

AMENDMENT TO H.R. 2662, AS REPORTED

OFFERED BY M__ . _____

Page 7, line 4, strike “OFFICES” and insert “OFFICE”.

Page 7, line 13, strike “ENTITIES” and insert “ENTITY”.

Page 7, after line 21, insert the following:

1 (c) EXCEPTION TO REQUIREMENT TO SUBMIT COM-
2 MUNICATION RELATING TO CERTAIN CHANGES IN STA-
3 TUS.—

4 (1) COMMUNICATION RELATING TO CHANGE IN
5 STATUS OF INSPECTOR GENERAL OF OFFICE.—Sec-
6 tion 3(b) of the Inspector General Act of 1978 (5
7 U.S.C. App.), as amended by section 102(1), is fur-
8 ther amended—

9 (A) in paragraph (1), by striking “If” and
10 inserting “Except as provided in paragraph (3),
11 if”; and

12 (B) by adding at the end the following:

13 “(3) If an Inspector General is placed on paid
14 or unpaid non-duty status, the President may sub-
15 mit the communication described in paragraph (1)

1 to Congress later than 30 days before the Inspector
2 General is placed on paid or unpaid non-duty status,
3 but in any case not later than the date on which the
4 placement takes effect, if—

5 “(A) the President determines that a delay
6 in placing the Inspector General on paid or un-
7 paid non-duty status would—

8 “(i) pose a threat to the Inspector
9 General or others;

10 “(ii) result in the destruction of evi-
11 dence relevant to an investigation; or

12 “(iii) result in loss of or damage to
13 Government property;

14 “(B) in the communication, the President
15 includes—

16 “(i) a specification of which clause the
17 President relied on to make the determina-
18 tion under subparagraph (A);

19 “(ii) the substantive rationale, includ-
20 ing detailed and case-specific reasons, for
21 such determination;

22 “(iii) if the President relied on an in-
23 quiry to make such determination, an iden-
24 tification of each entity that is conducting,
25 or that conducted, such inquiry; and

1 “(iv) if an inquiry described in clause
2 (iii) is completed, the findings of that in-
3 quiry.

4 “(4) The President may not place an Inspector
5 General on paid or unpaid non-duty status during
6 the 30-day period preceding the date on which the
7 Inspector General is removed or transferred under
8 paragraph (1) unless the President—

9 “(A) determines that not placing the In-
10 specter General on paid or unpaid non-duty sta-
11 tus would—

12 “(i) pose a threat to the Inspector
13 General or others;

14 “(ii) result in the destruction of evi-
15 dence relevant to an investigation; or

16 “(iii) result in loss of or damage to
17 Government property; and

18 “(B) on or before the date on which the
19 placement takes effect, submits to the Com-
20 mittee in the House of Representatives and the
21 Committee in the Senate that has jurisdiction
22 over the Inspector General involved, the Com-
23 mittee on Oversight and Reform of the House
24 of Representatives, and the Committee on
25 Homeland Security and Governmental Affairs

1 of the Senate, a written communication that
2 contains the following information—

3 “(i) a specification of which clause
4 under subparagraph (A) the President re-
5 lied on to make the determination under
6 such subparagraph;

7 “(ii) the substantive rationale, includ-
8 ing detailed and case-specific reasons, for
9 such determination;

10 “(iii) if the President relied on an in-
11 quiry to make such determination, an iden-
12 tification of each entity that is conducting,
13 or that conducted, such inquiry; and

14 “(iv) if an inquiry described in clause
15 (iii) is completed, the findings of that in-
16 quiry.”.

17 (2) COMMUNICATION RELATING TO CHANGE IN
18 STATUS OF INSPECTOR GENERAL OF DESIGNATED
19 FEDERAL ENTITY.—Section 8G(e) of the Inspector
20 General Act Inspector General Act of 1978 (5
21 U.S.C. App.) is amended—

22 (A) in paragraph (1), by striking “If” and
23 inserting “Except as provided in paragraph (3),
24 if”; and

25 (B) by adding at the end the following:

1 “(3) If an Inspector General is placed on paid
2 or unpaid non-duty status, the head of a designated
3 Federal entity may submit the communication de-
4 scribed in paragraph (1) to Congress later than 30
5 days before the Inspector General is placed on paid
6 or unpaid non-duty status, but in any case not later
7 than the date on which the placement takes effect,
8 if—

9 “(A) the head determines that a delay in
10 placing the Inspector General on paid or unpaid
11 non-duty status would—

12 “(i) pose a threat to the Inspector
13 General or others;

14 “(ii) result in the destruction of evi-
15 dence relevant to an investigation; or

16 “(iii) result in loss of or damage to
17 Government property;

18 “(B) in the communication, the head in-
19 cludes—

20 “(i) a specification of which clause
21 under subparagraph (A) the head relied on
22 to make the determination under such sub-
23 paragraph;

1 “(ii) the substantive rationale, includ-
2 ing detailed and case-specific reasons, for
3 such determination;

4 “(iii) if the head relied on an inquiry
5 to make such determination, an identifica-
6 tion of each entity that is conducting, or
7 that conducted, such inquiry; and

8 “(iv) if an inquiry described in clause
9 (iii) is completed, the findings of that in-
10 quiry.

11 “(4) The head may not place an Inspector Gen-
12 eral on paid or unpaid non-duty status during the
13 30-day period preceding the date on which the In-
14 specter General is removed or transferred under
15 paragraph (1) unless the head—

16 “(A) determines that not placing the In-
17 specter General on paid or unpaid non-duty sta-
18 tus would—

19 “(i) pose a threat to the Inspector
20 General or others;

21 “(ii) result in the destruction of evi-
22 dence relevant to an investigation; or

23 “(iii) result in loss of or damage to
24 Government property; and

1 “(B) on or before the date on which the
2 placement takes effect, submits to the Com-
3 mittee in the House of Representatives and the
4 Committee in the Senate that has jurisdiction
5 over the Inspector General involved, the Com-
6 mittee on Oversight and Reform of the House
7 of Representatives, and the Committee on
8 Homeland Security and Governmental Affairs
9 of the Senate, a written communication that
10 contains the following information—

11 “(i) a specification of which clause
12 under subparagraph (A) the head relied on
13 to make the determination under such sub-
14 paragraph;

15 “(ii) the substantive rationale, includ-
16 ing detailed and case-specific reasons, for
17 such determination;

18 “(iii) if the head relied on an inquiry
19 to make such determination, an identifica-
20 tion of each entity that is conducting, or
21 that conducted, such inquiry; and

22 “(iv) if an inquiry described in clause
23 (iii) is completed, the findings of that in-
24 quiry.”.

Page 7, strike line 22 and all that follows through line 24 and insert the following:

1 (d) APPLICATION.—The amendments made by this
2 section shall apply with respect to removals, transfers, and
3 changes of status occurring on or after the date that is
4 30 days after the date of the enactment of this Act.

Page 29, line 20, strike “ESTABLISHMENT” and insert “OFFICE”.

Page 30, line 10, strike “is” and insert “, as amended by section 202(c)(2), is further”.

Page 30, line 12, strike “(3)” and insert “(5)”.

