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117TH CONGRESS
1ST SESSION

H. R. 5961

To make revisions in title 5, United States Code, as necessary to keep the title current, and to make technical amendments to improve the United States Code.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 12, 2021

Mr. NEGUSE introduced the following bill; which was referred to the Committee on the Judiciary

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A BILL

To make revisions in title 5, United States Code, as necessary to keep the title current, and to make technical amendments to improve the United States Code.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Table of contents.
Sec. 2. Purposes; restatement does not change meaning or effect of existing law.
Sec. 3. Revision of title 5, United States Code.
Sec. 4. Technical amendments.
Sec. 5. Transitional and savings provisions.
Sec. 6. Effect of references to title 5 on application of ethics provisions.
Sec. 7. Repeals.

SEC. 2. PURPOSES; RESTATEMENT DOES NOT CHANGE MEANING OR EFFECT OF EXISTING LAW.

(a) PURPOSES.—The purposes of this Act are—

(1) to make revisions in title 5, United States Code, as necessary to keep the title current; and

(2) to make technical amendments to improve the United States Code.

(b) RESTATEMENT DOES NOT CHANGE MEANING OR EFFECT OF EXISTING LAW.—

(1) IN GENERAL.—The restatement of existing law enacted by this Act does not change the meaning or effect of the existing law. The restatement incorporates in title 5, United States Code, various provisions that were enacted separately over a period of years, reorganizing them, conforming style and terminology, modernizing obsolete language, and correcting drafting errors. These changes serve to remove ambiguities, contradictions, and other imperfections, but they do not change the meaning or effect of the existing law or impair the precedential value of earlier judicial decisions or other interpretations.

(2) RULE OF CONSTRUCTION.—

(A) IN GENERAL.—Notwithstanding the plain meaning rule or other rules of statutory construction, a change in wording made in the

restatement of existing law enacted by this Act serves to clarify the existing law as indicated in paragraph (1), but not to change the meaning or effect of the existing law.

(B) REVISION NOTES.—Subparagraph (A) applies whether or not a change in wording is explained by a revision note appearing in a congressional report accompanying this Act. If such a revision note does appear, a court shall consider the revision note in interpreting the change.

SEC. 3. REVISION OF TITLE 5, UNITED STATES CODE.

(a) ENACTMENT OF CHAPTER 10.—Part I of title 5, United States Code, is amended by inserting after chapter 9 the following:

"CHAPTER 10—FEDERAL ADVISORY COMMITTEES

"Sec.
"1001. Definitions.
"1002. Findings and declarations.
"1003. Applicability.
"1004. Responsibilities of congressional committees.
"1005. Responsibilities of the President.
"1006. Responsibilities of the Administrator.
"1007. Responsibilities of agency heads.
"1008. Establishment and purpose of advisory committees.
"1009. Advisory committee procedures.
"1010. Availability of transcripts.
"1011. Fiscal and administrative provisions.
"1012. Responsibilities of Library of Congress.
"1013. Termination of advisory committees.
"1014. Requirements relating to National Academy of Sciences and National Academy of Public Administration.

"§ 1001. Definitions

''In this chapter:

''(1) ADMINISTRATOR.—The term 'Administrator' means the Administrator of General Services.

''(2) ADVISORY COMMITTEE.—

''(A) IN GENERAL.—The term 'advisory committee' means a committee, board, commission, council, conference, panel, task force, or other similar group, or any subcommittee or other subgroup thereof (hereafter in this paragraph referred to as 'committee') that is established or utilized to obtain advice or recommendations for the President or one or more agencies or officers of the Federal Government and that is—

''(i) established by statute or reorganization plan;

''(ii) established or utilized by the President; or

''(iii) established or utilized by one or more agencies.

''(B) EXCLUSIONS.—The term 'advisory committee' excludes—

''(i) a committee that is composed wholly of full-time, or permanent part-

time, officers or employees of the Federal Government; and

"(ii) a committee that is created by the National Academy of Sciences or the National Academy of Public Administration.

"(3) AGENCY.—The term 'agency' has the meaning given the term in section 551 of this title.

"(4) PRESIDENTIAL ADVISORY COMMITTEE.—The term 'Presidential advisory committee' means an advisory committee that advises the President.

"§ 1002. Findings and declarations

"(a) FINDINGS.—Congress finds that there are numerous committees, boards, commissions, councils, and similar groups which have been established to advise officers and agencies in the executive branch of the Federal Government and that they are frequently a useful and beneficial means of furnishing expert advice, ideas, and diverse opinions to the Federal Government.

"(b) FINDINGS AND DECLARATIONS.—Congress further finds and declares that—

"(1) the need for many existing advisory committees has not been adequately reviewed;

"(2) new advisory committees should be established only when they are determined to be essential

and their number should be kept to the minimum necessary;

''(3) advisory committees should be terminated when they are no longer carrying out the purposes for which they were established;

''(4) standards and uniform procedures should govern the establishment, operation, administration, and duration of advisory committees;

''(5) Congress and the public should be kept informed with respect to the number, purpose, membership, activities, and cost of advisory committees; and

''(6) the function of advisory committees should be advisory only, and all matters under their consideration should be determined, in accordance with law, by the official, agency, or officer involved.

"§ 1003. Applicability

''(a) IN GENERAL.—This chapter, and any rule, order, or regulation promulgated under this chapter, shall apply to each advisory committee except to the extent that the Act establishing the advisory committee specifically provides otherwise.

''(b) EXEMPTIONS RELATING TO CERTAIN FEDERAL ENTITIES.—Nothing in this chapter shall be construed to

apply to an advisory committee established or utilized by—

"(1) the Central Intelligence Agency;

"(2) the Federal Reserve System; or

"(3) the Office of the Director of National Intelligence, if the Director of National Intelligence determines that for reasons of national security the advisory committee cannot comply with the requirements of this chapter.

"(c) EXEMPTIONS RELATING TO CERTAIN LOCAL AND STATE ENTITIES.—Nothing in this chapter shall be construed to apply to any local civic group whose primary function is that of rendering a public service with respect to a Federal program, or any State or local committee, council, board, commission, or similar group established to advise or make recommendations to State or local officials or agencies.

"§ 1004. Responsibilities of congressional committees

"(a) REVIEW OF ACTIVITIES.—In the exercise of its legislative review function, each standing committee of the Senate and the House of Representatives shall make a continuing review of the activities of each advisory committee under its jurisdiction to determine whether such advisory committee should be abolished or merged with any other advisory committee, whether the responsibilities

of such advisory committee should be revised, and whether such advisory committee performs a necessary function not already being performed. Each such standing committee shall take appropriate action to obtain the enactment of legislation necessary to carry out the purpose of this subsection.

''(b) CONSIDERATION OF LEGISLATION.—In considering legislation establishing, or authorizing the establishment of any advisory committee, each standing committee of the Senate and of the House of Representatives shall determine, and report such determination to the Senate or to the House of Representatives, as the case may be, whether the functions of the proposed advisory committee are being or could be performed by one or more agencies or by an advisory committee already in existence, or by enlarging the mandate of an existing advisory committee. Any such legislation shall—

''(1) contain a clearly defined purpose for the advisory committee;

''(2) require the membership of the advisory committee to be fairly balanced in terms of the points of view represented and the functions to be performed by the advisory committee;

''(3) contain appropriate provisions to assure that the advice and recommendations of the advisory

committee will not be inappropriately influenced by the appointing authority or by any special interest, but will instead be the result of the advisory committee's independent judgment;

''(4) contain provisions dealing with authorization of appropriations, the date for submission of reports (if any), the duration of the advisory committee, and the publication of reports and other materials, to the extent that the standing committee determines the provisions of section 1009 of this chapter to be inadequate; and

''(5) contain provisions which will assure that the advisory committee will have adequate staff (either supplied by an agency or employed by it), will be provided adequate quarters, and will have funds available to meet its other necessary expenses.

''(c) ADHERENCE TO GUIDELINES.—To the extent they are applicable, the guidelines set out in subsection (b) shall be followed by the President, agency heads, or other Federal officials in creating an advisory committee.

"§ 1005. Responsibilities of the President

''(a) DELEGATION.—The President may delegate responsibility for evaluating and taking action, where appropriate, with respect to all public recommendations made to the President by Presidential advisory committees.

"(b) REPORT ON RESPONSE TO RECOMMENDATIONS.—Within 1 year after a Presidential advisory committee submits a public report to the President, the President or the President's delegate shall submit to Congress a report stating either proposals for action or reasons for inaction, with respect to the recommendations contained in the public report.

"§ 1006. Responsibilities of the Administrator

"(a) COMMITTEE MANAGEMENT SECRETARIAT.—The Administrator shall establish and maintain within the General Services Administration a Committee Management Secretariat, which shall be responsible for all matters relating to advisory committees.

"(b) ANNUAL REVIEWS.—

"(1) IN GENERAL.—Each year, the Administrator shall conduct a comprehensive review of the activities and responsibilities of each advisory committee to determine—

"(A) whether the committee is carrying out its purpose;

"(B) whether, consistent with the provisions of applicable statutes, the responsibilities assigned to the committee should be revised;

"(C) whether the committee should be merged with other advisory committees; or

"(D) whether the committee should be abolished.

"(2) OBTAINING INFORMATION.—The Administrator may from time to time request such information as the Administrator deems necessary to carry out functions under this subsection. Agency heads shall cooperate with the Administrator in making the reviews required by this subsection.

"(3) RECOMMENDATIONS.—Upon completion of the review, the Administrator shall make recommendations to the President and to either the agency head or Congress with respect to action the Administrator believes should be taken.

"(c) ADMINISTRATIVE GUIDELINES AND MANAGEMENT CONTROLS.—The Administrator shall prescribe administrative guidelines and management controls applicable to advisory committees, and, to the maximum extent feasible, provide advice, assistance, and guidance to advisory committees to improve their performance. In carrying out functions under this subsection, the Administrator shall consider the recommendations of each agency head with respect to means of improving the performance of advisory committees whose duties are related to the agency.

"(d) GUIDELINES FOR UNIFORM FAIR PAY RATES.—

"(1) IN GENERAL.—The Administrator, after study and consultation with the Director of the Office of Personnel Management, shall establish guidelines with respect to uniform fair rates of pay for comparable services of members, staffs, and consultants of advisory committees in a manner that gives appropriate recognition to the responsibilities and qualifications required and other relevant factors. The guidelines shall provide that—

"(A) a member of an advisory committee or of the staff of an advisory committee shall not receive compensation at a rate in excess of the maximum rate payable under section 5376 of this title;

"(B) members of advisory committees, while engaged in the performance of their duties away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of this title for persons employed intermittently in the Government service; and

"(C) members of advisory committees may be provided services pursuant to section 3102 of

this title while in performance of their advisory committee duties if the members—

"(i) are blind or deaf or otherwise qualify as individuals with disabilities (within the meaning of section 501 of the Rehabilitation Act of 1973 (29 U.S.C. 791)); and

"(ii) do not otherwise qualify for assistance under section 3102 of this title by reason of being an employee of an agency (within the meaning of section 3102(a)(1) of this title).

"(2) PAY FOR FULL-TIME EMPLOYEES.—Nothing in this subsection shall prevent an individual from receiving compensation at the rate at which the individual would otherwise be compensated (or was compensated) as a full-time employee of the United States if the individual—

"(A) is a full-time employee of the United States without regard to service with an advisory committee; or

"(B) was a full-time employee of the United States immediately before service with an advisory committee.

"(e) BUDGET RECOMMENDATIONS.—The Administrator shall include in budget recommendations a summary of the amounts the Administrator considers necessary for the expenses of advisory committees, including the expenses for publication of reports where appropriate.

"§ 1007. Responsibilities of agency heads

"(a) ADMINISTRATIVE GUIDELINES AND MANAGEMENT CONTROLS.—Each agency head shall establish uniform administrative guidelines and management controls for advisory committees established by that agency, which shall be consistent with directives of the Administrator under sections 1006 and 1009 of this title. Each agency shall maintain systematic information on the nature, functions, and operations of each advisory committee within its jurisdiction.

"(b) ADVISORY COMMITTEE MANAGEMENT OFFICER.—The head of each agency that has an advisory committee shall designate an Advisory Committee Management Officer who shall—

"(1) exercise control and supervision over the establishment, procedures, and accomplishments of advisory committees established by the agency;

"(2) assemble and maintain the reports, records, and other papers of any advisory committee

established by the agency during the advisory committee's existence; and

"(3) carry out, on behalf of the agency, the provisions of section 552 of this title with respect to such reports, records, and other papers.

