3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE Miller OF North Carolina, OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES.

2

AMENDMENT TO H.R. 928, AS REPORTED

OFFERED BY MR. MILLER OF NORTH CAROLINA

Page 2, beginning on line 12, strike "adding at the end the following: 'An' " and insert "striking 'the reasons for any such removal to both Houses of Congress.' and inserting the following: 'in writing the reasons for any such removal to both Houses of Congress and to the Inspector General of the establishment at least 30 days before such removal. An' ".

Page 3, line 2, strike "; and" and insert the following:

1 "(6) Knowing violation of a law, rule, or regula-
2 tion.
3 "(7) Gross mismanagement.
4 "(8) Gross waste of funds.
5 "(9) Abuse of authority."; and

Page 3, line 11, insert after "Congress" the following: "and to the Inspector General of the entity".

Page 5, starting on line 22, strike "increase" and all that follows through line 26 and insert the following: "coordiniate and enhance governmental efforts to pro-

mote integrity and efficiency and to detect and prevent fraud, waste, and abuse in Federal programs."

Page 10, line 11, insert "and professional standards" after "policies".

Page 11, after line 20, insert the following:

1 "(d) ADMINISTRATIVE PROVISIONS.—

2 "(1) DIRECTOR OF OMB.—The Director of the
3 Office of Management and Budget shall provide the
4 Council with such administrative support as may be
5 necessary for the performance of the functions of the
6 Council.

7 "(2) HEADS.—The head of each establishment
8 and designated Federal entity represented on the
9 Council shall provide the persons representing the
10 establishment or entity with such administrative
11 support as may be necessary, in accordance with
12 law, to enable the persons representing the establish-
13 ment or entity to carry out their responsibilities.".

Page 12, line 8, strike "3 or more" and insert "4".

Page 13, line 19, after "General" insert the following: ", acts with the knowledge of the Inspector General, or against whom an allegation is made because such allegation is related to an allegation against the Inspector General, except that if an allegation concerns a member

of the Integrity Committee, that member shall recuse himself from consideration of the matter".

Page 14, strike lines 8 through 14 and insert the following:

1 "(B) refer any allegation of wrongdoing to
2 the agency of the executive branch with appro-
3 priate jurisdiction over the matter; and
4 "(C) refer to the Chairperson of the Integ-
5 rity Committee any allegation of wrongdoing
6 determined by the Integrity Committee to be
7 potentially meritorious that cannot be referred
8 to an agency under subparagraph (B).".

Page 14, line 20, strike "(5)(B)" and insert "(5)(C)".

page 16, strike lines 5 though 18 and insert the following:

9 "(8) REPORT.—
10 "(A) For allegations referred under para-
11 graph (5)(C), the Chairperson of the Integrity
12 Committee shall make a report containing the
13 results of his investigation and shall provide
14 such report to members of the Integrity Com-
15 mittee.

1 "(B) For allegations referred under para-
2 graph (5)(B), the head of an agency shall make
3 a report containing the results of the investiga-
4 tion and shall provide such report to members
5 of the Integrity Committee.
6 "(9) ASSESSMENT AND FINAL DISPOSITION.—
7 "(A) With respect to any report received
8 under paragraph (8), the Integrity Committee
9 shall—
10 "(i) assess the report;
11 "(ii) forward the report, with the In-
12 tegrity Committee recommendations, in-
13 cluding those on disciplinary action, within
14 180 days (to the maximum extent prac-
15 ticable) after the completion of the inves-
16 tigation, to the Executive Chairperson of
17 the Council and to the President (in the
18 case of a report relating to an Inspector
19 General of an establishment or his staff) or
20 the head of a designated Federal entity (in
21 the case of a report relating to an Inspec-
22 tor General of such an entity or his staff)
23 for resolution; and
24 "(iii) submit to Congress a copy of
25 such report and recommendations within

1 30 days after the submission of such re-
2 port to the Executive Chairperson under
3 clause (ii).
4 "(B) The Chairperson of the Council shall
5 report to the Integrity Committee the final dis-
6 position of the matter, including what action
7 was taken by the President or agency head.".

