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1ST SESSION

# H. R. 5961

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IN THE SENATE OF THE UNITED STATES

DECEMBER 9, 2021

Received; read twice and referred to the Committee on the Judiciary

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## AN ACT

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,*

1 **SECTION 1. TABLE OF CONTENTS.**

2 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.

3 **SEC. 2. PURPOSES; RESTATEMENT DOES NOT CHANGE**

4 **MEANING OR EFFECT OF EXISTING LAW.**

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

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

8 (2) to make technical amendments to improve  
9 the United States Code.

10 (b) RESTATEMENT DOES NOT CHANGE MEANING OR  
11 EFFECT OF EXISTING LAW.—

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

1 value of earlier judicial decisions or other interpreta-  
 2 tions.

3 (2) RULE OF CONSTRUCTION.—

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

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

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

19 (a) ENACTMENT OF CHAPTER 10.—Part I of title 5,  
 20 United States Code, is amended by inserting after chapter  
 21 9 the following:

22 **“Chapter 10—FEDERAL**  
 23 **ADVISORY 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

1                   “(iii) established or utilized by one or  
2                   more agencies.

3                   “(B) EXCLUSIONS.—The term ‘advisory  
4                   committee’ excludes—

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

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

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

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

18 **“§ 1002. Findings and declarations**

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

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

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

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

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

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

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

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

23 **“§ 1003. Applicability**

24       “(a) IN GENERAL.—This chapter, and any rule,  
25 order, or regulation promulgated under this chapter, shall

1 apply to each advisory committee except to the extent that  
2 the Act establishing the advisory committee specifically  
3 provides otherwise.

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

8 “(1) the Central Intelligence Agency;

9 “(2) the Federal Reserve System; or

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

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

23 **“§ 1004. Responsibilities of congressional committees**

24 “(a) REVIEW OF ACTIVITIES.—In the exercise of its  
25 legislative review function, each standing committee of the

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

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

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



1           “(2) require the membership of the advisory  
2 committee to be fairly balanced in terms of the  
3 points of view represented and the functions to be  
4 performed by the advisory committee;

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

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

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

23           “(c) ADHERENCE TO GUIDELINES.—To the extent  
24 they are applicable, the guidelines set out in subsection

1 (b) shall be followed by the President, agency heads, or  
2 other Federal officials in creating an advisory committee.

3 **“§ 1005. Responsibilities of the President**

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

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

15 **“§ 1006. Responsibilities of the Administrator**

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

21 “(b) ANNUAL REVIEWS.—

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

1           “(A) whether the committee is carrying out  
2           its purpose;

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

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

8           “(D) whether the committee should be  
9           abolished.

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

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

21          “(c) ADMINISTRATIVE GUIDELINES AND MANAGE-  
22          MENT CONTROLS.—The Administrator shall prescribe ad-  
23          ministrative guidelines and management controls applica-  
24          ble to advisory committees, and, to the maximum extent  
25          feasible, provide advice, assistance, and guidance to advi-

1 sory committees to improve their performance. In carrying  
2 out functions under this subsection, the Administrator  
3 shall consider the recommendations of each agency head  
4 with respect to means of improving the performance of  
5 advisory committees whose duties are related to the agen-  
6 cy.

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

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

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

22 “(B) members of advisory committees,  
23 while engaged in the performance of their du-  
24 ties away from their homes or regular places of  
25 business, may be allowed travel expenses, in-

1 including per diem in lieu of subsistence, as au-  
2 thorized by section 5703 of this title for persons  
3 employed intermittently in the Government  
4 service; and

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

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

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

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

1           “(A) is a full-time employee of the United  
2 States without regard to service with an advisory  
3 committee; or

4           “(B) was a full-time employee of the  
5 United States immediately before service with  
6 an advisory committee.