"§ 1008. Establishment and purpose of advisory committees

"(a) ESTABLISHMENT.—An advisory committee shall not be established unless establishment is—

"(1) specifically authorized by statute or by the President; or

"(2) determined as a matter of formal record, by the head of the agency involved after consultation with the Administrator, with timely notice published in the Federal Register, to be in the public interest in connection with the performance of duties imposed on that agency by law.

"(b) PURPOSE OF ADVISORY COMMITTEES.—Unless otherwise specifically provided by statute or Presidential directive, advisory committees shall be utilized solely for advisory functions. Determinations of action to be taken and policy to be expressed with respect to matters upon which an advisory committee reports or makes recommendations shall be made solely by the President or an officer of the Federal Government.

"(c) ADVISORY COMMITTEE CHARTERS.—

"(1) GENERAL REQUIREMENT.—An advisory committee shall not meet or take any action until an advisory committee charter has been filed—

"(A) with the Administrator in the case of Presidential advisory committees; or

"(B) with—

"(i) the head of the agency to whom the advisory committee reports; and

"(ii) the standing committees of the Senate and House of Representatives having legislative jurisdiction over the agency to which the advisory committee reports.

"(2) CONTENTS OF CHARTER.—The advisory committee charter shall contain—

"(A) the committee's official designation;

"(B) the committee's objectives and the scope of its activity;

"(C) the period of time necessary for the committee to carry out its purposes;

"(D) the agency or official to whom the committee reports;

"(E) the agency responsible for providing the necessary support for the committee;

"(F) a description of the duties for which the committee is responsible, and, if the duties are not solely advisory, a specification of the authority for the duties;

"(G) the estimated annual operating costs for the committee in dollars and person-years;

"(H) the estimated number and frequency of committee meetings;

"(I) the committee's termination date, if less than 2 years from the date of the committee's establishment; and

"(J) the date the charter is filed.

"(3) COPY OF CHARTER TO LIBRARY OF CONGRESS.—A copy of the advisory committee charter shall be furnished to the Library of Congress.

"§ 1009. Advisory committee procedures

"(a) COMMITTEE MEETINGS.—

"(1) OPEN TO PUBLIC.—Each advisory committee meeting shall be open to the public.

"(2) NOTICE OF MEETINGS.—Except when the President determines otherwise for reasons of national security, timely notice of each meeting shall be published in the Federal Register, and the Administrator shall prescribe regulations to provide for other

types of public notice to insure that all interested persons are notified of each meeting in advance.

"(3) PARTICIPATION.—Interested persons shall be permitted to attend, appear before, or file statements with any advisory committee, subject to such reasonable rules or regulations as the Administrator may prescribe.

"(b) PUBLIC INSPECTION AND COPYING OF RECORDS.—Subject to section 552 of this title, the records, reports, transcripts, minutes, appendixes, working papers, drafts, studies, agenda, or other documents which were made available to or prepared for or by each advisory committee shall be available for public inspection and copying at a single location in the offices of the advisory committee or the agency to which the advisory committee reports until the advisory committee ceases to exist.

"(c) MINUTES.—Detailed minutes of each meeting of each advisory committee shall be kept and shall contain a record of the persons present, a complete and accurate description of matters discussed and conclusions reached, and copies of all reports received, issued, or approved by the advisory committee. The accuracy of all minutes shall be certified by the chairman of the advisory committee.

"(d) CLOSED SESSIONS.—Paragraphs (1) and (3) of subsection (a) shall not apply to any portion of an advisory

1 committee meeting for which the President, or the head
2 of the agency to which the advisory committee reports, de-
3 termines that such portion of the meeting may be closed
4 to the public in accordance with section 552b(c) of this
5 title. Any such determination shall be in writing and shall
6 contain the reasons for the determination. If such a deter-
7 mination is made, the advisory committee shall issue a re-
8 port, at least annually, setting forth a summary of its ac-
9 tivities and such related matters as would be informative
10 to the public consistent with the policy of section 552(b)
11 of this title.

12 ''(e) DESIGNATED OFFICER OR EMPLOYEE OF FED-
13 ERAL GOVERNMENT.—There shall be designated an offi-
14 cer or employee of the Federal Government to chair or
15 attend each meeting of each advisory committee. The offi-
16 cer or employee so designated is authorized, whenever the
17 officer or employee determines it to be in the public inter-
18 est, to adjourn any such meeting. An advisory committee
19 shall not conduct any meeting in the absence of that des-
20 ignated officer or employee of the Federal Government.

21 ''(f) CALL FOR MEETING OR ADVANCE APPROVAL.—
22 Advisory committees shall not hold any meetings except
23 at the call of, or with the advance approval of, a des-
24 ignated officer or employee of the Federal Government,
25 and in the case of advisory committees (other than Presi-

dential advisory committees), with an agenda approved by such officer or employee.

"§ 1010. Availability of transcripts

''(a) DEFINITION OF AGENCY PROCEEDING.—In this section, the term 'agency proceeding' has the meaning given the term in section 551 of this title.

''(b) AVAILABILITY.—Agencies and advisory committees shall make available to any person, at actual cost of duplication, copies of transcripts of any agency proceeding or advisory committee meeting.

"§ 1011. Fiscal and administrative provisions

''(a) RECORDS.—Each agency shall keep records that fully disclose the disposition of any funds which may be at the disposal of its advisory committees and the nature and extent of their activities. The General Services Administration, or such other agency as the President may designate, shall maintain financial records with respect to Presidential advisory committees. The Comptroller General of the United States, or any authorized representative of the Comptroller General, shall have access to the records for the purpose of audit and examination.

''(b) SUPPORT SERVICES.—Each agency shall be responsible for providing support services for each advisory committee established by or reporting to it unless the establishing authority provides otherwise. If an advisory

committee reports to more than one agency, only one agency at a time shall be responsible for support services. In the case of Presidential advisory committees, support services may be provided by the General Services Administration.

"§ 1012. Responsibilities of Library of Congress

''Subject to section 552 of this title, the Administrator shall provide for the filing with the Library of Congress of at least 8 copies of each report made by each advisory committee and, where appropriate, background papers prepared by consultants. The Librarian of Congress shall establish a depository for the reports and papers and make them available for public inspection and use.

"§ 1013. Termination of advisory committees

''(a) IN GENERAL.—

''(1) ADVISORY COMMITTEES IN EXISTENCE ON JANUARY 5, 1973.—Each advisory committee that is in existence on January 5, 1973, shall terminate not later than the expiration of the 2-year period following that date unless—

''(A) in the case of an advisory committee established by the President or an officer of the Federal Government, such advisory committee is renewed by the President or that officer by

appropriate action prior to the expiration of such 2-year period; or

"(B) in the case of an advisory committee established by an Act of Congress, its duration is otherwise provided for by law.

"(2) ADVISORY COMMITTEES ESTABLISHED AFTER JANUARY 5, 1973.—Each advisory committee established after January 5, 1973, shall terminate not later than the expiration of the 2-year period beginning on the date of its establishment unless—

"(A) in the case of an advisory committee established by the President or an officer of the Federal Government such advisory committee is renewed by the President or such officer by appropriate action prior to the end of such period; or

"(B) in the case of an advisory committee established by an Act of Congress, its duration is otherwise provided for by law.

"(b) CHARTERS.—

"(1) UPON RENEWAL.—Upon the renewal of an advisory committee, the advisory committee shall file a charter in accordance with section 1008(c) of this title.

"(2) UPON EXPIRATION OF SUCCESSIVE 2-YEAR PERIODS.—An advisory committee established by an Act of Congress shall file a charter in accordance with section 1008(c) of this title upon the expiration of each successive 2-year period following the date of enactment of the Act establishing the advisory committee.

"(3) PROHIBITION ON ACTION PRIOR TO FILING CHARTER.—An advisory committee required to file a charter under this subsection shall not take any action (other than preparation and filing of the charter) prior to the date on which the charter is filed.

"(c) SUCCESSIVE TWO-YEAR PERIODS.—An advisory committee that is renewed by the President or an officer of the Federal Government may be continued only for successive 2-year periods by appropriate action taken by the President or the officer prior to the date on which the advisory committee would otherwise terminate.

"§ 1014. Requirements relating to National Academy of Sciences and National Academy of Public Administration

"(a) IN GENERAL.—An agency may not use any advice or recommendation provided by the National Academy of Sciences or National Academy of Public Administration

that was developed by use of a committee created by that academy under an agreement with an agency, unless—

"(1) the committee was not subject to any actual management or control by an agency or an officer of the Federal Government;

"(2) in the case of a committee created after December 17, 1997, the membership of the committee was appointed in accordance with the requirements described in subsection (b)(1); and

"(3) in developing the advice or recommendation, the academy complied with—

"(A) subsection (b)(2) through (6), in the case of any advice or recommendation provided by the National Academy of Sciences; or

"(B) subsection (b)(2) and (5), in the case of any advice or recommendation provided by the National Academy of Public Administration.

"(b) REQUIREMENTS.—The requirements referred to in subsection (a) are as follows:

"(1) PUBLIC NOTICE REGARDING APPOINTEES.—The Academy shall determine and provide public notice of the names and brief biographies of individuals that the Academy appoints or intends to appoint to serve on the committee. The Academy shall determine and provide a reasonable opportunity

for the public to comment on appointments before they are made or, if the Academy determines prior comment is not practicable, in the period immediately following the appointments. The Academy shall require that any individual the Academy appoints (or intends to appoint) to serve on the committee inform the Academy of the individual's conflicts of interest that are relevant to the functions to be performed. The Academy shall make its best efforts to ensure that—

"(A) no individual appointed to serve on the committee has a conflict of interest that is relevant to the functions to be performed, unless such conflict is promptly and publicly disclosed and the Academy determines that the conflict is unavoidable;

"(B) the committee membership is fairly balanced as determined by the Academy to be appropriate for the functions to be performed; and

"(C) the final report of the Academy will be the result of the Academy's independent judgment.

"(2) PUBLIC NOTICE OF COMMITTEE MEETINGS.—The Academy shall determine and provide

public notice of committee meetings that will be open to the public.

"(3) DATA-GATHERING MEETINGS.—The Academy shall ensure that meetings of the committee to gather data from individuals who are not officials, agents, or employees of the Academy are open to the public, unless the Academy determines that a meeting would disclose matters described in section 552(b) of this title. The Academy shall make available to the public, at reasonable charge if appropriate, written materials presented to the committee by individuals who are not officials, agents, or employees of the Academy, unless the Academy determines that making material available would disclose matters described in section 552(b) of this title.

"(4) OTHER MEETINGS.—The Academy shall make available to the public as soon as practicable, at reasonable charge if appropriate, a brief summary of any committee meeting that is not a data-gathering meeting, unless the Academy determines that the summary would disclose matters described in section 552(b) of this title. The summary shall identify the committee members present, the topics discussed, materials made available to the committee,

and other matters the Academy determines should be included.

"(5) FINAL REPORT.—The Academy shall make available to the public its final report, at reasonable charge if appropriate, unless the Academy determines that the report would disclose matters described in section 552(b) of this title. If the Academy determines that the report would disclose matters described in section 552(b) of this title, the Academy shall make public an abbreviated version of the report that does not disclose those matters.

"(6) REVIEWERS OF REPORT.—After publication of the final report, the Academy shall make publicly available the names of the principal reviewers who reviewed the report in draft form and who are not officials, agents, or employees of the Academy.

"(c) REGULATIONS.—The Administrator of General Services may issue regulations implementing this section.".

(b) ENACTMENT OF CHAPTER 4.—Part I of title 5, United States Code, as amended by subsection (a), is amended by inserting after chapter 3 the following:

"CHAPTER 4—INSPECTORS GENERAL

"Sec.
"401. Definitions.
"402. Establishment and purpose of Offices of Inspector General.

