AMENDMENT TO THE RULES COMMITTEE PRINT
FOR H.R. 4435
OFFERED BY MS. SPEIER OF CALIFORNIA

At the end of title IX, insert the following new section:

SEC. 924. PUBLIC RELEASE BY INSPECTORS GENERAL OF REPORTS OF MISCONDUCT.

(a) Release of Inspector General of the Department of Defense Administrative Misconduct Reports.—Section 141 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(c)(1) Within 60 days after issuing a final report, the Inspector General of the Department of Defense shall publicly release any reports of administrative investigations that confirm misconduct, including violations of Federal law and violations of policies of the Department of Defense, of any member of the Senior Executive Service, political appointee, or commissioned officer in the Armed Forces in pay grades O–6 or above. In releasing the reports, the Inspector General shall ensure that information that would be protected under section 552 of title 5 (commonly known as the ‘Freedom of Information Act’), sec-
tion 552a of title 5 (commonly known as the ‘Privacy Act of 1974’), or section 6103 of the Internal Revenue Code of 1986 is not disclosed.

“(2) In this subsection, the term ‘political appointee’ means any individual who is—

“(A) employed in a position described under sections 5312 through 5316 of title 5, United States Code, (relating to the Executive Schedule);

“(B) a limited term appointee, limited emergency appointee, or noncareer appointee in the Senior Executive Service, as defined under paragraphs (5), (6), and (7), respectively, of section 3132(a) of title 5, United States Code; or

“(C) employed in a position of a confidential or policy-determining character under schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations.”.

(b) RELEASE OF INSPECTOR GENERAL OF THE ARMY ADMINISTRATIVE MISCONDUCT REPORTS.—Section 3020 of such title is amended by adding at the end the following new subsection:

“(f)(1) Within 60 days after issuing a final report, the Inspector General of the Army shall publicly release any reports of administrative investigations that confirm misconduct, including violations of Federal law and viola-
tions of policies of the Department of Defense, of any member of the Senior Executive Service, political appointee, or commissioned officer in the Armed Forces in pay grades O–6 or above. In releasing the reports, the Inspector General shall ensure that information that would be protected under section 552 of title 5 (commonly known as the ‘Freedom of Information Act’), section 552a of title 5 (commonly known as the ‘Privacy Act of 1974’), or section 6103 of the Internal Revenue Code of 1986 is not disclosed.

“(2) In this subsection, the term ‘political appointee’ means any individual who is—

“(A) employed in a position described under sections 5312 through 5316 of title 5, United States Code, (relating to the Executive Schedule);

“(B) a limited term appointee, limited emergency appointee, or noncareer appointee in the Senior Executive Service, as defined under paragraphs (5), (6), and (7), respectively, of section 3132(a) of title 5, United States Code; or

“(C) employed in a position of a confidential or policy-determining character under schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations.”.
(c) RELEASE OF NAVAL INSPECTOR GENERAL ADMINISTRATIVE MISCONDUCT REPORTS.—Section 5020 of such title is amended by adding at the end the following new subsection:

“(e)(1) Within 60 days after issuing a final report, the Naval Inspector General shall publicly release any reports of administrative investigations that confirm misconduct, including violations of Federal law and violations of policies of the Department of Defense, of any member of the Senior Executive Service, political appointee, or commissioned officer in the Armed Forces in pay grades O–6 or above. In releasing the reports, the Naval Inspector General shall ensure that information that would be protected under section 552 of title 5 (commonly known as the ‘Freedom of Information Act’), section 552a of title 5 (commonly known as the ‘Privacy Act of 1974’), or section 6103 of the Internal Revenue Code of 1986 is not disclosed.

“(2) In this subsection, the term ‘political appointee’ means any individual who is—

“(A) employed in a position described under sections 5312 through 5316 of title 5, United States Code, (relating to the Executive Schedule);

“(B) a limited term appointee, limited emergency appointee, or noncareer appointee in the Sen-
ior Executive Service, as defined under paragraphs (5), (6), and (7), respectively, of section 3132(a) of title 5, United States Code; or

“(C) employed in a position of a confidential or policy-determining character under schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations.”.

(d) Release of Inspector General of the Air Force Administrative Misconduct Reports.—Section 8020 of such title is amended by adding at the end the following new subsection:

“(f)(1) Within 60 days after issuing a final report, the Inspector General of the Air Force shall publicly release any reports of administrative investigations that confirm misconduct, including violations of Federal law and violations of policies of the Department of Defense, of any member of the Senior Executive Service, political appointee, or commissioned officer in the Armed Forces in pay grades O–6 or above. In releasing the reports, the Inspector General shall ensure that information that would be protected under section 552 of title 5 (commonly known as the ‘Freedom of Information Act’), section 552a of title 5 (commonly known as the ‘Privacy Act of 1974’), or section 6103 of the Internal Revenue Code of 1986 is not disclosed.
“(2) In this subsection, the term ‘political appointee’ means any individual who is—

“(A) employed in a position described under sections 5312 through 5316 of title 5, United States Code, (relating to the Executive Schedule);

“(B) a limited term appointee, limited emergency appointee, or noncareer appointee in the Senior Executive Service, as defined under paragraphs (5), (6), and (7), respectively, of section 3132(a) of title 5, United States Code; or

“(C) employed in a position of a confidential or policy-determining character under schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations.”.