

118TH CONGRESS  
2D SESSION

# S. 4036

To establish a Government Spending Oversight Committee within the Council of the Inspectors General on Integrity and Efficiency, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MARCH 21, 2024

Mr. PETERS (for himself and Mr. ROMNEY) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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## A BILL

To establish a Government Spending Oversight Committee within the Council of the Inspectors General on Integrity and Efficiency, 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 “Government Spending  
5 Oversight Act of 2024”.

6 **SEC. 2. GOVERNMENT SPENDING OVERSIGHT COMMITTEE.**

7 (a) IN GENERAL.—Section 424 of title 5, United  
8 States Code, is amended by adding at the end the fol-  
9 lowing:

1       “(f) GOVERNMENT SPENDING OVERSIGHT COM-  
2 MITTEE.—

3           “(1) DEFINITIONS.—In this subsection:

4               “(A) AGENCY.—The term ‘agency’ has the  
5 meaning given the term in section 551 of this  
6 title.

7               “(B) APPROPRIATE CONGRESSIONAL COM-  
8 MITTEES.—The term ‘appropriate congressional  
9 committees’ means—

10                   “(i) the Committees on Appropria-  
11 tions of the Senate and the House of Rep-  
12 resentatives;

13                   “(ii) the Committee on Homeland Se-  
14 curity and Governmental Affairs of the  
15 Senate;

16                   “(iii) the Committee on Oversight and  
17 Accountability of the House of Representa-  
18 tives; and

19                   “(iv) any other relevant congressional  
20 committee of jurisdiction.

21               “(C) CHAIRPERSON.—The term ‘Chair-  
22 person’ means the Chairperson of the Com-  
23 mittee.

1           “(D) COMMITTEE.—The term ‘Committee’  
2 means the Government Spending Oversight  
3 Committee established under paragraph (2).

4           “(E) COVERED FUNDS.—The term ‘cov-  
5 ered funds’ means any funds, including loans,  
6 that are made available in any form to any non-  
7 Federal entity or individual, under—

8                   “(i) division A or B of the CARES  
9 Act (Public Law 116–136);

10                   “(ii) the Coronavirus Preparedness  
11 and Response Supplemental Appropria-  
12 tions Act, 2020 (Public Law 116–123);

13                   “(iii) the Families First Coronavirus  
14 Response Act (Public Law 116–127);

15                   “(iv) the Paycheck Protection Pro-  
16 gram and Health Care Enhancement Act  
17 (Public Law 116–139);

18                   “(v) division M or N of the Consoli-  
19 dated Appropriations Act, 2021 (Public  
20 Law 116–260);

21                   “(vi) the American Rescue Plan Act  
22 of 2021 (Public Law 117–2);

23                   “(vii) any loan guaranteed or made by  
24 the Small Business Administration, includ-  
25 ing any direct loan or guarantee of a trust

1 certificate, under the Small Business Act  
2 (15 U.S.C. 631 et seq.), the Small Busi-  
3 ness Investment Act of 1958 (15 U.S.C.  
4 661 et seq.), or any other provision of law;

5 “(viii) unemployment compensation,  
6 as defined in section 85 of the Internal  
7 Revenue Code of 1986;

8 “(ix) the Infrastructure Investment  
9 and Jobs Act (Public Law 117–58);

10 “(x) the Inflation Reduction Act  
11 (Public Law 117–169);

12 “(xi) the Honoring our PACT Act of  
13 2022 (Public Law 117–168); or

14 “(xii) the CHIPS Act of 2022 (divi-  
15 sion A of Public Law 117–167) (commonly  
16 known as the ‘CHIPS and Science Act of  
17 2022’).

18 “(2) ESTABLISHMENT.—There is established  
19 within the Council the Government Spending Over-  
20 sight Committee to promote transparency and con-  
21 duct and support oversight of covered funds to—

22 “(A) prevent and detect fraud, waste,  
23 abuse, and mismanagement; and

24 “(B) mitigate major risks that cut across  
25 program and agency boundaries.