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

12 **“§ 1007. Responsibilities of agency heads**

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

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

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

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

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

11 **“§ 1008. Establishment and purpose of advisory com-  
12 mittees**

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

15 “(1) specifically authorized by statute or by the  
16 President; or

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

23 “(b) PURPOSE OF ADVISORY COMMITTEES.—Unless  
24 otherwise specifically provided by statute or Presidential  
25 directive, advisory committees shall be utilized solely for

1 advisory functions. Determinations of action to be taken  
2 and policy to be expressed with respect to matters upon  
3 which an advisory committee reports or makes rec-  
4 ommendations shall be made solely by the President or  
5 an officer of the Federal Government.

6 “(c) ADVISORY COMMITTEE CHARTERS.—

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

10 “(A) with the Administrator in the case of  
11 Presidential advisory committees; or

12 “(B) with—

13 “(i) the head of the agency to whom  
14 the advisory committee reports; and

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

19 “(2) CONTENTS OF CHARTER.—The advisory  
20 committee charter shall contain—

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

22 “(B) the committee’s objectives and the  
23 scope of its activity;

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



1           “(D) the agency or official to whom the  
2 committee reports;

3           “(E) the agency responsible for providing  
4 the necessary support for the committee;

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

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

11           “(H) the estimated number and frequency  
12 of committee meetings;

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

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

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

20 **“§ 1009. Advisory committee procedures**

21           “(a) COMMITTEE MEETINGS.—

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

24           “(2) NOTICE OF MEETINGS.—Except when the  
25 President determines otherwise for reasons of na-

1 tional security, timely notice of each meeting shall be  
2 published in the Federal Register, and the Adminis-  
3 trator shall prescribe regulations to provide for other  
4 types of public notice to insure that all interested  
5 persons are notified of each meeting in advance.

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

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

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

1 the advisory committee. The accuracy of all minutes shall  
2 be certified by the chairman of the advisory committee.

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

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

1       “(f) CALL FOR MEETING OR ADVANCE APPROVAL.—  
2 Advisory committees shall not hold any meetings except  
3 at the call of, or with the advance approval of, a des-  
4 ignated officer or employee of the Federal Government,  
5 and in the case of advisory committees (other than Presi-  
6 dential advisory committees), with an agenda approved by  
7 such officer or employee.

8       **“§ 1010. Availability of transcripts**

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

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

16       **“§ 1011. Fiscal and administrative provisions**

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

1 of the Comptroller General, shall have access to the  
2 records for the purpose of audit and examination.

3       “(b) SUPPORT SERVICES.—Each agency shall be re-  
4 sponsible for providing support services for each advisory  
5 committee established by or reporting to it unless the es-  
6 tablishing authority provides otherwise. If an advisory  
7 committee reports to more than one agency, only one  
8 agency at a time shall be responsible for support services.  
9 In the case of Presidential advisory committees, support  
10 services may be provided by the General Services Adminis-  
11 tration.

12 **“§ 1012. Responsibilities of Library of Congress**

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

21 **“§ 1013. Termination of advisory committees**

22       “(a) IN GENERAL.—

23               “(1) ADVISORY COMMITTEES IN EXISTENCE ON  
24       JANUARY 5, 1973.—Each advisory committee that is  
25       in existence on January 5, 1973, shall terminate not

1 later than the expiration of the 2-year period fol-  
2 lowing that date unless—

3 “(A) in the case of an advisory committee  
4 established by the President or an officer of the  
5 Federal Government, such advisory committee  
6 is renewed by the President or that officer by  
7 appropriate action prior to the expiration of  
8 such 2-year period; or

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

12 “(2) ADVISORY COMMITTEES ESTABLISHED  
13 AFTER JANUARY 5, 1973.—Each advisory committee  
14 established after January 5, 1973, shall terminate  
15 not later than the expiration of the 2-year period be-  
16 ginning on the date of its establishment unless—

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

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

1 “(b) CHARTERS.—

2 “(1) UPON RENEWAL.—Upon the renewal of an  
3 advisory committee, the advisory committee shall file  
4 a charter in accordance with section 1008(c) of this  
5 title.