''403. Appointments.
''404. Duties and responsibilities.
''405. Reports.
''406. Authority of Inspector General.
''407. Complaints by employees.
''408. Additional provisions with respect to the Inspector General of the Department of Defense.
''409. Special provisions concerning the Agency for International Development.
''410. Special provisions concerning the Nuclear Regulatory Commission.
''411. Special provisions concerning the Federal Deposit Insurance Corporation.
''412. Special provisions concerning the Department of the Treasury.
''413. Special provisions concerning the Department of Justice.
''414. Special provisions concerning the Corporation for National and Community Service.
''415. Requirements for Federal entities and designated Federal entities.
''416. Additional provisions with respect to Inspectors General of the intelligence community.
''417. Special provisions concerning the Department of Homeland Security.
''418. Rule of construction of special provisions.
''419. Special provisions concerning overseas contingency operations.
''420. Information on websites of Offices of Inspectors General.
''421. Additional provisions with respect to the Department of Energy.
''422. Transfer of functions.
''423. Pay of Inspectors General.
''424. Establishment of the Council of the Inspectors General on Integrity and Efficiency.

''§ 401. Definitions

''In this chapter:

''(1) ESTABLISHMENT.—The term 'establishment' means the Department of Agriculture, Commerce, Defense, Education, Energy, Health and Human Services, Housing and Urban Development, the Interior, Justice, Labor, State, Transportation, Homeland Security, the Treasury, or Veterans Affairs; the Agency for International Development, the Community Development Financial Institutions Fund, the Environmental Protection Agency, the Federal Communications Commission, the Federal Emergency Management Agency, the General Serv-

ices Administration, the National Aeronautics and Space Administration, the Nuclear Regulatory Commission, the Office of Personnel Management, the Railroad Retirement Board, the Federal Deposit Insurance Corporation, the Small Business Administration, the Corporation for National and Community Service, the Social Security Administration, the Federal Housing Finance Agency, the Tennessee Valley Authority, the Export-Import Bank of the United States, the Commissions established under section 15301 of title 40, the National Security Agency, or the National Reconnaissance Office, as the case may be.

''(2) FEDERAL AGENCY.—The term 'Federal agency' means an agency as defined in section 552(f) of this title (including an establishment as defined in paragraph (1)), but shall not be construed to include the Government Accountability Office.

''(3) HEAD OF THE ESTABLISHMENT.—The term 'head of the establishment' means the Secretary of Agriculture, Commerce, Defense, Education, Energy, Health and Human Services, Housing and Urban Development, the Interior, Labor, State, Transportation, Homeland Security, the Treasury, or Veterans Affairs; the Attorney General;

the Administrator of the Agency for International Development, Environmental Protection, General Services, National Aeronautics and Space, Small Business, or the Federal Emergency Management Agency; the Director of the Office of Personnel Management; the Chairman of the Nuclear Regulatory Commission, the Federal Communications Commission, or the Railroad Retirement Board; the Chief Executive Officer of the Corporation for National and Community Service; the Administrator of the Community Development Financial Institutions Fund; the Chairperson of the Federal Deposit Insurance Corporation; the Commissioner of Social Security, Social Security Administration; the Director of the Federal Housing Finance Agency; the Board of Directors of the Tennessee Valley Authority; the President of the Export-Import Bank of the United States; the Federal Cochairpersons of the Commissions established under section 15301 of title 40; the Director of the National Security Agency; or the Director of the National Reconnaissance Office; as the case may be.

''(4) INSPECTOR GENERAL.—The term 'Inspector General' means the Inspector General of an establishment.

"(5) OFFICE.—The term 'Office' means the Office of Inspector General of an establishment.

"§ 402. Establishment and purpose of Offices of Inspector General

"(a) ESTABLISHMENT.—

"(1) IN GENERAL.—Subject to paragraph (2), in each of the establishments listed in section 401(1) of this title, there is established an Office of Inspector General.

"(2) DEPARTMENT OF THE TREASURY.—In the establishment of the Department of the Treasury, there is established—

"(A) an Office of Inspector General of the Department of the Treasury; and

"(B) an Office of Treasury Inspector General for Tax Administration.

"(b) PURPOSE.—The offices established under subsection (a) are established in order to create independent and objective units—

"(1) to conduct and supervise audits and investigations relating to the programs and operations of the establishments listed in section 401(1) of this title;

"(2) to provide leadership and coordination and recommend policies for activities designed—

"(A) to promote economy, efficiency, and effectiveness in the administration of those programs and operations; and

"(B) to prevent and detect fraud and abuse in those programs and operations; and

"(3) to provide a means for keeping the head of the establishments and Congress fully and currently informed about problems and deficiencies relating to the administration of those programs and operations and the necessity for and progress of corrective action.

"§ 403. Appointments

"(a) IN GENERAL.—There shall be at the head of each Office an Inspector General who shall be appointed by the President, by and with the advice and consent of the Senate, without regard to political affiliation and solely on the basis of integrity and demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, or investigations. Each Inspector General shall report to and be under the general supervision of the head of the establishment involved or, to the extent such authority is delegated, the officer next in rank below such head, but shall not report to, or be subject to supervision by, any other officer of the establishment. Neither the head of the establishment nor the

officer next in rank below the head shall prevent or prohibit the Inspector General from initiating, carrying out, or completing any audit or investigation, or from issuing any subpoena during the course of any audit or investigation.

"(b) REMOVAL OR TRANSFER.—An Inspector General may be removed from office by the President. If an Inspector General is removed from office or is transferred to another position or location within an establishment, the President shall communicate in writing the reasons for any such removal or transfer to both Houses of Congress, not later than 30 days before the removal or transfer. Nothing in this subsection shall prohibit a personnel action otherwise authorized by law, other than transfer or removal.

"(c) NOT EMPLOYEE DETERMINING POLICY.—For the purposes of section 7324 of this title, an Inspector General shall not be considered to be an employee who determines policies to be pursued by the United States in the nationwide administration of Federal laws.

"(d) ASSISTANT INSPECTORS GENERAL AND WHISTLEBLOWER PROTECTION COORDINATOR.—

"(1) IN GENERAL.—Each Inspector General shall, in accordance with applicable laws and regulations governing the civil service—

"(A) appoint an Assistant Inspector General for Auditing who shall have the responsibility for supervising the performance of auditing activities relating to programs and operations of the establishment;

"(B) appoint an Assistant Inspector General for Investigations who shall have the responsibility for supervising the performance of investigative activities relating to such programs and operations; and

"(C) designate a Whistleblower Protection Coordinator who shall—

"(i) educate agency employees—

"(I) about prohibitions against retaliation for protected disclosures; and

"(II) who have made or are contemplating making a protected disclosure about the rights and remedies against retaliation for protected disclosures, including—

"(aa) the means by which employees may seek review of any allegation of reprisal, including the roles of the Office of the

Inspector General, the Office of Special Counsel, the Merit Systems Protection Board, and any other relevant entities; and

"(bb) general information about the timeliness of such cases, the availability of any alternative dispute mechanisms, and avenues for potential relief;

"(ii) assist the Inspector General in promoting the timely and appropriate handling and consideration of protected disclosures and allegations of reprisal, to the extent practicable, by the Inspector General; and

"(iii) assist the Inspector General in facilitating communication and coordination with the Special Counsel, the Council of the Inspectors General on Integrity and Efficiency, the establishment, Congress, and any other relevant entity regarding the timely and appropriate handling and consideration of protected disclosures, allegations of reprisal, and general matters regarding the implementation and adminis-

tration of whistleblower protection laws, rules, and regulations.

"(2) WHISTLEBLOWER PROTECTION COORDINATOR NOT TO ACT AS LEGAL REPRESENTATIVE, AGENT, OR ADVOCATE.—The Whistleblower Protection Coordinator shall not act as a legal representative, agent, or advocate of the employee or former employee.

"(3) WHISTLEBLOWER PROTECTION COORDINATOR ACCESS TO INSPECTOR GENERAL.—The Whistleblower Protection Coordinator shall have direct access to the Inspector General as needed to accomplish the requirements of this subsection.

"(4) WHISTLEBLOWER PROTECTION COORDINATOR EXCEPTION FOR INTELLIGENCE ACTIVITY.—For the purposes of this section, the requirement of the designation of a Whistleblower Protection Coordinator under paragraph (1)(C) shall not apply to—

"(A) any agency that is an element of the intelligence community (as defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4))); or

"(B) as determined by the President, any executive agency or unit thereof the principal

function of which is the conduct of foreign intelligence or counter intelligence activities.

''(e) RATE OF PAY.—The annual rate of basic pay for an Inspector General (as defined under section 401 of this title) shall be the rate payable for level III of the Executive Schedule under section 5314 of this title, plus 3 percent.

''(f) PROHIBITION ON CASH AWARDS.—An Inspector General (as defined under section 401 or 415(a) of this title) may not receive any cash award or cash bonus, including any cash award under chapter 45 of this title.

''(g) LEGAL ADVICE.—Each Inspector General shall, in accordance with applicable laws and regulations governing the civil service, obtain legal advice from a counsel either reporting directly to the Inspector General or another Inspector General.

"§ 404. Duties and responsibilities

''(a) IN GENERAL.—It shall be the duty and responsibility of each Inspector General, with respect to the establishment within which the Inspector General's Office is established—

''(1) to provide policy direction for and to conduct, supervise, and coordinate audits and investigations relating to the programs and operations of the establishment;

"(2) to review existing and proposed legislation and regulations relating to programs and operations of the establishment and to make recommendations in the semiannual reports required by section 405(b) of this title concerning the impact of the legislation and regulations on the economy and efficiency in the administration of programs and operations administered or financed by the establishment, or the prevention and detection of fraud and abuse in the programs and operations;

"(3) to recommend policies for, and to conduct, supervise, or coordinate other activities carried out or financed by, the establishment for the purpose of promoting economy and efficiency in the administration of, or preventing and detecting fraud and abuse in, its programs and operations;

"(4) to recommend policies for the establishment, and to conduct, supervise, or coordinate relationships between the establishment and other Federal agencies, State and local governmental agencies, and nongovernmental entities, with respect to—

"(A) all matters relating to the promotion of economy and efficiency in the administration of, or the prevention and detection of fraud and

abuse in, programs and operations administered or financed by the establishment; or

"(B) the identification and prosecution of participants in fraud or abuse referred to in subparagraph (A); and

"(5) to keep the head of the establishment and Congress fully and currently informed, by means of the reports required by section 405 of this title and otherwise, concerning fraud and other serious problems, abuses, and deficiencies relating to the administration of programs and operations administered or financed by the establishment, to recommend corrective action concerning the problems, abuses, and deficiencies, and to report on the progress made in implementing the corrective action.

"(b) STANDARDS AND GUIDELINES.—

"(1) IN GENERAL.—In carrying out the responsibilities specified in subsection (a)(1), each Inspector General shall—

"(A) comply with standards established by the Comptroller General of the United States for audits of Federal establishments, organizations, programs, activities, and functions;

"(B) establish guidelines for determining when it shall be appropriate to use non-Federal auditors; and

"(C) take appropriate steps to ensure that any work performed by non-Federal auditors complies with the standards established by the Comptroller General as described in paragraph (1).

"(2) REVIEWS PERFORMED EXCLUSIVELY BY AUDIT ENTITIES IN FEDERAL GOVERNMENT.—For purposes of determining compliance with paragraph (1)(A) with respect to whether internal quality controls are in place and operating and whether established audit standards, policies, and procedures are being followed by Offices of Inspector General of establishments defined under section 401 of this title, Offices of Inspector General of designated Federal entities defined under section 415(a) of this title, and any audit office established within a Federal entity defined under section 415(a) of this title, reviews shall be performed exclusively by an audit entity in the Federal Government, including the Government Accountability Office or the Office of Inspector General of each establishment defined under section 401 of this title, or the Office of Inspector

General of each designated Federal entity defined under section 415(a) of this title.

"(c) EFFECTIVE COORDINATION AND COOPERATION.—In carrying out the duties and responsibilities established under this chapter, each Inspector General shall give particular regard to the activities of the Comptroller General of the United States with a view toward avoiding duplication and ensuring effective coordination and cooperation.

"(d) REPORTING VIOLATION OF FEDERAL CRIMINAL LAW.—In carrying out the duties and responsibilities established under this chapter, each Inspector General shall report expeditiously to the Attorney General whenever the Inspector General has reasonable grounds to believe there has been a violation of Federal criminal law.

