

HR 2395

Inspector General Empowerment Act of 2016

Congress: 114 (2015–2017, Ended)

Chamber: House

Policy Area: Government Operations and Politics

Introduced: May 18, 2015

Current Status: Received in the Senate and Read twice and referred to the Committee on Homeland Security and Government

Latest Action: Received in the Senate and Read twice and referred to the Committee on Homeland Security and Governmental Affairs. (Jun 22, 2016)

Official Text: <https://www.congress.gov/bill/114th-congress/house-bill/2395>

Sponsor

Name: Rep. Chaffetz, Jason [R-UT-3]

Party: Republican • **State:** UT • **Chamber:** House

Cosponsors (2 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Cummings, Elijah E. [D-MD-7]	D · MD		May 18, 2015
Rep. Meadows, Mark [R-NC-11]	R · NC		May 18, 2015

Committee Activity

Committee	Chamber	Activity	Date
Homeland Security and Governmental Affairs Committee	Senate	Referred To	Jun 22, 2016
Oversight and Government Reform Committee	House	Reported By	Jul 16, 2015

Subjects & Policy Tags

Policy Area:

Government Operations and Politics

Related Bills

Bill	Relationship	Last Action
114 HR 6450	Related bill	Dec 16, 2016: Became Public Law No: 114-317.
114 S 3011	Related bill	Jun 6, 2016: Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 505.
114 S 579	Related bill	May 5, 2015: Placed on Senate Legislative Calendar under General Orders. Calendar No. 68.

Inspector General Empowerment Act of 2016

This bill amends the Inspector General Act of 1978 to expand the investigatory powers of federal inspectors general.

(Sec. 2) Inspectors general are authorized to request access to federal grand jury materials that are protected from disclosure under the Federal Rules of Criminal Procedure. An inspector general must submit such a request to the head of its establishment, who then must transmit the request to the Department of Justice (DOJ).

DOJ must grant such a request unless access to the grand jury materials would: (1) interfere with an ongoing criminal investigation, prosecution, or undercover operation; (2) identify a confidential source or protected witness; (3) pose a serious threat to national security; or (4) significantly impair the trade or economic interests of the United States. If DOJ denies such a request, it must submit a statement to Congress explaining the reason for the denial.

The DOJ Inspector General is exempt from these request procedures and shall automatically have access to information available to DOJ regarding grand jury materials.

(Sec. 3) The bill grants inspectors general subpoena authority to compel the attendance and testimony of witnesses as necessary, but they may not require by subpoena the attendance and testimony of any current federal employees, though they may use other authorized procedures.

Prior to issuing a subpoena, an inspector general must submit a request for approval of a subpoena to a Subpoena Panel comprised of three inspectors general of the Council of the Inspectors General on Integrity and Efficiency and then notify DOJ of intent to issue the subpoena.

If the subpoena will interfere with an ongoing investigation, DOJ may object within 10 days after being notified of the Subpoena Panel's approval and the subpoena may not be issued. But if DOJ does not object within those 10 days, the inspector general may issue the subpoena.

Inspectors general collecting information or performing computerized comparisons of automated federal records systems with other federal or nonfederal records while conducting an authorized audit, investigation, inspection, evaluation, or review are exempt from: (1) privacy protections that require agreements between agencies for the use of computerized matching programs to compare records under the Computer Matching and Privacy Protection Act of 1988, and (2) procedural requirements for information collections under the Paperwork Reduction Act.

(Sec. 4) The Council of the Inspectors General on Integrity and Efficiency is charged with receiving, reviewing, and mediating any disputes regarding inspector general activities involving the jurisdiction of more than one federal agency or entity, except with regard to the Inspector General of the Intelligence Community.

The Integrity Committee of the Council must make an expedited determination of whether to initiate an investigation of allegations of wrongdoing and must complete an investigation within six months after making such determination. Agencies and entities represented on the committee must provide assistance at the chairperson's request.

(Sec. 5) The Integrity Committee is granted the authority to investigate an allegation of wrongdoing against the Special Counsel or the Deputy Special Counsel (officials appointed to investigate prohibited personnel practices and government waste and abuse) on the same basis as an investigation of an allegation against an inspector general.

(Sec. 6) The bill requires: (1) the Government Accountability Office to study and report on prolonged vacancies in the offices of inspector general, and (2) the Council to conduct and report on an analysis of critical issues that involve the jurisdiction of more than one office of inspector general.

(Sec. 7) The bill requires the public disclosure of any finding of misconduct, including any violation of federal law or any significant violation of agency policy, by any senior government employee. Inspectors general must include in their semiannual reports: (1) statistical tables showing the total numbers of issued investigative reports, persons referred to DOJ for criminal prosecution, persons referred to state or local prosecutors, and indictments resulting from such referrals; and (2) descriptions of investigations involving senior government employees where allegations of misconduct were substantiated.

Actions Timeline

- **Jun 22, 2016:** Received in the Senate and Read twice and referred to the Committee on Homeland Security and Governmental Affairs.
- **Jun 21, 2016:** Mr. Meadows moved to suspend the rules and pass the bill, as amended.
- **Jun 21, 2016:** Considered under suspension of the rules. (consideration: CR H4002-4006)
- **Jun 21, 2016:** DEBATE - The House proceeded with forty minutes of debate on H.R. 2395.
- **Jun 21, 2016:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.(text: CR H4002-4005)
- **Jun 21, 2016:** On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (text: CR H4002-4005)
- **Jun 21, 2016:** Motion to reconsider laid on the table Agreed to without objection.
- **Jul 16, 2015:** Reported by the Committee on Oversight and Government Reform. H. Rept. 114-210.
- **Jul 16, 2015:** Placed on the Union Calendar, Calendar No. 158.
- **May 19, 2015:** Committee Consideration and Mark-up Session Held.
- **May 19, 2015:** Ordered to be Reported by Voice Vote.
- **May 18, 2015:** Introduced in House
- **May 18, 2015:** Referred to the House Committee on Oversight and Government Reform.