

117TH CONGRESS
1ST SESSION

H. R. 2681

To amend the Inspector General Act of 1978 to require the Integrity Committee of the Council of the Inspectors General on Integrity and Efficiency to include additional information in requests and reports to Congress, to make information available to certain Members of Congress regarding certain allegations of wrongdoing closed without referral, to require the Integrity Committee to submit semiannual reports to Congress and the President, to expand the membership of the Integrity Committee, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 20, 2021

Mr. CONNOLLY (for himself, Mr. HICE of Georgia, Mrs. CAROLYN B. MALONEY of New York, Mr. DANNY K. DAVIS of Illinois, Ms. NORTON, Ms. PORTER, Mr. RASKIN, Mrs. LAWRENCE, Mr. LYNCH, Mr. KHANNA, and Mr. SARBANES) introduced the following bill; which was referred to the Committee on Oversight and Reform

A BILL

To amend the Inspector General Act of 1978 to require the Integrity Committee of the Council of the Inspectors General on Integrity and Efficiency to include additional information in requests and reports to Congress, to make information available to certain Members of Congress regarding certain allegations of wrongdoing closed without referral, to require the Integrity Committee to submit semiannual reports to Congress and the President, to expand the membership of the Integrity Committee, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Integrity Committee
5 Transparency Act of 2021”.

6 **SEC. 2. ADDITIONAL INFORMATION TO BE INCLUDED IN**
7 **REQUESTS AND REPORTS TO CONGRESS.**

8 Section 11(d) of the Inspector General Act of 1978
9 (5 U.S.C. App.) is amended—

10 (1) in paragraph (5)(B)(ii), by striking the pe-
11 riod at the end and inserting “, the length of time
12 the Integrity Committee has been evaluating the al-
13 legation of wrongdoing, and a description of any pre-
14 vious written notice provided under this clause with
15 respect to the allegation of wrongdoing, including
16 the description provided for why additional time was
17 needed.”; and

18 (2) in paragraph (8)(A)(ii), by inserting “or
19 corrective action” after “disciplinary action”.

20 **SEC. 3. AVAILABILITY OF INFORMATION TO MEMBERS OF**
21 **CONGRESS REGARDING CERTAIN ALLEGA-**
22 **TIONS OF WRONGDOING CLOSED WITHOUT**
23 **REFERRAL.**

24 (a) AVAILABILITY OF INFORMATION TO MEMBERS OF
25 CONGRESS.—Section 11(d)(5)(B) of the Inspector Gen-

1 eral Act of 1978 (5 U.S.C. App.) is amended by adding
2 at the end the following:

3 “(iii) AVAILABILITY OF INFORMATION
4 TO MEMBERS OF CONGRESS.—

5 “(I) IN GENERAL.—With respect
6 to an allegation of wrongdoing made
7 by a member of Congress that is
8 closed by the Integrity Committee
9 without referral to the Chairperson of
10 the Integrity Committee to initiate an
11 investigation, the Chairperson of the
12 Integrity Committee shall, not later
13 than 60 days after closing such alle-
14 gation, provide a written description
15 of the nature of the allegation of
16 wrongdoing and how the Integrity
17 Committee evaluated the allegation of
18 wrongdoing to—

19 “(aa) the Chair and Rank-
20 ing Member of the Committee on
21 Oversight and Reform of the
22 House of Representatives;

23 “(bb) the Chair and Rank-
24 ing Member of the Committee on

1 Homeland Security and Govern-
2 mental Affairs of the Senate;

3 “(cc) a member of the
4 House of Representatives who
5 has the support of any seven
6 members of the Committee on
7 Oversight and Reform of the
8 House of Representatives; or

9 “(dd) a member of the Sen-
10 ate who has the support of any
11 five members of the Committee
12 on Homeland Security and Gov-
13 ernmental Affairs of the Senate.

14 “(II) REQUIREMENT TO FOR-
15 WARD.—The Chairperson of the In-
16 tegrity Committee shall forward any
17 written description or update provided
18 under this clause to the members of
19 the Integrity Committee and to the
20 Chairperson of the Council.”.

21 **SEC. 4. SEMIANNUAL REPORT.**

22 Section 11(d)(9) of the Inspector General Act of
23 1978 (5 U.S.C. App.) is amended to read as follows:

24 “(9) SEMIANNUAL REPORT.—On or before May
25 31, 2022, and every six months thereafter, the

1 Council shall submit to Congress and the President
2 a report on the activities of the Integrity Committee
3 during the immediately preceding six-month periods
4 ending March 31 and September 30, which shall in-
5 clude the following with respect to allegations of
6 wrongdoing that are made against Inspectors Gen-
7 eral and staff members of the various Offices of In-
8 spector General described under paragraph (4)(C):

9 “(A) An overview and analysis of the alle-
10 gations of wrongdoing disposed of by the Integ-
11 rity Committee, including—

12 “(i) analysis of the positions held by
13 individuals against whom allegations were
14 made, including the duties affiliated with
15 such positions;

16 “(ii) analysis of the categories or
17 types of the allegations of wrongdoing; and

18 “(iii) a summary of disposition of all
19 the allegations.