1           “(3) CHAIRPERSON.—The Chairperson of the  
2 Committee—

3           “(A) shall be selected by the Chairperson  
4 of the Council from among Inspectors General  
5 appointed by the President and confirmed by  
6 the Senate; and

7           “(B) should have with experience man-  
8 aging oversight of large organizations and ex-  
9 penditures.

10          “(4) MEMBERSHIP.—The members of the Com-  
11 mittee shall include—

12           “(A) the Chairperson;

13           “(B) the Inspector General of the Depart-  
14 ment of the Labor;

15           “(C) the Inspector General of the Depart-  
16 ment of Health and Human Services;

17           “(D) the Inspector General of the Small  
18 Business Administration;

19           “(E) the Inspector General of the Depart-  
20 ment of the Treasury;

21           “(F) the Inspector General of the Depart-  
22 ment of Transportation;

23           “(G) the Treasury Inspector General for  
24 Tax Administration;

1           “(H) the Inspector General of the Depart-  
2           ment of Veterans Affairs;

3           “(I) the Inspector General of the Depart-  
4           ment of Commerce;

5           “(J) the Inspector General of the Depart-  
6           ment of Justice;

7           “(K) the Inspector General of the Depart-  
8           ment of Defense;

9           “(L) the Inspector General of the Depart-  
10          ment of Education;

11          “(M) the Inspector General of the Depart-  
12          ment of Homeland Security; and

13          “(N) any other Inspector General, as des-  
14          ignated by the Chairperson, from any agency  
15          that expends or obligates covered funds.

16          “(5) EXECUTIVE DIRECTOR.—

17                 “(A) IN GENERAL.—There shall be an Ex-  
18                 ecutive Director of the Committee.

19                 “(B) APPOINTMENT; QUALIFICATIONS.—  
20                 The Executive Director of the Committee  
21                 shall—

22                         “(i) be appointed by the Chairperson  
23                         of the Committee, in consultation with the  
24                         majority leader of the Senate, the Speaker  
25                         of the House of Representatives, the mi-

1                   nORITY leader of the Senate, and the minor-  
2                   ity leader of the House of Representatives;

3                   “(ii) have demonstrated ability in ac-  
4                   counting, auditing, financial analysis, law,  
5                   management analysis, public administra-  
6                   tion, or investigations;

7                   “(iii) have experience managing over-  
8                   sight of large organizations and expendi-  
9                   tures; and

10                  “(iv) be full-time employees of the  
11                  Committee.

12                  “(C) DUTIES.—The Executive Director of  
13                  the Committee shall—

14                  “(i) report directly to the Chair-  
15                  person;

16                  “(ii) appoint staff of the Committee,  
17                  subject to the approval of the Chairperson,  
18                  consistent with this subsection;

19                  “(iii) supervise and coordinate Com-  
20                  mittee functions and staff; and

21                  “(iv) perform any other duties as-  
22                  signed to the Executive Director by the  
23                  Committee.

1           “(6) PROHIBITION ON ADDITIONAL COMPENSA-  
2           TION.—Members of the Committee may not receive  
3           additional compensation for services performed.

4           “(7) DUTIES OF THE COMMITTEE.—

5           “(A) IN GENERAL.—The Committee shall  
6           conduct oversight of covered funds and support  
7           Inspectors General in the oversight of covered  
8           funds in order to—

9                   “(i) detect and prevent fraud, waste,  
10                   abuse, and mismanagement; and

11                   “(ii) identify major risks that cut  
12                   across programs and agency boundaries.

13           “(B) GENERAL FUNCTIONS.—The Com-  
14           mittee, in coordination with relevant Inspectors  
15           General, may—

16                   “(i) provide support to, and collabo-  
17                   rate with, relevant Inspectors General in  
18                   conducting investigations, audits, and re-  
19                   views relating to covered funds, including  
20                   through—

21                           “(I) data analytics;

22                           “(II) the sharing of data, tools,  
23                           and services;



1                   “(III) the development and en-  
2                   hancement of data practices, analysis,  
3                   and visualization; and

4                   “(IV) any other appropriate  
5                   means as determined by the Com-  
6                   mittee;

7                   “(ii) provide analytical products to  
8                   agencies, in coordination with Inspectors  
9                   General, to promote program integrity,  
10                  prevent improper payments, and facilitate  
11                  verification efforts to ensure proper ex-  
12                  penditure and utilization of covered funds;