Page 16, after line 18, insert the following:

8 "(10) ANNUAL REPORT.—
9 "(A) MATTERS COVERED.—The Council
10 shall submit to Congress and the President by
11 December 31st of each year a report on the ac-
12 tivities of the Integrity Committee during the
13 preceding fiscal year. The report shall include
14 the following:
15 "(i) The number of allegations re-
16 ceived.
17 "(ii) The number of allegations re-
18 ferred to other agencies, including the
19 number of allegations referred for criminal
20 investigation.
21 "(iii) The number of allegations re-
22 ferred to the Chairperson of the Integrity
23 Committee for investigation.

1 "(iv) The number of allegations closed
2 without referral.
3 "(v) The date each allegation was re-
4 ceived and the date each allegation was fi-
5 nally disposed of.
6 "(vi) In the case of allegations re-
7 ferred to the Chairperson of the Integrity
8 Committee, a summary of the status of the
9 investigation of the allegations and, in the
10 case of investigations completed during the
11 preceding fiscal year, a summary of the
12 findings of the investigations.
13 "(vii) Other matters that the Council
14 considers appropriate.
15 "(B) REQUESTS FOR MORE INFORMA-
16 TION.—The Council shall provide more detailed
17 information about specific allegations upon re-
18 quest from any of the following:
19 "(i) The chairman or ranking member
20 of the Committee on Oversight and Gov-
21 ernment Reform of the House of Rep-
22 resentatives.
23 "(ii) The chairman or ranking mem-
24 ber of the Committee on Homeland Secu-

1 rity and Governmental Affairs of the Sen-
2 ate.
3 "(iii) The chairman or ranking mem-
4 ber of the congressional committees of ju-
5 risdiction.".

Page 16, line 19, strike "(8)" and insert "(11)".

Page 17, strike lines 4 through 6 and insert the following:

6 (b) EXECUTIVE ORDERS AND POLICIES AND PROCE-
7 DURES.—
8 (1) EXISTING EXECUTIVE ORDERS.—Executive
9 Order 12805, dated May 11, 1992, and Executive
10 Order 12993, dated March 21, 1996, shall have no
11 force or effect.
12 (2) POLICIES AND PROCEDURES.—Not later
13 than 180 days after the date of the enactment of
14 this Act, the Inspectors General Council shall adopt
15 policies and procedures to implement this section
16 and the amendments made by this section. To the
17 maximum extent practicable, the policies and proce-
18 dures shall include all provisions of Executive Orders
19 12805 and 12933 (as in effect before the date of the
20 enactment of this Act).

Page 21, after line 12, insert the following:

1 (3) ADDITIONAL CONFORMING AMENDMENT.—
2 Section 194(b) of the National and Community
3 Service Act of 1990 (42 U.S.C. 12651e(b)) is
4 amended by striking paragraph (3).

Page 22, insert after line 10 the following:

5 (d) SAVINGS PROVISION FOR NEWLY APPOINTED IN-
6 SPECTORS GENERAL.—The provisions of section 3392,
7 title 5, United States Code, other than the terms "per-
8 formance awards" and "awarding of ranks" in subsection
9 (c)(1) of such section, shall apply to career appointees of
10 the Senior Executive Service who are appointed to the po-
11 sition of Inspector General.

Page 24, insert after line 3 the following:

12 (d) QUALIFICATIONS OF INSPECTORS GENERAL OF
13 DESIGNATED FEDERAL ENTITIES.—Section 8G(c)(1) of
14 the Inspector General Act of 1978 (5 U.S.C. App.), as
15 amended by this Act, is further amended by striking the
16 period and inserting "without regard to political affili-
17 ation, and solely on the basis of integrity and dem-
18 onstrated ability in accounting, auditing, financial anal-
19 ysis, law, management analysis, public administration, or
20 investigations.