"(e) RECOMMENDATIONS FOR CORRECTIVE ACTIONS.—

"(1) SUBMISSION OF DOCUMENTS.—In carrying out the duties and responsibilities established under this chapter, whenever an Inspector General issues a recommendation for corrective action to the agency, the Inspector General—

"(A) shall submit the document making a recommendation for corrective action to—

"(i) the head of the establishment;

"(ii) the congressional committees of jurisdiction; and

"(iii) if the recommendation for corrective action was initiated upon request by an individual or entity other than the Inspector General, that individual or entity;

"(B) may submit the document making a recommendation for corrective action to any Member of Congress upon request; and

"(C) not later than 3 days after the recommendation for corrective action is submitted in final form to the head of the establishment, post the document making a recommendation for corrective action on the website of the Office of Inspector General.

"(2) PUBLIC DISCLOSURE OTHERWISE PROHIBITED BY LAW.—Nothing in this subsection shall be construed as authorizing an Inspector General to publicly disclose information otherwise prohibited from disclosure by law.

"§ 405. Reports

"(a) DEFINITIONS.—In this section:

"(1) DISALLOWED COST.—The term 'disallowed cost' means a questioned cost that management, in

a management decision, has sustained or agreed should not be charged to the Government.

"(2) FINAL ACTION.—The term 'final action' means—

"(A) the completion of all actions that the management of an establishment has concluded, in its management decision, are necessary with respect to the findings and recommendations included in an audit report; and

"(B) in the event that the management of an establishment concludes no action is necessary, final action occurs when a management decision has been made.

"(3) MANAGEMENT DECISION.—The term 'management decision' means the evaluation by the management of an establishment of the findings and recommendations included in an audit report and the issuance of a final decision by management concerning its response to the findings and recommendations, including actions concluded to be necessary.

"(4) QUESTIONED COST.—The term 'questioned cost' means a cost that is questioned by the Office because of—

"(A) an alleged violation of a provision of a law, regulation, contract, grant, cooperative agreement, or other agreement or document governing the expenditure of funds;

"(B) a finding that, at the time of the audit, the cost is not supported by adequate documentation; or

"(C) a finding that the expenditure of funds for the intended purpose is unnecessary or unreasonable.

"(5) RECOMMENDATION THAT FUNDS BE PUT TO BETTER USE.—The term 'recommendation that funds be put to better use' means a recommendation by the Office that funds could be used more efficiently if management of an establishment took actions to implement and complete the recommendation, including—

"(A) reductions in outlays;

"(B) deobligation of funds from programs or operations;

"(C) withdrawal of interest subsidy costs on loans or loan guarantees, insurance, or bonds;

"(D) costs not incurred by implementing recommended improvements related to the oper-

ations of the establishment, a contractor, or grantee;

"(E) avoidance of unnecessary expenditures noted in preaward reviews of contract or grant agreements; or

"(F) any other savings which are specifically identified.

"(6) SENIOR GOVERNMENT EMPLOYEE.—The term 'senior Government employee' means—

"(A) an officer or employee in the executive branch (including a special Government employee as defined in section 202 of title 18) who occupies a position classified at or above GS–15 of the General Schedule or, in the case of positions not under the General Schedule, for which the rate of basic pay is equal to or greater than 120 percent of the minimum rate of basic pay payable for GS–15 of the General Schedule; and

"(B) any commissioned officer in the Armed Forces in pay grades O–6 and above.

"(7) UNSUPPORTED COST.—The term 'unsupported cost' means a cost that is questioned by the Office because the Office found that, at the time of

the audit, such cost is not supported by adequate documentation.

"(b) SEMIANNUAL REPORTS.—Each Inspector General shall, not later than April 30 and October 31 of each year, prepare semiannual reports summarizing the activities of the Office during the immediately preceding 6-month periods ending March 31 and September 30. The reports shall include, but need not be limited to—

"(1) a description of significant problems, abuses, and deficiencies relating to the administration of programs and operations of such establishment disclosed by such activities during the reporting period;

"(2) a description of the recommendations for corrective action made by the Office during the reporting period with respect to significant problems, abuses, or deficiencies identified pursuant to paragraph (1);

"(3) an identification of each significant recommendation described in previous semiannual reports on which corrective action has not been completed;

"(4) a summary of matters referred to prosecutive authorities and the prosecutions and convictions which have resulted;

"(5) a summary of each report made to the head of the establishment under section 406(c)(2) of this title during the reporting period;

"(6) a listing, subdivided according to subject matter, of each audit report, inspection report, and evaluation report issued by the Office during the reporting period and for each report, where applicable, the total dollar value of questioned costs (including a separate category for the dollar value of unsupported costs) and the dollar value of recommendations that funds be put to better use;

"(7) a summary of each particularly significant report;

"(8) statistical tables showing the total number of audit reports, inspection reports, and evaluation reports and the total dollar value of questioned costs (including a separate category for the dollar value of unsupported costs), for reports—

"(A) for which no management decision had been made by the commencement of the reporting period;

"(B) which were issued during the reporting period;

"(C) for which a management decision was made during the reporting period, including—

"(i) the dollar value of disallowed costs; and

"(ii) the dollar value of costs not disallowed; and

"(D) for which no management decision has been made by the end of the reporting period;

"(9) statistical tables showing the total number of audit reports, inspection reports, and evaluation reports and the dollar value of recommendations that funds be put to better use by management, for reports—

"(A) for which no management decision had been made by the commencement of the reporting period;

"(B) which were issued during the reporting period;

"(C) for which a management decision was made during the reporting period, including—

"(i) the dollar value of recommendations that were agreed to by management; and

"(ii) the dollar value of recommendations that were not agreed to by management; and

"(D) for which no management decision has been made by the end of the reporting period;

"(10) a summary of each audit report, inspection report, and evaluation report issued before the commencement of the reporting period—

"(A) for which no management decision has been made by the end of the reporting period (including the date and title of each such report), an explanation of the reasons such management decision has not been made, and a statement concerning the desired timetable for achieving a management decision on each such report;

"(B) for which no establishment comment was returned within 60 days of providing the report to the establishment; and

"(C) for which there are any outstanding unimplemented recommendations, including the aggregate potential cost savings of those recommendations;

"(11) a description and explanation of the reasons for any significant revised management decision made during the reporting period;

"(12) information concerning any significant management decision with which the Inspector General is in disagreement;

"(13) the information described under section 804(b) of the Federal Financial Management Improvement Act of 1996 (Public Law 104–208, §101(f) [title VIII], 31 U.S.C. 3512 note);

"(14)(A) an appendix containing the results of any peer review conducted by another Office of Inspector General during the reporting period; or

"(B) if no peer review was conducted within that reporting period, a statement identifying the date of the last peer review conducted by another Office of Inspector General;

"(15) a list of any outstanding recommendations from any peer review conducted by another Office of Inspector General that have not been fully implemented, including a statement describing the status of the implementation and why implementation is not complete;

"(16) a list of any peer reviews conducted by the Inspector General of another Office of the Inspector General during the reporting period, including a list of any outstanding recommendations made from any previous peer review (including any peer

review conducted before the reporting period) that remain outstanding or have not been fully implemented;

"(17) statistical tables showing—

"(A) the total number of investigative reports issued during the reporting period;

"(B) the total number of persons referred to the Department of Justice for criminal prosecution during the reporting period;

"(C) the total number of persons referred to State and local prosecuting authorities for criminal prosecution during the reporting period; and

"(D) the total number of indictments and criminal informations during the reporting period that resulted from any prior referral to prosecuting authorities;

"(18) a description of the metrics used for developing the data for the statistical tables under paragraph (17);

"(19) a report on each investigation conducted by the Office involving a senior Government employee where allegations of misconduct were substantiated, including the name of the senior government official (as defined by the department or agency) if

already made public by the Office, and a detailed description of—

"(A) the facts and circumstances of the investigation; and

"(B) the status and disposition of the matter, including—

"(i) if the matter was referred to the Department of Justice, the date of the referral; and

"(ii) if the Department of Justice declined the referral, the date of the declination;

"(20)(A) a detailed description of any instance of whistleblower retaliation, including information about the official found to have engaged in retaliation; and

"(B) what, if any, consequences the establishment actually imposed to hold the official described in subparagraph (A) accountable;

"(21) a detailed description of any attempt by the establishment to interfere with the independence of the Office, including—

"(A) with budget constraints designed to limit the capabilities of the Office; and

"(B) incidents where the establishment has resisted or objected to oversight activities of the Office or restricted or significantly delayed access to information, including the justification of the establishment for such action; and

"(22) detailed descriptions of the particular circumstances of each—

"(A) inspection, evaluation, and audit conducted by the Office that is closed and was not disclosed to the public; and

"(B) investigation conducted by the Office involving a senior Government employee that is closed and was not disclosed to the public.

"(c) FURNISHING SEMIANNUAL REPORTS TO HEAD OF ESTABLISHMENT AND CONGRESS.—Semiannual reports of each Inspector General shall be furnished to the head of the establishment involved not later than April 30 and October 31 of each year and shall be transmitted by the head of the establishment to the appropriate committees or subcommittees of the Congress within 30 days after receipt of the report, together with a report by the head of the establishment containing—

"(1) any comments the head of the establishment determines appropriate;

"(2) statistical tables showing the total number of audit reports, inspection reports, and evaluation reports and the dollar value of disallowed costs, for reports—

"(A) for which final action had not been taken by the commencement of the reporting period;

"(B) on which management decisions were made during the reporting period;

"(C) for which final action was taken during the reporting period, including—

"(i) the dollar value of disallowed costs that were recovered by management through collection, offset, property in lieu of cash, or otherwise; and

"(ii) the dollar value of disallowed costs that were written off by management; and

"(D) for which no final action has been taken by the end of the reporting period;

"(3) statistical tables showing the total number of audit reports, inspection reports, and evaluation reports and the dollar value of recommendations that funds be put to better use by management agreed to in a management decision, for reports—

"(A) for which final action had not been taken by the commencement of the reporting period;

"(B) on which management decisions were made during the reporting period;

"(C) for which final action was taken during the reporting period, including—

"(i) the dollar value of recommendations that were actually completed; and

"(ii) the dollar value of recommendations that management has subsequently concluded should not or could not be implemented or completed; and

"(D) for which no final action has been taken by the end of the reporting period;

"(4) whether the establishment entered into a settlement agreement with the official described in subsection (b)(20)(A), which shall be reported regardless of any confidentiality agreement relating to the settlement agreement; and

"(5) a statement with respect to audit reports on which management decisions have been made but final action has not been taken, other than audit reports on which a management decision was made within the preceding year, containing—

"(A) a list of such audit reports and the date each such report was issued;

"(B) the dollar value of disallowed costs for each report;

"(C) the dollar value of recommendations that funds be put to better use agreed to by management for each report; and

"(D) an explanation of the reasons final action has not been taken with respect to each audit report,

except that the statement may exclude any audit reports that are under formal administrative or judicial appeal or upon which management of an establishment has agreed to pursue a legislative solution, but the statement shall identify the number of reports in each category so excluded.

"(d) REPORTS AVAILABLE TO PUBLIC.—Within 60 days of the transmission of the semiannual reports of each Inspector General to Congress, the head of each establishment shall make copies of the report available to the public upon request and at a reasonable cost. Within 60 days after the transmission of the semiannual reports of each establishment head to Congress, the head of each establishment shall make copies of the report available to the public upon request and at a reasonable cost.

"(e) REPORTING SERIOUS PROBLEMS, ABUSES, OR DEFICIENCIES.—Each Inspector General shall report immediately to the head of the establishment involved whenever the Inspector General becomes aware of particularly serious or flagrant problems, abuses, or deficiencies relating to the administration of programs and operations of the establishment. The head of the establishment shall transmit any such report to the appropriate committees or subcommittees of Congress within 7 calendar days, together with a report by the head of the establishment containing any comments the establishment head deems appropriate.

"(f) LIMITATION ON PUBLIC DISCLOSURE OF INFORMATION.—

"(1) IN GENERAL.—Nothing in this section shall be construed to authorize the public disclosure of information that is—

"(A) specifically prohibited from disclosure by any other provision of law;

"(B) specifically required by Executive order to be protected from disclosure in the interest of national defense or national security or in the conduct of foreign affairs; or

"(C) a part of an ongoing criminal investigation.

"(2) CRIMINAL INVESTIGATION INFORMATION IN PUBLIC RECORDS.—Notwithstanding paragraph (1)(C), any report under this section may be disclosed to the public in a form which includes information with respect to a part of an ongoing criminal investigation if such information has been included in a public record.