13                  “(iii) review the economy, efficiency,  
14                  and effectiveness in the administration of,  
15                  and the detection of fraud, waste, abuse,  
16                  and mismanagement in, programs and op-  
17                  erations using covered funds;

18                  “(iv) review whether there are appro-  
19                  priate mechanisms for interagency collabo-  
20                  ration relating to the oversight of covered  
21                  funds, including coordinating and collabo-  
22                  rating to the extent practicable with State  
23                  and local government entities; and

24                  “(v) expeditiously report to the Attor-  
25                  ney General any instance in which the

1           Committee has reasonable grounds to be-  
2           lieve there has been a violation of Federal  
3           criminal law.

4           “(C) ADDITIONAL FUNCTIONS.—The Com-  
5           mittee may provide investigative support to  
6           prosecutive and enforcement authorities to pro-  
7           tect program integrity and prevent, detect, and  
8           prosecute fraud of covered funds.

9           “(D) REPORTING.—

10           “(i) ALERTS.—The Committee shall  
11           submit to the President and Congress, in-  
12           cluding the appropriate congressional com-  
13           mittees, management alerts on potential  
14           management, risk, and funding problems  
15           that require immediate attention.

16           “(ii) REPORTS AND UPDATES.—The  
17           Committee shall submit to Congress such  
18           other reports or provide such periodic up-  
19           dates on the work of the Committee as the  
20           Committee considers appropriate on the  
21           use of covered funds.

22           “(iii) BIENNIAL REPORTS.—The  
23           Committee shall submit biennial reports  
24           to the President and Congress, including  
25           the appropriate congressional committees,

1 and may submit additional reports as ap-  
2 propriate summarizing the findings of the  
3 Committee and any recommended changes  
4 to the scope of covered funds.

5 “(iv) PUBLIC AVAILABILITY.—All re-  
6 ports submitted under this subparagraph  
7 shall be made publicly available and posted  
8 on the website established under paragraph  
9 (16).

10 “(v) REDACTIONS.—Any portion of a  
11 report submitted under this paragraph  
12 may be redacted when made publicly avail-  
13 able, if that portion would disclose infor-  
14 mation that is not subject to disclosure  
15 under sections 552 and 552a of this title,  
16 or is otherwise prohibited from disclosure  
17 by law.

18 “(E) RECOMMENDATIONS.—

19 “(i) IN GENERAL.—The Committee  
20 shall make recommendations to agencies  
21 on measures to prevent or address fraud,  
22 waste, abuse and mismanagement, and to  
23 mitigate risks that cut across programs  
24 and agency boundaries, relating to covered  
25 funds.

1           “(ii) REPORT.—Not later than 30  
2           days after receipt of a recommendation  
3           under clause (i), an agency shall submit a  
4           report to the President and the appro-  
5           priate congressional committees on—

6                   “(I) whether the agency agrees  
7                   or disagrees with the recommenda-  
8                   tions; and

9                   “(II) any actions the agency will  
10                  take to implement the recommenda-  
11                  tions, which shall also be included in  
12                  the report required under section 2(b)  
13                  of the GAO–IG Act (31 U.S.C. 1105  
14                  note; Public Law 115–414).

15           “(8) AUTHORITIES.—

16                   “(A) IN GENERAL.—In carrying out the  
17                   duties and functions under this subsection with  
18                   respect to the oversight of covered funds, the  
19                   Committee shall—

20                          “(i) carry out those duties and func-  
21                          tions in accordance with section 404(b)(1)  
22                          of this title;

23                          “(ii) in coordination with relevant In-  
24                          spectors General, have the authorities pro-  
25                          vided under and be subject to paragraphs

1 (1) through (4) of subsection (a) and sub-  
2 sections (h), (j), and (k) of section 406;

3 “(iii) be considered to be conducting  
4 civil or criminal law enforcement activity  
5 for the purposes of section 552a(b)(7) of  
6 this title; and

7 “(iv) for the purposes of sections 552  
8 and 552a of this title, be considered to be  
9 a component which performs as its prin-  
10 cipal function an activity pertaining to the  
11 enforcement of criminal laws, and its  
12 records may constitute investigatory mate-  
13 rial compiled for law enforcement pur-  
14 poses.