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

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

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

1 **“§ 1014. Requirements relating to National Academy**  
2 **of Sciences and National Academy of**  
3 **Public Administration**

4 “(a) IN GENERAL.—An agency may not use any ad-  
5 vice or recommendation provided by the National Academy  
6 of Sciences or National Academy of Public Administration  
7 that was developed by use of a committee created by that  
8 academy under an agreement with an agency, unless—

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

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

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

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

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

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



1           “(1) PUBLIC NOTICE REGARDING AP-  
2           POINTEES.—The Academy shall determine and pro-  
3           vide public notice of the names and brief biographies  
4           of individuals that the Academy appoints or intends  
5           to appoint to serve on the committee. The Academy  
6           shall determine and provide a reasonable opportunity  
7           for the public to comment on appointments before  
8           they are made or, if the Academy determines prior  
9           comment is not practicable, in the period imme-  
10          diately following the appointments. The Academy  
11          shall require that any individual the Academy ap-  
12          points (or intends to appoint) to serve on the com-  
13          mittee inform the Academy of the individual’s con-  
14          flicts of interest that are relevant to the functions to  
15          be performed. The Academy shall make its best ef-  
16          forts to ensure that—

17                   “(A) no individual appointed to serve on  
18                   the committee has a conflict of interest that is  
19                   relevant to the functions to be performed, un-  
20                   less such conflict is promptly and publicly dis-  
21                   closed and the Academy determines that the  
22                   conflict is unavoidable;

23                   “(B) the committee membership is fairly  
24                   balanced as determined by the Academy to be

1           appropriate for the functions to be performed;  
2           and

3           “(C) the final report of the Academy will  
4           be the result of the Academy’s independent  
5           judgment.

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

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

23          “(4) OTHER MEETINGS.—The Academy shall  
24          make available to the public as soon as practicable,  
25          at reasonable charge if appropriate, a brief summary

1 of any committee meeting that is not a data-gath-  
2 ering meeting, unless the Academy determines that  
3 the summary would disclose matters described in  
4 section 552(b) of this title. The summary shall iden-  
5 tify the committee members present, the topics dis-  
6 cussed, materials made available to the committee,  
7 and other matters the Academy determines should  
8 be included.

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

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

1       “(c) REGULATIONS.—The Administrator of General  
2 Services may issue regulations implementing this sec-  
3 tion.”.

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

7                   **“Chapter 4—INSPECTORS**  
8                                   **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 Depart-  
ment 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 Commu-  
nity 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.

9       **“§ 401. Definitions**

10       “In this chapter:

11               “(1) ESTABLISHMENT.—The term ‘establish-  
12       ment’ means the Department of Agriculture, Com-

1 merce, Defense, Education, Energy, Health and  
2 Human Services, Housing and Urban Development,  
3 the Interior, Justice, Labor, State, Transportation,  
4 Homeland Security, the Treasury, or Veterans Af-  
5 fairs; the Agency for International Development, the  
6 Community Development Financial Institutions  
7 Fund, the Environmental Protection Agency, the  
8 Federal Communications Commission, the Federal  
9 Emergency Management Agency, the General Serv-  
10 ices Administration, the National Aeronautics and  
11 Space Administration, the Nuclear Regulatory Com-  
12 mission, the Office of Personnel Management, the  
13 Railroad Retirement Board, the Federal Deposit In-  
14 surance Corporation, the Small Business Adminis-  
15 tration, the Corporation for National and Commu-  
16 nity Service, the Social Security Administration, the  
17 Federal Housing Finance Agency, the Tennessee  
18 Valley Authority, the Export-Import Bank of the  
19 United States, the Commissions established under  
20 section 15301 of title 40, the National Security  
21 Agency, or the National Reconnaissance Office, as  
22 the case may be.

23 “(2) FEDERAL AGENCY.—The term ‘Federal  
24 agency’ means an agency as defined in section  
25 552(f) of this title (including an establishment as

1 defined in paragraph (1)), but shall not be construed  
2 to include the Government Accountability Office.

