORTS TO BOARD OF DIRECTORS.—Not later than the date on which the Chief Executive Officer of the Corporation for National and Community Service transmits any report to the Congress under subsection (b) or (c) of section 405 of