15 “(B) LIMITATION ON SUBPOENA AUTHOR-  
16 ITY.—When carrying out subpoena authority  
17 under section 406(a)(4) of this title, the fol-  
18 lowing limitations shall apply to the Committee:

19 “(i) Any subpoena issued under this  
20 subsection shall be signed by the Chair-  
21 person of the Committee, and this power is  
22 non-delegable.

23 “(ii) On a quarterly basis, the Com-  
24 mittee shall notify the Committee on  
25 Homeland Security and Governmental Af-

1           fairs of the Senate and the Committee on  
2           Oversight and Accountability of the House  
3           of Representatives of any subpoenas issued  
4           during the preceding quarter.

5           “(iii) The authority to issue a sub-  
6           poena under this subsection shall termi-  
7           nate on the date that is 5 years after the  
8           date of enactment of this subsection.

9           “(9) REFUSAL OF INFORMATION OR ASSIST-  
10          ANCE.—Whenever information or assistance re-  
11          quested by the Committee or an Inspector General  
12          is unreasonably refused or not provided, the Com-  
13          mittee shall immediately report the circumstances to  
14          the appropriate congressional committees.

15          “(10) USE OF EXISTING RESOURCES.—The  
16          Committee shall leverage existing information tech-  
17          nology resources within the Council, such as over-  
18          sight.gov and those developed by the Pandemic Re-  
19          sponse Accountability Committee established under  
20          section 15010 of the CARES Act (Public Law 116–  
21          136; 135 Stat. 533), to carry out the duties of the  
22          Committee.

23          “(11) CONTRACTS.—The Committee may enter  
24          into contracts to enable the Committee to discharge  
25          its duties, including contracts and other arrange-

1       ments for audits, studies, analyses, and other serv-  
2       ices with public agencies and with private persons,  
3       and make such payments as may be necessary to  
4       carry out the duties of the Committee.

5           “(12) SUBCOMMITTEES.—The Committee may  
6       establish subcommittees to facilitate the ability of  
7       the Committee to discharge its duties.

8           “(13) TRANSFER OF FUNDS, ASSETS, AND OB-  
9       LIGATIONS.—

10           “(A) FUNDS.—The Committee may trans-  
11       fer funds appropriated to the Committee—

12           “(i) for expenses to support adminis-  
13       trative support services and audits, re-  
14       views, or other activities related to over-  
15       sight by the Committee of covered funds to  
16       any Office of the Inspector General or the  
17       General Services Administration; and

18           “(ii) to reimburse for services pro-  
19       vided by the Council.

20           “(B) ASSETS AND OBLIGATIONS.—

21           “(i) ASSETS DEFINED.—In this sub-  
22       paragraph, the term ‘assets’ includes con-  
23       tracts, agreements, facilities, property,  
24       data, records, unobligated or unexpended

1 balances of appropriations, and other  
2 funds or resources (other than personnel).

3 “(ii) TRANSFER.—Upon the effective  
4 date of this subsection, the assets and obli-  
5 gations held by or available in connection  
6 with the Pandemic Response Account-  
7 ability Committee established under 15010  
8 of the CARES Act (Public Law 116–136;  
9 135 Stat. 540) shall be transferred to the  
10 Committee.

11 “(14) ADDITIONAL STAFF.—

12 “(A) IN GENERAL.—Subject to subpara-  
13 graph (B), the Committee may exercise the au-  
14 thorities of subsections (b) through (i) of sec-  
15 tion 3161 of this title (without regard to sub-  
16 section (a) of that section) to meet temporary  
17 or urgent needs of the Committee under this  
18 subsection, as certified by the Chairperson to  
19 the appropriate congressional committees that  
20 such temporary or urgent needs exist, as if the  
21 Committee were a temporary organization.

22 “(B) HEAD OF ORGANIZATION.—For pur-  
23 poses of exercising the authorities described in  
24 subparagraph (A), the term ‘Chairperson’ shall



1 be substituted for the term ‘head of a tem-  
2 porary organization’.