3 “(3) HEAD OF THE ESTABLISHMENT.—The  
4 term ‘head of the establishment’ means the Sec-  
5 retary of Agriculture, Commerce, Defense, Edu-  
6 cation, Energy, Health and Human Services, Hous-  
7 ing and Urban Development, the Interior, Labor,  
8 State, Transportation, Homeland Security, the  
9 Treasury, or Veterans Affairs; the Attorney General;  
10 the Administrator of the Agency for International  
11 Development, Environmental Protection, General  
12 Services, National Aeronautics and Space, Small  
13 Business, or the Federal Emergency Management  
14 Agency; the Director of the Office of Personnel  
15 Management; the Chairman of the Nuclear Regu-  
16 latory Commission, the Federal Communications  
17 Commission, or the Railroad Retirement Board; the  
18 Chief Executive Officer of the Corporation for Na-  
19 tional and Community Service; the Administrator of  
20 the Community Development Financial Institutions  
21 Fund; the Chairperson of the Federal Deposit Insur-  
22 ance Corporation; the Commissioner of Social Secu-  
23 rity, Social Security Administration; the Director of  
24 the Federal Housing Finance Agency; the Board of  
25 Directors of the Tennessee Valley Authority; the

1 President of the Export-Import Bank of the United  
2 States; the Federal Cochairpersons of the Commis-  
3 sions established under section 15301 of title 40; the  
4 Director of the National Security Agency; or the Di-  
5 rector of the National Reconnaissance Office; as the  
6 case may be.

7 “(4) INSPECTOR GENERAL.—The term ‘Inspec-  
8 tor General’ means the Inspector General of an es-  
9 tablishment.

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

12 **“§ 402. Establishment and purpose of Offices of In-  
13 spector General**

14 “(a) ESTABLISHMENT.—

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

19 “(2) DEPARTMENT OF THE TREASURY.—In the  
20 establishment of the Department of the Treasury,  
21 there is established—

22 “(A) an Office of Inspector General of the  
23 Department of the Treasury; and

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

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

4           “(1) to conduct and supervise audits and inves-  
5 tigation relating to the programs and operations of  
6 the establishments listed in section 401(1) of this  
7 title;

8           “(2) to provide leadership and coordination and  
9 recommend policies for activities designed—

10           “(A) to promote economy, efficiency, and  
11 effectiveness in the administration of those pro-  
12 grams and operations; and

13           “(B) to prevent and detect fraud and  
14 abuse in those programs and operations; and

15           “(3) to provide a means for keeping the head  
16 of the establishments and Congress fully and cur-  
17 rently informed about problems and deficiencies re-  
18 lating to the administration of those programs and  
19 operations and the necessity for and progress of cor-  
20 rective action.

21 **“§ 403. Appointments**

22       “(a) IN GENERAL.—There shall be at the head of  
23 each Office an Inspector General who shall be appointed  
24 by the President, by and with the advice and consent of  
25 the Senate, without regard to political affiliation and sole-



1 ly on the basis of integrity and demonstrated ability in  
2 accounting, auditing, financial analysis, law, management  
3 analysis, public administration, or investigations. Each In-  
4 spector General shall report to and be under the general  
5 supervision of the head of the establishment involved or,  
6 to the extent such authority is delegated, the officer next  
7 in rank below such head, but shall not report to, or be  
8 subject to supervision by, any other officer of the estab-  
9 lishment. Neither the head of the establishment nor the  
10 officer next in rank below the head shall prevent or pro-  
11 hibit the Inspector General from initiating, carrying out,  
12 or completing any audit or investigation, or from issuing  
13 any subpoena during the course of any audit or investiga-  
14 tion.