"(3) NO AUTHORIZATION TO WITHHOLD INFORMATION FROM CONGRESS.—Except to the extent and in the manner provided under section 6103(f) of the Internal Revenue Code of 1986 (26 U.S.C. 6103(f)), nothing in this section or in any other provision of this chapter shall be construed to authorize or permit the withholding of information from Congress, or from any committee or subcommittee of Congress.

"(4) PROVISION OF INFORMATION TO MEMBERS OF CONGRESS.—Subject to any other provision of law that would otherwise prohibit disclosure of such information, the information described in paragraph (1) may be provided to any Member of Congress upon request.

"(5) PROTECTION OF PERSONALLY IDENTIFIABLE INFORMATION OF WHISTLEBLOWERS.—An Office may not provide to Congress or the public any information that reveals the personally identifiable

information of a whistleblower under this section unless the Office first obtains the consent of the whistleblower.

"§ 406. Authority of Inspector General

''(a) IN GENERAL.—In addition to the authority otherwise provided by this chapter, each Inspector General, in carrying out the provisions of this chapter, is authorized—

''(1)(A) to have timely access to all records, reports, audits, reviews, documents, papers, recommendations, or other materials available to the applicable establishment which relate to the programs and operations with respect to which that Inspector General has responsibilities under this chapter;

''(B) to have access under subparagraph (A) notwithstanding any other provision of law, except pursuant to any provision of law enacted by Congress that expressly—

''(i) refers to the Inspector General; and

''(ii) limits the right of access of the Inspector General; and

''(C) except as provided in subsection (i), with regard to Federal grand jury materials protected from disclosure pursuant to rule 6(e) of the Federal

Rules of Criminal Procedure, to have timely access to such information if the Attorney General grants the request in accordance with subsection (h);

''(2) to make such investigations and reports relating to the administration of the programs and operations of the applicable establishment as are, in the judgment of the Inspector General, necessary or desirable;

''(3) to request such information or assistance as may be necessary for carrying out the duties and responsibilities provided by this chapter from any Federal, State, or local governmental agency or unit thereof;

''(4) to require by subpoena the production of all information, documents, reports, answers, records, accounts, papers, and other data in any medium (including electronically stored information), as well as any tangible thing and documentary evidence necessary in the performance of the functions assigned by this chapter, which subpoena, in the case of contumacy or refusal to obey, shall be enforceable by order of any appropriate United States district court, but procedures other than subpoenas shall be used by the Inspector General to obtain documents and information from Federal agencies;

"(5) to administer to or take from any person an oath, affirmation, or affidavit, whenever necessary in the performance of the functions assigned by this chapter, which oath, affirmation, or affidavit when administered or taken by or before an employee of an Office of Inspector General designated by the Inspector General shall have the same force and effect as if administered or taken by or before an officer having a seal;

"(6) to have direct and prompt access to the head of the establishment involved when necessary for any purpose pertaining to the performance of functions and responsibilities under this chapter;

"(7) to select, appoint, and employ such officers and employees as may be necessary for carrying out the functions, powers, and duties of the Office subject to the provisions of this title, governing appointments in the competitive service, and the provisions of chapter 51 and subchapter III of chapter 53 of this title relating to classification and General Schedule pay rates;

"(8) to obtain services as authorized by section 3109 of this title, at daily rates not to exceed the maximum rate payable under section 5376 of this title; and

"(9) to the extent and in such amounts as may be provided in advance by appropriations Acts, to enter into contracts and other arrangements for audits, studies, analyses, and other services with public agencies and with private persons, and to make such payments as may be necessary to carry out the provisions of this chapter.

"(b) PUBLIC DISCLOSURE OTHERWISE PROHIBITED BY LAW.—Nothing in this section shall be construed as authorizing an Inspector General to publicly disclose information otherwise prohibited from disclosure by law.

"(c) REQUESTS FOR INFORMATION.—

"(1) COMPLIANCE IN GENERAL.—Upon request of an Inspector General for information or assistance under subsection (a)(3), the head of any Federal agency involved shall, insofar as is practicable and not in contravention of any existing statutory restriction or regulation of the Federal agency from which the information is requested, furnish to the Inspector General, or to an authorized designee, the requested information or assistance.

"(2) UNREASONABLE REFUSAL.—Whenever information or assistance requested under subsection (a)(1) or (a)(3) is, in the judgment of an Inspector General, unreasonably refused or not provided, the

Inspector General shall report the circumstances to the head of the establishment involved without delay.

"(d) OFFICE SPACE AND SUPPLIES.—Each head of an establishment shall provide the Office within the establishment with appropriate and adequate office space at central and field office locations of the establishment, together with such equipment, office supplies, and communications facilities and services as may be necessary for the operation of the offices, and shall provide necessary maintenance services for the offices and the equipment and facilities provided.

"(e) APPLYING CERTAIN PROVISIONS.—

"(1) EACH OFFICE CONSIDERED SEPARATE AGENCY.—

"(A) For purposes of applying the provisions of law identified in subparagraph (B)—

"(i) each Office of Inspector General shall be considered to be a separate agency; and

"(ii) the Inspector General who is the head of an office referred to in clause (i) shall, with respect to that office, have the functions, powers, and duties of an agency head or appointing authority under such provisions.

"(B) This paragraph applies with respect to the following provisions of this title:

"(i) Subchapter II of chapter 35.

"(ii) Sections 8335(b), 8336, 8344, 8414, 8425(b), and 8468.

"(iii) All provisions relating to the Senior Executive Service (as determined by the Office of Personnel Management), subject to paragraph (2).

"(2) APPLYING SECTION 4507(b).—For purposes of applying section 4507(b) of this title, paragraph (1)(A)(ii) shall be applied by substituting 'the Council of the Inspectors General on Integrity and Efficiency (established by section 424 of this title) shall' for 'the Inspector General who is the head of an office referred to in clause (i) shall, with respect to that office,'.

"(f) ADDITIONAL AUTHORITY.—

"(1) IN GENERAL.—In addition to the authority otherwise provided by this chapter, each Inspector General, any Assistant Inspector General for Investigations under such an Inspector General, and any special agent supervised by such an Assistant Inspector General may be authorized by the Attorney General to—

"(A) carry a firearm while engaged in official duties as authorized under this chapter or other statute, or as expressly authorized by the Attorney General;

"(B) make an arrest without a warrant while engaged in official duties as authorized under this chapter or other statute, or as expressly authorized by the Attorney General, for any offense against the United States committed in the presence of such Inspector General, Assistant Inspector General, or agent, or for any felony cognizable under the laws of the United States if such Inspector General, Assistant Inspector General, or agent has reasonable grounds to believe that the person to be arrested has committed or is committing such felony; and

"(C) seek and execute warrants for arrest, search of a premises, or seizure of evidence issued under the authority of the United States upon probable cause to believe that a violation has been committed.

"(2) DETERMINATION.—The Attorney General may authorize exercise of the powers under this subsection only upon an initial determination that—

"(A) the affected Office of Inspector General is significantly hampered in the performance of responsibilities established by this chapter as a result of the lack of such powers;

"(B) available assistance from other law enforcement agencies is insufficient to meet the need for such powers; and

"(C) adequate internal safeguards and management procedures exist to ensure proper exercise of such powers.

"(3) EXEMPTIONS FROM REQUIREMENT OF INITIAL DETERMINATION OF ELIGIBILITY.—The Inspector General offices of the Department of Commerce, Department of Education, Department of Energy, Department of Health and Human Services, Department of Homeland Security, Department of Housing and Urban Development, Department of the Interior, Department of Justice, Department of Labor, Department of State, Department of Transportation, Department of the Treasury, Department of Veterans' Affairs, Agency for International Development, Environmental Protection Agency, Federal Deposit Insurance Corporation, Federal Emergency Management Agency, General Services Administration, National Aeronautics and Space Administra-

tion, Nuclear Regulatory Commission, Office of Personnel Management, Railroad Retirement Board, Small Business Administration, Social Security Administration, and the Tennessee Valley Authority are exempt from the requirement of paragraph (2) for an initial determination of eligibility by the Attorney General.

"(4) GUIDELINES.—The Attorney General shall promulgate, and revise as appropriate, guidelines which shall govern the exercise of the law enforcement powers established under paragraph (1).

"(5) RESCINDING OR SUSPENDING POWERS.—

"(A) POWERS AUTHORIZED FOR AN OFFICE OF INSPECTOR GENERAL.—Powers authorized for an Office of Inspector General under paragraph (1) may be rescinded or suspended upon a determination by the Attorney General that any of the requirements under paragraph (2) is no longer satisfied or that the exercise of authorized powers by that Office of Inspector General has not complied with the guidelines promulgated by the Attorney General under paragraph (4).

"(B) POWERS AUTHORIZED TO BE EXERCISED BY AN INDIVIDUAL.—Powers authorized

to be exercised by any individual under paragraph (1) may be rescinded or suspended with respect to that individual upon a determination by the Attorney General that such individual has not complied with guidelines promulgated by the Attorney General under paragraph (4).

"(6) NOT REVIEWABLE.—A determination by the Attorney General under paragraph (2) or (5) shall not be reviewable in or by any court.

"(7) MEMORANDUM OF UNDERSTANDING.—To ensure the proper exercise of the law enforcement powers authorized by this subsection, the Offices of Inspector General described under paragraph (3) shall, not later than 180 days after November 25, 2002, collectively enter into a memorandum of understanding to establish an external review process for ensuring that adequate internal safeguards and management procedures continue to exist within each Office and within any Office that later receives an authorization under paragraph (2). The review process shall be established in consultation with the Attorney General, who shall be provided with a copy of the memorandum of understanding that establishes the review process. Under the review process, the exercise of the law enforcement powers by each

Office of Inspector General shall be reviewed periodically by another Office of Inspector General or by a committee of Inspectors General. The results of each review shall be communicated in writing to the applicable Inspector General and to the Attorney General.

"(8) NOT A LIMITATION ON OTHER LAW ENFORCEMENT POWERS.—No provision of this subsection shall limit the exercise of law enforcement powers established under any other statutory authority, including United States Marshals Service special deputation.

"(9) DEFINITION OF INSPECTOR GENERAL.—In this subsection, the term 'Inspector General' means an Inspector General appointed under section 403 of this title or an Inspector General appointed under section 415 of this title.

"(g) BUDGETS.—

"(1) INSPECTOR GENERAL'S BUDGET ESTIMATE AND REQUEST TRANSMITTED TO HEAD OF ESTABLISHMENT OR DESIGNATED FEDERAL ENTITY.—For each fiscal year, an Inspector General shall transmit a budget estimate and request to the head of the establishment or designated Federal entity to which the Inspector General reports. The budget request

shall specify the aggregate amount of funds requested for such fiscal year for the operations of that Inspector General and shall specify the amount requested for all training needs, including a certification from the Inspector General that the amount requested satisfies all training requirements for the Inspector General's office for that fiscal year, and any resources necessary to support the Council of the Inspectors General on Integrity and Efficiency. Resources necessary to support the Council of the Inspectors General on Integrity and Efficiency shall be specifically identified and justified in the budget request.

"(2) HEAD OF ESTABLISHMENT OR DESIGNATED FEDERAL ENTITY'S PROPOSED BUDGET TRANSMITTED TO PRESIDENT.—In transmitting a proposed budget to the President for approval, the head of each establishment or designated Federal entity shall include—

"(A) an aggregate request for the Inspector General;

"(B) amounts for Inspector General training;

"(C) amounts for support of the Council of the Inspectors General on Integrity and Efficiency; and

"(D) any comments of the affected Inspector General with respect to the proposal.

"(3) PRESIDENT'S BUDGET SUBMITTED TO CONGRESS.—The President shall include in each budget of the United States Government submitted to Congress—

"(A) a separate statement of the budget estimate prepared in accordance with paragraph (1);

"(B) the amount requested by the President for each Inspector General;

"(C) the amount requested by the President for training of Inspectors General;

"(D) the amount requested by the President for support for the Council of the Inspectors General on Integrity and Efficiency; and

"(E) any comments of the affected Inspector General with respect to the proposal if the Inspector General concludes that the budget submitted by the President would substantially inhibit the Inspector General from performing the duties of the office.