3 “(C) CONSULTATION.—In exercising the  
4 authorities described in subparagraph (A), the  
5 Chairperson shall consult with members of the  
6 Committee.

7 “(D) ADDITIONAL DETAILEES.—In addi-  
8 tion to the authority provided by section  
9 3161(c) of this title, upon the request of an In-  
10 spector General, the Committee may detail, on  
11 a nonreimbursable basis, any personnel of the  
12 Committee to that Inspector General to assist  
13 in carrying out any audit, review, or investiga-  
14 tion pertaining to the oversight of covered  
15 funds.

16 “(E) LIMITATIONS.—In exercising the em-  
17 ployment authorities under section 3161(b) of  
18 this title, as provided under subparagraph (A)  
19 of this paragraph—

20 “(i) section 3161(b)(2) of this title  
21 (relating to periods of appointments) shall  
22 not apply; and

23 “(ii) no period of appointment may  
24 exceed the date on which the Committee  
25 terminates.

1           “(F) COMPETITIVE SERVICE.—A person  
2 employed by the Committee shall acquire com-  
3 petitive status and conditional tenure for ap-  
4 pointment to any position in the competitive  
5 service for which the employee possesses the re-  
6 quired qualifications upon the completion of 2  
7 years of continuous service as an employee  
8 under this subsection.

9           “(G) ANNUITANTS.—

10           “(i) IN GENERAL.—The Committee  
11 may employ annuitants covered by section  
12 9902(g) of this title for purposes of the  
13 oversight of covered funds.

14           “(ii) TREATMENT OF ANNUITANTS.—

15 The employment of annuitants under this  
16 paragraph shall be subject to the provi-  
17 sions of section 9902(g) of this title, as if  
18 the Committee was the Department of De-  
19 fense.

20           “(15) PROVISION OF INFORMATION.—

21           “(A) REQUESTS.—Upon request of the  
22 Committee for information or assistance from  
23 any agency or other entity of the Federal Gov-  
24 ernment, the head of such entity shall, insofar  
25 as is practicable and not in contravention of

1 any existing law, and consistent with section  
2 406 of this title, furnish such information or as-  
3 sistance to the Committee, or an authorized  
4 designee, including an Inspector General des-  
5 ignated by the Chairperson.

6 “(B) INSPECTORS GENERAL.—Any Inspec-  
7 tor General responsible for conducting oversight  
8 related to covered funds may, consistent with  
9 the duties, responsibilities, policies, and proce-  
10 dures of the Inspector General, provide infor-  
11 mation requested by the Committee or an In-  
12 spector General on the Committee relating to  
13 the responsibilities of the Committee.

14 “(16) WEBSITE.—

15 “(A) IN GENERAL.—Not later than 30  
16 days after the date of enactment of this sub-  
17 section, the Committee shall establish and  
18 maintain a user-friendly, public-facing  
19 website—

20 “(i) to foster greater accountability  
21 and transparency in the use of covered  
22 funds, which shall have a uniform resource  
23 locator that is descriptive and memorable;  
24 and

1                   “(ii) that shall be a portal or gateway  
2                   to key information relating to the oversight  
3                   of covered funds and provide connections  
4                   to other Government websites with related  
5                   information.

6                   “(17) COORDINATION.—The Committee shall  
7                   coordinate its oversight activities with the Comp-  
8                   troller General of the United States and State audi-  
9                   tors.

10                  “(18) RULES OF CONSTRUCTION.—Nothing in  
11                  this subsection shall be construed to—

12                         “(A) affect the independent authority of an  
13                         Inspector General to determine whether to con-  
14                         duct an audit or investigation of covered funds;  
15                         or

16                         “(B) require the Council or any Inspector  
17                         General to provide funding to support the ac-  
18                         tivities of the Committee.

19                   “(19) AUTHORIZATION OF APPROPRIATIONS.—  
20                   For the purposes of carrying out the mission of the  
21                   Committee under this subsection, there are author-  
22                   ized to be appropriated such sums as may be nec-  
23                   essary to carry out the duties and functions of the  
24                   Committee.”.

1       (b) EFFECTIVE DATE.—This Act and the amend-  
2 ments made by this Act shall take effect on September  
3 30, 2025.

○