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

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

6       “(d) ASSISTANT INSPECTORS GENERAL AND WHIS-  
7 TLEBLOWER PROTECTION COORDINATOR.—

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

11                       “(A) appoint an Assistant Inspector Gen-  
12 eral for Auditing who shall have the responsi-  
13 bility for supervising the performance of audit-  
14 ing activities relating to programs and oper-  
15 ations of the establishment;

16                       “(B) appoint an Assistant Inspector Gen-  
17 eral for Investigations who shall have the re-  
18 sponsibility for supervising the performance of  
19 investigative activities relating to such pro-  
20 grams and operations; and

21                       “(C) designate a Whistleblower Protection  
22 Coordinator who shall—

23                               “(i) educate agency employees—

1           “(I) about prohibitions against  
2 retaliation for protected disclosures;  
3 and

4           “(II) who have made or are con-  
5 templating making a protected disclo-  
6 sure about the rights and remedies  
7 against retaliation for protected dis-  
8 closures, including—

9           “(aa) the means by which  
10 employees may seek review of  
11 any allegation of reprisal, includ-  
12 ing the roles of the Office of the  
13 Inspector General, the Office of  
14 Special Counsel, the Merit Sys-  
15 tems Protection Board, and any  
16 other relevant entities; and

17           “(bb) general information  
18 about the timeliness of such  
19 cases, the availability of any al-  
20 ternative dispute mechanisms,  
21 and avenues for potential relief;

22           “(ii) assist the Inspector General in  
23 promoting the timely and appropriate han-  
24 dling and consideration of protected disclo-  
25 sures and allegations of reprisal, to the ex-

1 tent practicable, by the Inspector General;  
2 and

3 “(iii) assist the Inspector General in  
4 facilitating communication and coordina-  
5 tion with the Special Counsel, the Council  
6 of the Inspectors General on Integrity and  
7 Efficiency, the establishment, Congress,  
8 and any other relevant entity regarding the  
9 timely and appropriate handling and con-  
10 sideration of protected disclosures, allega-  
11 tions of reprisal, and general matters re-  
12 garding the implementation and adminis-  
13 tration of whistleblower protection laws,  
14 rules, and regulations.

15 “(2) WHISTLEBLOWER PROTECTION COORDI-  
16 NATOR NOT TO ACT AS LEGAL REPRESENTATIVE,  
17 AGENT, OR ADVOCATE.—The Whistleblower Protec-  
18 tion Coordinator shall not act as a legal representa-  
19 tive, agent, or advocate of the employee or former  
20 employee.

21 “(3) WHISTLEBLOWER PROTECTION COORDI-  
22 NATOR ACCESS TO INSPECTOR GENERAL.—The  
23 Whistleblower Protection Coordinator shall have di-  
24 rect access to the Inspector General as needed to ac-  
25 complish the requirements of this subsection.

1           “(4) WHISTLEBLOWER PROTECTION COORDI-  
2           NATOR EXCEPTION FOR INTELLIGENCE ACTIVITY.—

3           For the purposes of this section, the requirement of  
4           the designation of a Whistleblower Protection Coordi-  
5           nator under paragraph (1)(C) shall not apply to—

6                   “(A) any agency that is an element of the  
7                   intelligence community (as defined in section  
8                   3(4) of the National Security Act of 1947 (50  
9                   U.S.C. 3003(4))); or

10                   “(B) as determined by the President, any  
11                   executive agency or unit thereof the principal  
12                   function of which is the conduct of foreign in-  
13                   telligence or counter intelligence activities.

14           “(e) RATE OF PAY.—The annual rate of basic pay  
15           for an Inspector General (as defined under section 401  
16           of this title) shall be the rate payable for level III of the  
17           Executive Schedule under section 5314 of this title, plus  
18           3 percent.

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

23           “(g) LEGAL ADVICE.—Each Inspector General shall,  
24           in accordance with applicable laws and regulations gov-  
25           erning the civil service, obtain legal advice from a counsel

1 either reporting directly to the Inspector General or an-  
2 other Inspector General.

