

Calendar No. 409

115TH CONGRESS
2D SESSION

S. 2178

[Report No. 115-245]

To require the Council of Inspectors General on Integrity and Efficiency to make open recommendations of Inspectors General publicly available, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 30, 2017

Ms. HEITKAMP (for herself, Mrs. ERNST, and Mr. LANKFORD) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

MAY 10, 2018

Reported by Mr. JOHNSON, with an amendment and an amendment to the title

[Strike out all after the enacting clause and insert the part printed in italics]

A BILL

To require the Council of Inspectors General on Integrity and Efficiency to make open recommendations of Inspectors General publicly available, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Inspector General Rec-
3 ommendation Transparency Act of 2017”.

4 **SEC. 2. INSPECTOR GENERAL OPEN RECOMMENDATIONS**
5 **DATABASE.**

6 Section 11(c) of the Inspector General Act of 1978
7 (5 U.S.C. App.) is amended by adding at the end the fol-
8 lowing:

9 “(5) OPEN RECOMMENDATIONS DATABASE.—

10 “(A) DEFINITIONS.—In this paragraph—

11 “(i) the term ‘designated Federal enti-
12 ty’ has the meaning given the term in sec-
13 tion 8G(a)(2); and

14 “(ii) the term ‘open recommendation’
15 means a recommendation—

16 “(I) issued by an Inspector Gen-
17 eral of an establishment or designated
18 Federal entity and made publicly
19 available; and

20 “(II) that has not been adopted
21 or implemented by the establishment
22 or designated Federal entity during
23 the 1-year period following the date
24 on which the recommendation was
25 issued.

1 “(B) ESTABLISHMENT OF DATABASE.—

2 The Council shall establish and operate a pub-
3 licly available database that—

4 “(i) is accessible via the website of the
5 Council; and

6 “(ii) includes the information on open
7 recommendations submitted by each In-
8 spector General of an establishment or des-
9 ignated Federal entity under subparagraph
10 (C).

11 “(C) CONTENTS.—Not later than 1 year
12 after the first semiannual reporting deadline de-
13 scribed in section 5(a) that occurs after the
14 date of enactment of this paragraph, and not
15 less frequently than every 6 months thereafter,
16 each Inspector General of an establishment or
17 designated Federal entity shall submit to the
18 Council, in a manner determined by the Coun-
19 cil, the status and disposition of each open rec-
20 ommendation of the establishment or des-
21 ignated Federal entity, which shall include—

22 “(i) the number of recommendations
23 issued by the Inspector General for the fis-
24 cal year;

1 “(ii) the number of recommendations
2 described in clause (i) that are open rec-
3 ommendations;

4 “(iii) the title of each report in which
5 an open recommendation was issued;

6 “(iv) the assigned number of each
7 open recommendation, as designated within
8 a report described in clause (iii);

9 “(v) a short description of each open
10 recommendation;

11 “(vi) the date on which each open rec-
12 ommendation was submitted in final form
13 to the head of the establishment or des-
14 ignated Federal entity;

15 “(vii) the current status of each open
16 recommendation, such as whether the rec-
17 ommendation remains open or has been
18 partially implemented, or if the establish-
19 ment or designated Federal entity has ex-
20 pressed that the recommendation is ex-
21 pected to be implemented soon;

22 “(viii) if available, any comments of
23 the Inspector General relating to why the
24 recommendation remains open;

1 ~~“(ix) if available, any response from~~
2 ~~the establishment or designated Federal~~
3 ~~entity relating to why the recommendation~~
4 ~~remains open; and~~
5 ~~“(x) any other information as deter-~~
6 ~~mined by the Council.”.~~

7 **SECTION 1. SHORT TITLE.**

8 *This Act may be cited as the “Inspector General Rec-*
9 *ommendation Transparency Act of 2018”.*

10 **SEC. 2. INSPECTOR GENERAL OPEN RECOMMENDATIONS.**

11 *(a) IN GENERAL.—The Inspector General Act of 1978*
12 *(5 U.S.C. App.) is amended—*

13 *(1) in section 5—*

14 *(A) in subsection (a)—*

15 *(i) in paragraph (2), by inserting “the*
16 *total number and” before “a description of”;*
17 *and*

18 *(ii) by striking paragraph (3) and in-*
19 *serting the following:*

20 *“(3) the total number of open recommendations*
21 *described in previous semiannual reports on which*
22 *corrective action has not been completed, and an iden-*
23 *tification of each open recommendation, which shall*
24 *include—*

1 “(A) the title of each report in which an
2 open recommendation was issued;

3 “(B) the assigned number of each open rec-
4 ommendation, as designated within a report de-
5 scribed in subparagraph (A);

6 “(C) a short description of each open rec-
7 ommendation;

8 “(D) the date on which each open rec-
9 ommendation was submitted in final form to the
10 head of the establishment;

11 “(E) if available, any cost savings if the
12 corrective action with respect to the open rec-
13 ommendation were completed; and

14 “(F) any other information as determined
15 appropriate by the Inspector General that clari-
16 fies the progress of implementing the open rec-
17 ommendation or the expected timeframe for im-
18 plementation.”; and

19 (B) in subsection (f)—

20 (i) paragraph (6)(B), by striking
21 “and” at the end;

22 (ii) in paragraph (7)(B), by striking
23 the period at the end and inserting “; and”;
24 and

1 (iii) by adding at the end the fol-
 2 lowing:

3 “(8) the term ‘open recommendation’ means a
 4 recommendation—

5 “(A) issued by an Inspector General of an
 6 establishment and made publicly available;

7 “(B) on which corrective action has not
 8 been completed by the establishment during the
 9 1-year period following the date on which the
 10 recommendation was issued; and

11 “(C) that has not been otherwise closed by
 12 the Office.”; and

13 (2) in section 11(c), by adding at the end the fol-
 14 lowing:

15 “(5) *ESTABLISHMENT OF DATABASE.*—Not later
 16 than 18 months after the date on which the first semi-
 17 annual report is required to be prepared under sec-
 18 tion 5(a) after the date of enactment of this para-
 19 graph, the Council shall establish and operate a pub-
 20 licly available database that—

21 “(A) is accessible via the website of the
 22 Council in a standardized, searchable format;
 23 and

24 “(B) includes—

1 “(i) the information on open rec-
2 ommendations that is required to be in-
3 cluded in each semiannual report under sec-
4 tion 5(a)(3); and

5 “(ii) any other information as deter-
6 mined necessary by the Council.

7 “(6) *SUBMISSION OF REPORTS.*—Beginning not
8 later than 60 days after the date of enactment of this
9 paragraph, each Inspector General of an establish-
10 ment or a designated Federal entity (as defined in
11 section 8G(a)) shall, not later than 30 days after the
12 date on which the Inspector General issues a public
13 report, submit to the Council the report for publica-
14 tion on a centralized website.”.

15 (b) *APPLICATION.*—The amendments made by sub-
16 section (a)(1) shall apply with respect to the first semi-
17 annual report prepared under section 5(a) of the Inspector
18 General Act of 1978 (5 U.S.C. App.) after the date that
19 is 1 year after the date of enactment of this Act.

Amend the title so as to read: “A bill to require the Council of the Inspectors General on Integrity and Efficiency to make open recommendations of Inspectors General publicly available, and for other purposes.”.

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