20 “(B) The number of allegations referred to
21 the Department of Justice or the Office of Spe-
22 cial Counsel, including the number of allega-
23 tions referred for criminal investigation.

24 “(C) The number of allegations referred to
25 the Chairperson of the Integrity Committee for

1 investigation, a general description of the status
2 of such investigations, and a summary of the
3 findings of investigations completed.

4 “(D) An overview and analysis of allega-
5 tions of wrongdoing received by the Integrity
6 Committee during any previous reporting pe-
7 riod, but remained pending during some part of
8 the six months covered by the report, includ-
9 ing—

10 “(i) analysis of the positions held by
11 individuals against whom allegations were
12 made, including the duties affiliated with
13 such positions;

14 “(ii) analysis of the categories or
15 types of the allegations of wrongdoing; and

16 “(iii) a summary of disposition of all
17 the allegations.

18 “(E) The number and category or type of
19 pending investigations.

20 “(F) For each allegation received—

21 “(i) the date on which the investiga-
22 tion was opened;

23 “(ii) the date on which the allegation
24 was disposed of, as applicable; and

1 “(iii) the case number associated with
2 the allegation.

3 “(G) The nature and number of allegations
4 to the Integrity Committee closed without refer-
5 ral, including the justification for why each alle-
6 gation was closed without referral.

7 “(H) A brief description of any difficulty
8 encountered by the Integrity Committee when
9 receiving, evaluating, investigating, or referring
10 for investigation an allegation received by the
11 Integrity Committee, including a brief descrip-
12 tion of—

13 “(i) any attempt to prevent or hinder
14 an investigation; or

15 “(ii) concerns about the integrity or
16 operations at an Office of Inspector Gen-
17 eral.”.

18 **SEC. 5. ADDITIONAL REPORTS; RULES OF CONSTRUCTION.**

19 Section 11(d) of the Inspector General Act of 1978
20 (5 U.S.C. App.) is amended by adding at the end the fol-
21 lowing:

22 “(14) ADDITIONAL REPORTS.—

23 “(A) REPORT TO INSPECTOR GENERAL.—

24 The Chairperson of the Integrity Committee
25 shall submit a report immediately whenever the

1 Chairperson of the Integrity Committee be-
2 comes aware of particularly serious or flagrant
3 problems, abuses, or deficiencies relating to the
4 administration of programs and operations of
5 such Office of Inspector General. The report
6 shall be sent to the Inspector General who leads
7 the Office of Inspector General at which the se-
8 rious or flagrant problems, abuses, or defi-
9 ciencies were alleged.

10 “(B) REPORT TO CONGRESS.—The Inspec-
11 tor General of the Office identified by the In-
12 tegrity Committee shall submit any such report
13 to the House Committee on Oversight and Re-
14 form and the Senate Committee on Homeland
15 Security and Governmental Affairs within seven
16 calendar days from the time the agency head
17 receives the report together with a report by the
18 Inspector General at the Office identified by the
19 Integrity Committee containing any comments
20 such Inspector General deems appropriate.

21 “(15) RULE OF CONSTRUCTION.—

22 “(A) PUBLIC DISCLOSURE OF INFORMA-
23 TION.—Except as provided in subparagraph
24 (B), nothing in this subsection shall be con-

1 strued to authorize the public disclosure of in-
2 formation which is—

3 “(i) prohibited from disclosure by any
4 other provision of law;

5 “(ii) required by Executive order to be
6 protected from disclosure in the interest of
7 national defense or national security or in
8 the conduct of foreign affairs; or

9 “(iii) a part of an ongoing criminal in-
10 vestigation.

11 “(B) PROVISION OF REPORT TO REQUEST-
12 ING MEMBERS OF CONGRESS.—Subject to any
13 other provision of law that would otherwise pro-
14 hibit disclosure of such information, the infor-
15 mation described in subparagraph (A) may be
16 provided to any Member of Congress upon re-
17 quest of the Member.

18 “(16) PROHIBITED DISCLOSURES.—The Integ-
19 rity Committee may not provide or otherwise disclose
20 to Congress or the public any information that re-
21 veals the personally identifiable information of an in-
22 dividual who alleges wrongdoing to the Integrity
23 Committee under this subsection unless the Integrity
24 Committee first obtains the consent of the indi-
25 vidual.”.