1 "(h) FEDERAL GRAND JURY MATERIALS.—

2 "(1) NOTIFICATION OF ATTORNEY GENERAL OF
3 REQUEST.—If the Inspector General of an establish-
4 ment submits a request to the head of the establish-
5 ment for Federal grand jury materials pursuant to
6 subsection (a)(1), the head of the establishment
7 shall immediately notify the Attorney General of
8 such request.

9 "(2) DETERMINATION BY ATTORNEY GEN-
10 ERAL.—Not later than 15 days after the date on
11 which a request is submitted to the Attorney Gen-
12 eral under paragraph (1), the Attorney General shall
13 determine whether to grant or deny the request for
14 Federal grand jury materials and shall immediately
15 notify the head of the establishment of such deter-
16 mination. The Attorney General shall grant the re-
17 quest unless the Attorney General determines that
18 granting access to the Federal grand jury materials
19 would be likely to—

20 "(A) interfere with an ongoing criminal in-
21 vestigation or prosecution;

22 "(B) interfere with an undercover oper-
23 ation;

"(C) result in disclosure of the identity of a confidential source, including a protected witness;

"(D) pose a serious threat to national security; or

"(E) result in significant impairment of the trade or economic interests of the United States.

"(3) COMMENTS.—

"(A) REQUIREMENT TO INFORM INSPECTOR GENERAL OF DETERMINATION BY ATTORNEY GENERAL.—The head of the establishment shall inform the Inspector General of the establishment of the determination made by the Attorney General with respect to the request for Federal grand jury materials.

"(B) SUBMISSION OF COMMENTS BY INSPECTOR GENERAL.—The Inspector General of the establishment described under subparagraph (A) may submit comments on the determination submitted pursuant to such subparagraph to the committees listed under paragraph (4) that the Inspector General considers appropriate.

"(4) STATEMENT OF ATTORNEY GENERAL REGARDING DENIAL OF REQUEST.—Not later than 30 days after notifying the head of an establishment of a denial pursuant to paragraph (2), the Attorney General shall submit a statement that the request for Federal grand jury materials by the Inspector General was denied and the reason for the denial to each of the following:

"(A) The Committee on Homeland Security and Governmental Affairs, the Committee on the Judiciary, and the Select Committee on Intelligence of the Senate.

"(B) The Committee on Oversight and Reform, the Committee on the Judiciary, and the Permanent Select Committee on Intelligence of the House of Representatives.

"(C) Other appropriate committees and subcommittees of Congress.

"(i) NON-APPLICABILITY OF CERTAIN PROVISIONS TO REQUESTS FROM INSPECTOR GENERAL OF DEPARTMENT OF JUSTICE.—Subsections (a)(1)(C) and (h) shall not apply to requests from the Inspector General of the Department of Justice.

"(j) COMPUTERIZED COMPARISONS.—

"(1) DEFINITIONS.—In this subsection, the terms 'agency', 'matching program', 'record', and 'system of records' have the meanings given those terms in section 552a(a) of title 5.

"(2) NON-CONSIDERATION OF COMPUTERIZED COMPARISONS AS MATCHING PROGRAMS.—For purposes of section 552a of title 5 or any other provision of law, a computerized comparison of two or more automated Federal systems of records, or a computerized comparison of a Federal system of records with other records or non-Federal records, performed by an Inspector General or by an agency in coordination with an Inspector General in conducting an audit, investigation, inspection, evaluation, or other review authorized under this chapter shall not be considered a matching program.

"(3) LIMITATION.—Nothing in this subsection shall be construed to impede the exercise by an Inspector General of any matching program authority established under any other provision of law.

"(k) NON-APPLICABILITY OF FEDERAL INFORMATION POLICY.—Subchapter I of chapter 35 of title 44 shall not apply to the collection of information during the conduct of an audit, investigation, inspection, evaluation, or other review conducted by the Council of the Inspectors

General on Integrity and Efficiency or any Office of Inspector General, including any Office of Special Inspector General.

"§ 407. Complaints by employees

''(a) RECEIPT AND INVESTIGATION.—The Inspector General may receive and investigate complaints or information from an employee of the establishment concerning the possible existence of an activity constituting a violation of law, rules, or regulations, or mismanagement, gross waste of funds, abuse of authority, or a substantial and specific danger to the public health and safety.

''(b) PROHIBITION ON DISCLOSURE OF IDENTITY.—The Inspector General shall not, after receipt of a complaint or information from an employee, disclose the identity of the employee without the consent of the employee, unless the Inspector General determines the disclosure is unavoidable during the course of the investigation.

''(c) PROHIBITION ON REPRISAL.—Any employee who has authority to take, direct others to take, recommend, or approve any personnel action, shall not, with respect to that authority, take or threaten to take any action against any employee as a reprisal for making a complaint or disclosing information to an Inspector General, unless the complaint was made or the information dis-

closed with the knowledge that it was false or with willful disregard for its truth or falsity.

"§ 408. Additional provisions with respect to the Inspector General of the Department of Defense

''(a) INSPECTOR GENERAL.—A member of the Armed Forces, active or reserve, shall not be appointed Inspector General of the Department of Defense.

''(b) AUTHORITY OF SECRETARY OF DEFENSE.—

''(1) IN GENERAL.—Notwithstanding the last two sentences of section 403(a) of this title, the Inspector General shall be under the authority, direction, and control of the Secretary of Defense with respect to audits or investigations, or the issuance of subpoenas, which require access to information concerning—

''(A) sensitive operational plans;

''(B) intelligence matters;

''(C) counterintelligence matters;

''(D) ongoing criminal investigations by other administrative units of the Department of Defense related to national security; or

''(E) other matters the disclosure of which would constitute a serious threat to national security.

"(2) AUTHORITY TO PROHIBIT AUDIT OR INVESTIGATION.—With respect to the information described in paragraph (1), the Secretary of Defense may prohibit the Inspector General from initiating, carrying out, or completing any audit or investigation, from accessing information described in paragraph (1), or from issuing any subpoena, after the Inspector General has decided to initiate, carry out, or complete such audit or investigation, access such information, or to issue such subpoena, if the Secretary determines that such prohibition is necessary to preserve the national security interests of the United States.

"(3) STATEMENT CONCERNING EXERCISE OF POWER.—If the Secretary of Defense exercises any power under paragraph (1) or (2), the Inspector General shall submit a statement concerning that exercise of power within 30 days to the Committee on Armed Services and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Armed Services and the Committee on Oversight and Reform of the House of Representatives and to other appropriate committees or subcommittees of the Congress.

"(4) STATEMENT OF REASONS FOR EXERCISE OF POWER.—The Secretary shall, within 30 days after submission of a statement under paragraph (3), transmit a statement of the reasons for the exercise of power under paragraph (1) or (2) to the congressional committees specified in paragraph (3) and to other appropriate committees or subcommittees.

"(c) ADDITIONAL DUTIES AND RESPONSIBILITIES.—In addition to the other duties and responsibilities specified in this chapter, the Inspector General of the Department of Defense shall—

"(1) be the principal adviser to the Secretary of Defense for matters relating to the prevention and detection of fraud, waste, and abuse in the programs and operations of the Department;

"(2) initiate, conduct, and supervise such audits and investigations in the Department of Defense (including the military departments) as the Inspector General considers appropriate;

"(3) provide policy direction for audits and investigations relating to fraud, waste, and abuse and program effectiveness;

"(4) investigate fraud, waste, and abuse uncovered as a result of other contract and internal audits, as the Inspector General considers appropriate;

"(5) develop policy, monitor and evaluate program performance, and provide guidance with respect to all Department activities relating to criminal investigation programs;

"(6) monitor and evaluate the adherence of Department auditors to internal audit, contract audit, and internal review principles, policies, and procedures;

"(7) develop policy, evaluate program performance, and monitor actions taken by all components of the Department in response to contract audits, internal audits, internal review reports, and audits conducted by the Comptroller General of the United States;

"(8) request assistance as needed from other audit, inspection, and investigative units of the Department of Defense (including military departments);

"(9) give particular regard to the activities of the internal audit, inspection, and investigative units of the military departments with a view toward

avoiding duplication and ensuring effective coordination and cooperation; and

"(10) conduct, or approve arrangements for the conduct of, external peer reviews of Department of Defense audit agencies in accordance with, and in such frequency as provided by, Government auditing standards as established by the Comptroller General of the United States.

"(d) REPORTING VIOLATIONS OF CHAPTER 47 OF TITLE 10.—Notwithstanding section 404(d) of this title, the Inspector General of the Department of Defense shall expeditiously report suspected or alleged violations of chapter 47 of title 10 (Uniform Code of Military Justice), to the Secretary of the military department concerned or the Secretary of Defense.

"(e) MEMBER OF ARMED FORCES DEEMED TO BE EMPLOYEE.—For the purposes of section 407 of this title, a member of the Armed Forces shall be deemed to be an employee of the Department of Defense, except that, when the Coast Guard operates as a service of another department or agency of the Federal Government, a member of the Coast Guard shall be deemed to be an employee of that department or agency.

"(f) REPORTS.—

"(1) REPORTS TRANSMITTED TO CONGRESSIONAL COMMITTEES.—Each semiannual report prepared by the Inspector General of the Department of Defense under section 405(b) of this title shall be transmitted by the Secretary of Defense to the Committees on Armed Services and on Homeland Security and Governmental Affairs of the Senate and the Committees on Armed Services and on Oversight and Reform of the House of Representatives and to other appropriate committees or subcommittees of Congress. Each report shall include—

"(A) information concerning the numbers and types of contract audits conducted by the Department during the reporting period; and

"(B) information concerning any Department of Defense audit agency that, during the reporting period, has either received a failed opinion from an external peer review or is overdue for an external peer review required to be conducted in accordance with subsection (c)(10).

"(2) ADDITIONAL REPORTS TRANSMITTED TO CONGRESSIONAL COMMITTEES.—Any report required to be transmitted by the Secretary of Defense to the appropriate committees or subcommittees of the

Congress under section 405(e) of this title shall also be transmitted, within the 7-day period specified in section 405(e) of this title, to the congressional committees specified in paragraph (1).

"(g) NON-APPLICABILITY OF SECTION 1385 OF TITLE 18.—The provisions of section 1385 of title 18, shall not apply to audits and investigations conducted by, under the direction of, or at the request of the Inspector General of the Department of Defense to carry out the purposes of this chapter.

"(h) GENERAL COUNSEL TO INSPECTOR GENERAL OF DEPARTMENT OF DEFENSE.—

"(1) IN GENERAL.—There is a General Counsel to the Inspector General of the Department of Defense, who shall be appointed by the Inspector General of the Department of Defense.

"(2) DUTIES AND FUNCTIONS.—

"(A) Notwithstanding section 140(b) of title 10, the General Counsel is the chief legal officer of the Office of the Inspector General.

"(B) The Inspector General is the exclusive legal client of the General Counsel.

"(C) The General Counsel shall perform such functions as the Inspector General may prescribe.

1 "(D) The General Counsel shall serve at
2 the discretion of the Inspector General.
3 "(3) OFFICE OF GENERAL COUNSEL.—There is
4 an Office of the General Counsel to the Inspector
5 General of the Department of Defense. The Inspec-
6 tor General may appoint to the Office to serve as
7 staff of the General Counsel such legal counsel as
8 the Inspector General considers appropriate.
9 "(i) AUTHORITY TO REQUIRE ATTENDANCE AND
10 TESTIMONY OF WITNESSES.—
11 "(1) SUBPOENA.—The Inspector General of the
12 Department of Defense is authorized to require by
13 subpoena the attendance and testimony of witnesses
14 as necessary in the performance of functions as-
15 signed to the Inspector General by this chapter, ex-
16 cept that the Inspector General shall use procedures
17 other than subpoenas to obtain attendance and testi-
18 mony from Federal employees.
19 "(2) ENFORCEMENT.—A subpoena issued
20 under this subsection, in the case of contumacy or
21 refusal to obey, shall be enforceable by order of any
22 appropriate United States district court.
23 "(3) NOTIFICATION.—The Inspector General
24 shall notify the Attorney General 7 days before
25 issuing any subpoena under this section.

"§ 409. Special provisions concerning the Agency for International Development

''(a) DEFINITION OF AGENCY FOR INTERNATIONAL DEVELOPMENT.—As used in this chapter, the term 'Agency for International Development' includes any successor agency primarily responsible for administering part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.).