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

4 “(a) IN GENERAL.—It shall be the duty and responsi-  
5 bility of each Inspector General, with respect to the estab-  
6 lishment within which the Inspector General’s Office is es-  
7 tablished—

8 “(1) to provide policy direction for and to con-  
9 duct, supervise, and coordinate audits and investiga-  
10 tions relating to the programs and operations of the  
11 establishment;

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

22 “(3) to recommend policies for, and to conduct,  
23 supervise, or coordinate other activities carried out  
24 or financed by, the establishment for the purpose of  
25 promoting economy and efficiency in the administra-

1       tion of, or preventing and detecting fraud and abuse  
2       in, its programs and operations;

3               “(4) to recommend policies for the establish-  
4       ment, and to conduct, supervise, or coordinate rela-  
5       tionships between the establishment and other Fed-  
6       eral agencies, State and local governmental agencies,  
7       and nongovernmental entities, with respect to—

8                       “(A) all matters relating to the promotion  
9                       of economy and efficiency in the administration  
10                      of, or the prevention and detection of fraud and  
11                      abuse in, programs and operations administered  
12                      or financed by the establishment; or

13                     “(B) the identification and prosecution of  
14                     participants in fraud or abuse referred to in  
15                     subparagraph (A); and

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

1 “(b) STANDARDS AND GUIDELINES.—

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

5 “(A) comply with standards established by  
6 the Comptroller General of the United States  
7 for audits of Federal establishments, organiza-  
8 tions, programs, activities, and functions;

9 “(B) establish guidelines for determining  
10 when it shall be appropriate to use non-Federal  
11 auditors; and

12 “(C) take appropriate steps to ensure that  
13 any work performed by non-Federal auditors  
14 complies with the standards established by the  
15 Comptroller General as described in paragraph  
16 (1).

17 “(2) REVIEWS PERFORMED EXCLUSIVELY BY  
18 AUDIT ENTITIES IN FEDERAL GOVERNMENT.—For  
19 purposes of determining compliance with paragraph  
20 (1)(A) with respect to whether internal quality con-  
21 trols are in place and operating and whether estab-  
22 lished audit standards, policies, and procedures are  
23 being followed by Offices of Inspector General of es-  
24 tablishments defined under section 401 of this title,  
25 Offices of Inspector General of designated Federal



1 entities defined under section 415(a) of this title,  
2 and any audit office established within a Federal en-  
3 tity defined under section 415(a) of this title, re-  
4 views shall be performed exclusively by an audit en-  
5 tity in the Federal Government, including the Gov-  
6 ernment Accountability Office or the Office of In-  
7 spector General of each establishment defined under  
8 section 401 of this title, or the Office of Inspector  
9 General of each designated Federal entity defined  
10 under section 415(a) of this title.

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

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

24 “(e) RECOMMENDATIONS FOR CORRECTIVE AC-  
25 TIONS.—

1           “(1) SUBMISSION OF DOCUMENTS.—In carrying  
2 out the duties and responsibilities established under  
3 this chapter, whenever an Inspector General issues  
4 a recommendation for corrective action to the agen-  
5 cy, the Inspector General—

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

8           “(i) the head of the establishment;

9           “(ii) the congressional committees of  
10 jurisdiction; and

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

16           “(B) may submit the document making a  
17 recommendation for corrective action to any  
18 Member of Congress upon request; and

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

1           “(2) PUBLIC DISCLOSURE OTHERWISE PROHIB-  
2           ITED BY LAW.—Nothing in this subsection shall be  
3           construed as authorizing an Inspector General to  
4           publicly disclose information otherwise prohibited  
5           from disclosure by law.

6   **“§ 405. Reports**

7           “(a) DEFINITIONS.—In this section:

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

12          “(2) FINAL ACTION.—The term ‘final action’  
13          means—

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

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

23          “(3) MANAGEMENT DECISION.—The term  
24          ‘management decision’ means the evaluation by the  
25          management of an establishment of the findings and

1 recommendations included in an audit report and  
2 the issuance of a final decision by management con-  
3 cerning its response to the findings and rec-  
4 ommendations, including actions concluded to be  
5 necessary.

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

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

13 “(B) a finding that, at the time of the  
14 audit, the cost is not supported by adequate  
15 documentation; or

16 “(C) a finding that the expenditure of  
17 funds for the intended purpose is unnecessary  
18 or unreasonable.