1 **SEC. 6. MEMBERSHIP OF INTEGRITY COMMITTEE.**

2 Section 11(d)(2) of the Inspector General Act of
3 1978 (5 U.S.C. App.) is amended—

4 (1) in subparagraph (A), by adding at the end
5 the following:

6 “(iv) The individual appointed under
7 subparagraph (C).”; and

8 (2) by adding at the end the following:

9 “(C) APPOINTMENT OF FORMER INSPEC-
10 TOR GENERAL TO COMMITTEE.—

11 “(i) APPOINTMENT.—The Chair-
12 person of the Council shall appoint an indi-
13 vidual who prior to the date of such ap-
14 pointment served as an Inspector General
15 (as that position is described in section
16 3(a) and section 8G(a)(6)), and who has
17 upheld the highest standards of integrity
18 and professionalism while serving and since
19 leaving service as an Inspector General, as
20 determined by the Chairperson, to serve as
21 a member of the Committee unless no such
22 individual is available or willing to serve as
23 a member of the Committee at the time of
24 the appointment.

25 “(ii) INITIAL TERM.—The individual
26 appointed under clause (i) shall serve at

1 the pleasure of the Chairperson of the
2 Council for a 2-year term.

3 “(iii) ADDITIONAL TERM.—The Chair-
4 person of the Council may reappoint the
5 individual appointed under clause (i) to
6 serve at the pleasure of the Chairperson of
7 the Council for an additional term not to
8 exceed 2 years.

9 “(iv) COMPENSATION.—

10 “(I) SPECIAL GOVERNMENT EM-
11 PLOYEE DESIGNATION.—The indi-
12 vidual appointed under clause (i) shall
13 be considered a special government
14 employee pursuant to section 202(a)
15 of title 18, United States Code.

16 “(II) COMPENSATION AND TRAV-
17 EL EXPENSES.—An individual ap-
18 pointed under clause (i) may not re-
19 ceive compensation at a rate in excess
20 of the rate of basic pay for level IV of
21 the executive schedule under section
22 5315 of title 5, United States Code,
23 and any such individual, while en-
24 gaged in the performance of their du-
25 ties away from their homes or regular

1 places of business, may be allowed
2 travel expenses, including per diem in
3 lieu of subsistence, as authorized by
4 section 5703 of such title for persons
5 employed intermittently in the Gov-
6 ernment service.

7 “(III) ACCEPTANCE OF VOLUN-
8 TEER SERVICES.—The Chairperson of
9 the Council may accept volunteer serv-
10 ices from the individual appointed
11 under this subparagraph without re-
12 gard to section 1342 of title 31,
13 United States Code.

14 “(IV) PROVISIONS RELATING TO
15 REEMPLOYMENT.—

16 “(aa) The Chairperson of
17 the Council may reemploy annu-
18 itants.

19 “(bb) The employment of
20 annuitants under this paragraph
21 shall be subject to the provisions
22 of section 9902(g) of title 5,
23 United States Code, as if the
24 Council was the Department of
25 Defense.”.

1 **SEC. 7. REQUIREMENT TO REFER ALLEGATIONS OF**
2 **WRONGDOING AGAINST INSPECTOR GEN-**
3 **ERAL TO INTEGRITY COMMITTEE.**

4 (a) REQUIREMENT.—Section 11(d)(4) of the Inspec-
5 tor General Act of 1978 (5 U.S.C. App.) is amended—

6 (1) in subparagraph (A), in the heading, by
7 striking “REQUIREMENT” and inserting “ALLEGA-
8 TIONS AGAINST STAFF MEMBERS”;

9 (2) by redesignating subparagraphs (B) and
10 (C) as subparagraphs (C) and (D), respectively; and

11 (3) by inserting after subparagraph (A) the fol-
12 lowing:

13 “(B) ALLEGATIONS AGAINST INSPECTORS
14 GENERAL.—An Inspector General shall refer to
15 the Integrity Committee any allegation of
16 wrongdoing against that Inspector General.”.

17 (b) TECHNICAL AND CONFORMING AMENDMENT.—
18 Section 11(d)(1) of the Inspector General Act of 1978 (5
19 U.S.C. App.) is amended by striking “(4)(C)” and insert-
20 ing “(4)(D)”.

21 **SEC. 8. REQUIREMENT TO REPORT FINAL DISPOSITION TO**
22 **CONGRESS.**

23 Section 11(d)(8)(B) of the Inspector General Act of
24 1978 (5 U.S.C. App.) is amended by inserting “, the Com-
25 mittee on Homeland Security and Governmental Affairs
26 of the Senate, the Committee on Oversight and Reform

1 of the House of Representatives, and other congressional
2 committees of jurisdiction,” after “Integrity Committee”.

○