''(b) MEMBERS OF FOREIGN SERVICE.—In addition to the officers and employees provided for in section 406(a)(7) of this title, members of the Foreign Service may, at the request of the Inspector General of the Agency for International Development, be assigned as employees of the Inspector General. Members of the Foreign Service so assigned shall be responsible solely to the Inspector General, and the Inspector General (or the Inspector General's designee) shall prepare the performance evaluation reports for the members assigned as employees of the Inspector General.

''(c) FIELD OFFICES.—In establishing and staffing field offices pursuant to section 406(d) of this title, the Administrator of the Agency for International Development shall not be bound by overseas personnel ceilings.

''(d) ADDITIONAL OFFICER.—The Inspector General of the Agency for International Development shall be in

addition to the officers provided for in section 624(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2384(a)).

"§ 410. Special provisions concerning the Nuclear Regulatory Commission

''(a) DELEGATION.—The Chairman of the Commission may delegate the authority specified in the 2d sentence of section 403(a) of this title to another member of the Nuclear Regulatory Commission, but shall not delegate such authority to any other officer or employee of the Commission.

''(b) PERSONNEL.—Notwithstanding paragraphs (7) and (8) of section 406(a) of this title, the Inspector General of the Nuclear Regulatory Commission is authorized to select, appoint, and employ such officers and employees as may be necessary for carrying out the functions, powers, and duties of the Office of Inspector General and to obtain the temporary or intermittent services of experts or consultants or an organization of experts or consultants, subject to the applicable laws and regulations that govern such selections, appointments, and employment, and the obtaining of such services, within the Nuclear Regulatory Commission.

"§ 411. Special provisions concerning the Federal Deposit Insurance Corporation

''(a) DELEGATION.—The Chairperson of the Federal Deposit Insurance Corporation may delegate the authority specified in the 2d sentence of section 403(a) of this title to the Vice Chairperson of the Board of Directors of the Federal Deposit Insurance Corporation, but may not delegate such authority to any other officer or employee of the Corporation.

''(b) PERSONNEL.—Notwithstanding paragraphs (7) and (8) of section 406(a) of this title, the Inspector General of the Federal Deposit Insurance Corporation may select, appoint, and employ such officers and employees as may be necessary for carrying out the functions, powers, and duties of the Office of Inspector General and may obtain the temporary or intermittent services of experts or consultants or an organization of experts or consultants, subject to the applicable laws and regulations that govern such selections, appointments, and employment, and the obtaining of such services, within the Federal Deposit Insurance Corporation.

"§ 412. Special provisions concerning the Department of the Treasury

''(a) IN GENERAL.—

''(1) AUTHORITY OF SECRETARY OF TREASURY OVER CERTAIN AUDITS AND INVESTIGATIONS.—Notwithstanding the 2d sentence and last sentence of section 403(a) of this title, the Inspector General of the Department of the Treasury shall be under the authority, direction, and control of the Secretary of the Treasury with respect to audits or investigations, or the issuance of subpoenas, which require access to sensitive information concerning—

''(A) ongoing criminal investigations or proceedings;

''(B) undercover operations;

''(C) the identity of confidential sources, including protected witnesses;

''(D) deliberations and decisions on policy matters, including documented information used as a basis for making policy decisions, the disclosure of which could reasonably be expected to have a significant influence on the economy or market behavior;

''(E) intelligence or counterintelligence matters; or

"(F) other matters the disclosure of which would constitute a serious threat to national security or to the protection of any person or property authorized protection by section 3056 of title 18, section 3056A of title 18, or any provision of the Presidential Protection Assistance Act of 1976 (Public Law 94–524, 18 U.S.C. 3056 note).

"(2) AUTHORITY OF SECRETARY OF TREASURY TO PROHIBIT CARRYING OUT OR COMPLETING CERTAIN AUDITS AND INVESTIGATIONS.—With respect to the information described under paragraph (1), the Secretary of the Treasury may prohibit the Inspector General of the Department of the Treasury from carrying out or completing any audit or investigation, from accessing information described in paragraph (1), or from issuing any subpoena, after such Inspector General has decided to initiate, carry out, or complete such audit or investigation, access such information, or to issue such subpoena, if the Secretary determines that such prohibition is necessary to prevent the disclosure of any information described under paragraph (1) or to prevent significant impairment to the national interests of the United States.

"(3) NOTIFICATION AND STATEMENT OF REASONS FOR EXERCISE OF POWER.—If the Secretary of the Treasury exercises any power under paragraph (1) or (2), the Secretary of the Treasury shall notify the Inspector General of the Department of the Treasury in writing, stating the reasons for such exercise. Within 30 days after receipt of any such notice, the Inspector General of the Department of the Treasury shall transmit a copy of such notice to the Committee on Homeland Security and Governmental Affairs and the Committee on Finance of the Senate and the Committee on Oversight and Reform and the Committee on Ways and Means of the House of Representatives, and to other appropriate committees or subcommittees of the Congress.

"(4) EXCEPTION RELATING TO TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION.—The Secretary of the Treasury may not exercise any power under paragraph (1) or (2) with respect to the Treasury Inspector General for Tax Administration.

"(b) OVERSIGHT RESPONSIBILITY FOR INTERNAL INVESTIGATIONS.—

"(1) IN GENERAL.—In carrying out the duties and responsibilities specified in this chapter, the In-

spector General of the Department of the Treasury shall have oversight responsibility for the internal investigations performed by the Office of Internal Affairs of the Tax and Trade Bureau. The head of such office shall promptly report to the Inspector General of the Department of the Treasury the significant activities being carried out by such office.

''(2) EXERCISE OF DUTIES AND RESPONSIBILITIES.—The Inspector General of the Department of the Treasury shall exercise all duties and responsibilities of an Inspector General for the Department of the Treasury other than the duties and responsibilities exercised by the Treasury Inspector General for Tax Administration.

''(3) ESTABLISHMENT OF PROCEDURES.—The Secretary of the Treasury shall establish procedures under which the Inspector General of the Department of the Treasury and the Treasury Inspector General for Tax Administration will—

''(A) determine how audits and investigations are allocated in cases of overlapping jurisdiction; and

''(B) provide for coordination, cooperation, and efficiency in the conduct of such audits and investigations.

"(c) AUDITS AND INVESTIGATIONS IN DEPARTMENT OF TREASURY.—Notwithstanding subsection (b), the Inspector General of the Department of the Treasury may initiate, conduct and supervise such audits and investigations in the Department of the Treasury (including the bureau referred to in subsection (b)) as the Inspector General of the Department of the Treasury considers appropriate.

"(d) AUTHORITY TO PROVIDE WRITTEN NOTICE TO TAX AND TRADE BUREAU.—If the Inspector General of the Department of the Treasury initiates an audit or investigation under subsection (c) concerning the bureau referred to in subsection (b), the Inspector General of the Department of the Treasury may provide the head of the office of such bureau referred to in subsection (b) with written notice that the Inspector General of the Department of the Treasury has initiated such an audit or investigation. If the Inspector General of the Department of the Treasury issues a notice under the preceding sentence, no other audit or investigation shall be initiated into the matter under audit or investigation by the Inspector General of the Department of the Treasury, and any other audit or investigation of such matter shall cease.

"(e) TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION.—

"(1) ACCESS TO RETURNS AND RETURN INFORMATION.—The Treasury Inspector General for Tax Administration shall have access to returns and return information, as defined in section 6103(b) of the Internal Revenue Code of 1986 (26 U.S.C. 6103(b)), only in accordance with the provisions of section 6103 of the Internal Revenue Code of 1986 (26 U.S.C. 6103) and this chapter.

"(2) STANDARDIZED RECORDS AND ACCOUNTINGS.—The Internal Revenue Service shall maintain the same system of standardized records or accountings of all requests from the Treasury Inspector General for Tax Administration for inspection or disclosure of returns and return information (including the reasons for and dates of such requests), and of returns and return information inspected or disclosed pursuant to such requests, as described under section 6103(p)(3)(A) of the Internal Revenue Code of 1986 (26 U.S.C. 6103(p)(3)(A)). Such system of standardized records or accountings shall also be available for examination in the same manner as provided under section 6103(p)(3) of the Internal Revenue Code of 1986 (26 U.S.C. 6103(p)(3)).

"(3) SAFEGUARDS AND CONDITIONS.—The Treasury Inspector General for Tax Administration

shall be subject to the same safeguards and conditions for receiving returns and return information as are described under section 6103(p)(4) of the Internal Revenue Code of 1986 (26 U.S.C. 6103(p)(4)).

"(f) AUDIT OR INVESTIGATION SHALL NOT AFFECT FINAL DECISION UNDER SECTION 6406 OF INTERNAL REVENUE CODE OF 1986.—An audit or investigation conducted by the Inspector General of the Department of the Treasury or the Treasury Inspector General for Tax Administration shall not affect a final decision of the Secretary of the Treasury or the Secretary's delegate under section 6406 of the Internal Revenue Code of 1986 (26 U.S.C. 6406).

"(g) REPORTS.—

"(1) REPORTS TO CONGRESSIONAL COMMITTEES.—Any report required to be transmitted by the Secretary of the Treasury to the appropriate committees or subcommittees of the Congress under section 405(e) of this title shall also be transmitted, within the 7-day period specified under such section, to the Committee on Homeland Security and Governmental Affairs and the Committee on Finance of the Senate and the Committee on Oversight and Reform and the Committee on Ways and Means of the House of Representatives.

"(2) REPORTS MADE BY TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION TO CONGRESSIONAL COMMITTEES.—Any report made by the Treasury Inspector General for Tax Administration that is required to be transmitted by the Secretary of the Treasury to the appropriate committees or subcommittees of Congress under section 405(e) of this title shall also be transmitted, within the 7-day period specified under such subsection, to the Internal Revenue Service Oversight Board and the Commissioner of Internal Revenue.

"(h) DUTIES AND RESPONSIBILITIES OF TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION.—The Treasury Inspector General for Tax Administration shall exercise all duties and responsibilities of an Inspector General of an establishment with respect to the Department of the Treasury and the Secretary of the Treasury on all matters relating to the Internal Revenue Service. The Treasury Inspector General for Tax Administration shall have sole authority under this chapter to conduct an audit or investigation of the Internal Revenue Service Oversight Board and the Chief Counsel for the Internal Revenue Service.

"(i) ABILITY TO LEAD LARGE AND COMPLEX ORGANIZATION.—In addition to the requirements of the 1st

sentence of section 403(a) of this title, the Treasury Inspector General for Tax Administration should have demonstrated ability to lead a large and complex organization.

"(j) PROHIBITION ON APPOINTMENT OF EMPLOYEE OF INTERNAL REVENUE SERVICE TO CERTAIN POSITIONS.—An individual appointed to the position of Treasury Inspector General for Tax Administration, the Assistant Inspector General for Auditing of the Office of the Treasury Inspector General for Tax Administration under section 403(d)(1)(B)(i) of this title (or, effective November 27, 2017, section 403(d)(2)(B)(i) of this title), the Assistant Inspector General for Investigations of the Office of the Treasury Inspector General for Tax Administration under section 403(d)(1)(B)(ii) of this title (or, effective November 27, 2017, section 403(d)(2)(B)(ii) of this title), or any position of Deputy Inspector General of the Office of the Treasury Inspector General for Tax Administration may not be an employee of the Internal Revenue Service—

"(1) during the 2-year period preceding the date of appointment to such position; or

"(2) during the 5-year period following the date such individual ends service in such position.

"(k) ADDITIONAL DUTIES AND RESPONSIBILITIES.—

"(1) IN GENERAL.—In addition to the duties and responsibilities exercised by an inspector general

of an establishment, the Treasury Inspector General for Tax Administration—

"(A) shall have the duty to enforce criminal provisions under section 7608(b) of the Internal Revenue Code of 1986 (26 U.S.C. 7608(b));

"(B) in addition to the functions authorized under section 7608(b)(2) of the Internal Revenue Code of 1986 (26 U.S.C. 7608(b)(2)), may carry firearms;

"(C) shall be responsible for protecting the Internal Revenue Service against external attempts to corrupt or threaten employees of the Internal Revenue Service, but shall not be responsible for the conducting of background checks and the providing of protection to the Commissioner of Internal Revenue; and

"(D) may designate any employee in the Office of the Treasury Inspector General for Tax Administration to enforce such laws and perform such functions referred to under subparagraphs (A), (B), and (C).