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

1           “(A) reductions in outlays;

2           “(B) deobligation of funds from programs  
3 or operations;

4           “(C) withdrawal of interest subsidy costs  
5 on loans or loan guarantees, insurance, or  
6 bonds;

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

11           “(E) avoidance of unnecessary expendi-  
12 tures noted in preaward reviews of contract or  
13 grant agreements; or

14           “(F) any other savings which are specifi-  
15 cally identified.

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

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

1           basic pay payable for GS–15 of the General  
2           Schedule; and

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

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

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

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

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

1           “(3) an identification of each significant rec-  
2           ommendation described in previous semiannual re-  
3           ports on which corrective action has not been com-  
4           pleted;

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

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

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

19          “(7) a summary of each particularly significant  
20          report;

21          “(8) statistical tables showing the total number  
22          of audit reports, inspection reports, and evaluation  
23          reports and the total dollar value of questioned costs  
24          (including a separate category for the dollar value of  
25          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       spector 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 **specter 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 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       spector 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 tigation, 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) DESIGNEES 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 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 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       “(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**  
 7 **REQUIREMENTS**  
 8 **“Chapter 131—ETHICS IN**  
 9 **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 DIS-**  
2 **CLOSURE REQUIREMENTS OF**  
3 **FEDERAL PERSONNEL**

4 **“§ 13101. Definitions**

5 “In this subchapter:

6 “(1) CONGRESSIONAL ETHICS COMMITTEES.—

7 The term ‘congressional ethics committees’ means  
8 the Select Committee on Ethics of the Senate and  
9 the Committee on Ethics of the House of Represent-  
10 atives.

11 “(2) DEPENDENT CHILD.—The term ‘depend-  
12 ent child’ means, when used with respect to any re-  
13 porting individual, any individual who is a son,  
14 daughter, stepson, or stepdaughter and who—

15 “(A) is unmarried and under age 21 and  
16 is living in the household of such reporting indi-  
17 vidual; or

18 “(B) is a dependent of such reporting indi-  
19 vidual within the meaning of section 152 of the  
20 Internal Revenue Code of 1986 (26 U.S.C.  
21 152).

22 “(3) DESIGNATED AGENCY ETHICS OFFICIAL.—

23 The term ‘designated agency ethics official’ means  
24 an officer or employee who is designated to admin-



1       ister the provisions of this subchapter within an  
2       agency.

3               “(4) EXECUTIVE BRANCH.—The term ‘execu-  
4       tive branch’ includes each Executive agency (as de-  
5       fined in section 105 of this title), other than the  
6       Government Accountability Office, and any other en-  
7       tity or administrative unit in the executive branch.

8               “(5) GIFT.—The term ‘gift’ means a payment,  
9       advance, forbearance, rendering, or deposit of  
10      money, or any thing of value, unless consideration of  
11      equal or greater value is received by the donor, but  
12      does not include—

13              “(A) bequest and other forms of inherit-  
14      ance;

15              “(B) suitable mementos of a function hon-  
16      oring the reporting individual;

17              “(C) food, lodging, transportation, and en-  
18      tertainment provided by a foreign government  
19      within a foreign country or by the United  
20      States Government, the District of Columbia, or  
21      a State or local government or political subdivi-  
22      sion thereof;

23              “(D) food and beverages which are not  
24      consumed in connection with a gift of overnight  
25      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 ignated 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 individual 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**  
11                   **GOVERNMENT ETHICS**

12           **“§ 13121. Establishment; appointment of Director**

13           “(a) ESTABLISHMENT.—There is established an exec-  
14 utive 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**  
23 **ON OUTSIDE EARNED IN-**  
24 **COME AND EMPLOYMENT**

25 **“§ 13141. Definitions**

26 “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 serting “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 serting “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 serting “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 serting “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 serting “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 sserting “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 serting “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 serting “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.

Passed the House of Representatives December 8, 2021.

Attest:

CHERYL L. JOHNSON,

*Clerk.*