"(2) REPORTING VIOLATIONS.—

"(A) REPORTING REASONABLE GROUNDS TO BELIEVE A VIOLATION OF FEDERAL CRIMI-

NAL LAW OCCURRED.—In performing a law enforcement function under paragraph (1), the Treasury Inspector General for Tax Administration shall report any reasonable grounds to believe there has been a violation of Federal criminal law to the Attorney General at an appropriate time as determined by the Treasury Inspector General for Tax Administration, notwithstanding section 404(d) of this title.

"(B) REPORTING PROBLEMS, ABUSES, OR DEFICIENCIES.—In the administration of section 405(e) of this title and subsection (g)(2) of this section, the Secretary of the Treasury may transmit the required report with respect to the Treasury Inspector General for Tax Administration at an appropriate time as determined by the Secretary, if the problem, abuse, or deficiency relates to—

"(i) the performance of a law enforcement function under paragraph (1); and

"(ii) sensitive information concerning matters under subsection (a)(1)(A) through (F).

"(3) LIMITATION.—Nothing in this subsection shall be construed to affect the authority of any

other person to carry out or enforce any provision specified in paragraph (1).

"(l) REQUEST FOR AUDIT OR INVESTIGATION RELATING TO INTERNAL REVENUE SERVICE.—

"(1) IN GENERAL.—The Commissioner of Internal Revenue or the Internal Revenue Service Oversight Board may request, in writing, the Treasury Inspector General for Tax Administration to conduct an audit or investigation relating to the Internal Revenue Service. If the Treasury Inspector General for Tax Administration determines not to conduct such audit or investigation, the Inspector General shall timely provide a written explanation for such determination to the person making the request.

"(2) REPORTS.—

"(A) FINAL REPORT OF AUDIT.—Any final report of an audit conducted by the Treasury Inspector General for Tax Administration shall be timely submitted by the Inspector General to the Commissioner of Internal Revenue and the Internal Revenue Service Oversight Board.

"(B) PERIODIC LIST OF INVESTIGATIONS FOR WHICH FINAL REPORT COMPLETED.—The Treasury Inspector General for Tax Adminis-

tration shall periodically submit to the Commissioner and Board a list of investigations for which a final report has been completed by the Inspector General and shall provide a copy of any such report upon request of the Commissioner or Board.

"(C) APPLICABILITY.—This paragraph applies regardless of whether the applicable audit or investigation is requested under paragraph (1).

"§ 413. Special provisions concerning the Department of Justice

"(a) IN GENERAL.—

"(1) AUTHORITY OF ATTORNEY GENERAL OVER CERTAIN AUDITS AND INVESTIGATIONS.—Notwithstanding the 2d sentence and last sentence of section 403(a) of this title, the Inspector General shall be under the authority, direction, and control of the Attorney General with respect to audits or investigations, or the issuance of subpoenas, which require access to sensitive information concerning—

"(A) ongoing civil or criminal investigations or proceedings;

"(B) undercover operations;

"(C) the identity of confidential sources, including protected witnesses;

"(D) intelligence or counterintelligence matters; or

"(E) other matters the disclosure of which would constitute a serious threat to national security.

"(2) AUTHORITY OF ATTORNEY GENERAL TO PROHIBIT CARRYING OUT OR COMPLETING CERTAIN AUDITS AND INVESTIGATIONS.—With respect to the information described under paragraph (1), the Attorney General may prohibit the Inspector General from carrying out or completing any audit or investigation, from accessing information described in paragraph (1), or from issuing any subpoena, after such Inspector General has decided to initiate, carry out, or complete such audit or investigation, access such information, or to issue such subpoena, if the Attorney General determines that such prohibition is necessary to prevent the disclosure of any information described under paragraph (1) or to prevent significant impairment to the national interests of the United States.

"(3) NOTIFICATION AND STATEMENT OF REASONS FOR EXERCISE OF POWER.—If the Attorney

General exercises any power under paragraph (1) or (2), the Attorney General shall notify the Inspector General in writing, stating the reasons for such exercise. Within 30 days after receipt of any such notice, the Inspector General shall transmit a copy of such notice to the Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary of the Senate and the Committee on Oversight and Reform and the Committee on the Judiciary of the House of Representatives, and to other appropriate committees or subcommittees of the Congress.

''(b) CARRYING OUT DUTIES AND RESPONSIBILITIES.—In carrying out the duties and responsibilities specified in this chapter, the Inspector General of the Department of Justice—

''(1) may initiate, conduct and supervise such audits and investigations in the Department of Justice as the Inspector General considers appropriate;

''(2) except as specified in subsection (a) and paragraph (3), may investigate allegations of criminal wrongdoing or administrative misconduct by an employee of the Department of Justice, or may, in the discretion of the Inspector General, refer such allegations to the Office of Professional Responsi-

bility or the internal affairs office of the appropriate component of the Department of Justice;

"(3) shall refer to the Counsel, Office of Professional Responsibility of the Department of Justice, allegations of misconduct involving Department attorneys, investigators, or law enforcement personnel, where the allegations relate to the exercise of the authority of an attorney to investigate, litigate, or provide legal advice, except that no such referral shall be made if the attorney is employed in the Office of Professional Responsibility;

"(4) may investigate allegations of criminal wrongdoing or administrative misconduct by a person who is the head of any agency or component of the Department of Justice; and

"(5) shall forward the results of any investigation conducted under paragraph (4), along with any appropriate recommendation for disciplinary action, to the Attorney General.

"(c) REPORTS.—Any report required to be transmitted by the Attorney General to the appropriate committees or subcommittees of the Congress under section 405(e) of this title shall also be transmitted, within the 7-day period specified under that section, to the Committee on the Judiciary and the Committee on Homeland

Security and Governmental Affairs of the Senate and the Committee on the Judiciary and the Committee on Oversight and Reform of the House of Representatives.

"(d) REGULATION TO ENSURE REPORTING OF CERTAIN ALLEGATIONS TO INSPECTOR GENERAL.—The Attorney General shall ensure by regulation that any component of the Department of Justice receiving a nonfrivolous allegation of criminal wrongdoing or administrative misconduct by an employee of the Department of Justice, except with respect to allegations described in subsection (b)(3), shall report that information to the Inspector General.

"§ 414. Special provisions concerning the Corporation for National and Community Service

"(a) PERSONNEL.—Notwithstanding the provisions of paragraphs (7) and (8) of section 406(a) of this title, it is within the exclusive jurisdiction of the Inspector General of the Corporation for National and Community Service to—

"(1) appoint and determine the compensation of such officers and employees in accordance with section 195(b) of the National and Community Service Act of 1990 (42 U.S.C. 12651f(b)); and

"(2) procure the temporary and intermittent services of and compensate such experts and consultants, in accordance with section 3109(b) of this title, as may be necessary to carry out the functions, powers, and duties of the Inspector General.

"(b) REPORTS TO BOARD OF DIRECTORS.—Not later than the date on which the Chief Executive Officer of the Corporation for National and Community Service transmits any report to the Congress under subsection (b) or (c) of section 405 of this title, the Chief Executive Officer shall transmit such report to the Board of Directors of such Corporation.

"(c) REVIEW OF AUDIT REPORTS BY BOARD OF DIRECTORS.—Not later than the date on which the Chief Executive Officer of the Corporation for National and Community Service transmits a report described under section 405(c) of this title to the Board of Directors as provided under subsection (b) of this section, the Chief Executive Officer shall also transmit any audit report which is described in the statement required under section 405(c)(4) to the Board of Directors. All such audit reports shall be placed on the agenda for review at the next scheduled meeting of the Board of Directors following such transmittal. The Chief Executive Officer of the Corpora-

tion shall be present at such meeting to provide any information relating to such audit reports.

"(d) REPORT OF PROBLEM, ABUSE, OR DEFICIENCY TO BOARD OF DIRECTORS.—Not later than the date on which the Inspector General of the Corporation for National and Community Service reports a problem, abuse, or deficiency under section 405(e) of this title to the Chief Executive Officer of the Corporation, the Chief Executive Officer shall report such problem, abuse, or deficiency to the Board of Directors.

"§ 415. Requirements for Federal entities and designated Federal entities

"(a) DEFINITIONS.—Notwithstanding section 401 of this title, in this section:

"(1) DESIGNATED FEDERAL ENTITY.—

"(A) IN GENERAL.—The term 'designated Federal entity' means Amtrak, the Appalachian Regional Commission, the Board of Governors of the Federal Reserve System and the Bureau of Consumer Financial Protection, the Committee for Purchase From People Who Are Blind or Severely Disabled, the Commodity Futures Trading Commission, the Consumer Product Safety Commission, the Corporation for Public Broadcasting, the Defense Intelligence

1 Agency, the Denali Commission, the Equal Em-
2 ployment Opportunity Commission, the Farm
3 Credit Administration, the Federal Election
4 Commission, the Election Assistance Commis-
5 sion, the Federal Labor Relations Authority,
6 the Federal Maritime Commission, the Federal
7 Trade Commission, the Legal Services Corpora-
8 tion, the National Archives and Records Admin-
9 istration, the National Credit Union Adminis-
10 tration, the National Endowment for the Arts,
11 the National Endowment for the Humanities,
12 the National Geospatial-Intelligence Agency, the
13 National Labor Relations Board, the National
14 Science Foundation, the Peace Corps, the Pen-
15 sion Benefit Guaranty Corporation, the Securi-
16 ties and Exchange Commission, the Smithso-
17 nian Institution, the United States Inter-
18 national Development Finance Corporation, the
19 United States International Trade Commission,
20 the Postal Regulatory Commission, and the
21 United States Postal Service.
22 "(B) AMTRAK.—Effective at the beginning
23 of the first fiscal year after a fiscal year for
24 which Amtrak receives no Federal subsidy, sub-

1 paragraph (A) is amended by striking 'Am-
2 trak,'.
3 "(2) FEDERAL ENTITY.—The term 'Federal en-
4 tity' means any Government corporation (within the
5 meaning of section 103(1) of this title), any Govern-
6 ment controlled corporation (within the meaning of
7 section 103(2) of this title), or any other entity in
8 the executive branch of the Government, or any
9 independent regulatory agency, but does not in-
10 clude—
11 "(A) an establishment (as defined under
12 section 401 of this title) or part of an establish-
13 ment;
14 "(B) a designated Federal entity (as de-
15 fined under paragraph (1) of this subsection) or
16 part of a designated Federal entity;
17 "(C) the Executive Office of the President;
18 "(D) the Central Intelligence Agency;
19 "(E) the Government Accountability Of-
20 fice; or
21 "(F) any entity in the judicial or legislative
22 branches of the Government, including the Ad-
23 ministrative Office of the United States Courts
24 and the Architect of the Capitol and any activi-

ties under the direction of the Architect of the Capitol.

"(3) HEAD OF THE DESIGNATED FEDERAL ENTITY.—The term 'head of the designated Federal entity' means the board or commission of the designated Federal entity, or in the event the designated Federal entity does not have a board or commission, any person or persons designated by statute as the head of a designated Federal entity and if no such designation exists, the chief policy-making officer or board of a designated Federal entity as identified in the list published pursuant to subsection (h)(1) of this section, except that—

"(A) with respect to the National Science Foundation, such term means the National Science Board;

"(B) with respect to the United States Postal Service, such term means the Governors (within the meaning of section 102(3) of title 39);

"(C) with respect to the Federal Labor Relations Authority, such term means the members of the Authority (described under section 7104 of this title);

"(D) with respect to the Committee for Purchase From People Who Are Blind or Severely Disabled, such term means the Chairman of the Committee for Purchase From People Who Are Blind or Severely Disabled;

"(E) with respect to the National Archives and Records Administration, such term means the Archivist of the United States;

"(F) with respect to the National Credit Union Administration, such term means the National Credit Union Administration Board (described under section 102 of the Federal Credit Union Act (12 U.S.C. 1752a));

"(G) with respect to the National Endowment of the Arts, such term means the National Council on the Arts;

"(H) with respect to the National Endowment for the Humanities, such term means the National Council on the Humanities;

"(I) with respect to the Peace Corps, such term means the Director of the Peace Corps; and

"(J) with respect to the United States International Development Finance Corporation, such term means the Board of Directors

of the United States International Development Finance Corporation.

"(4) HEAD OF THE FEDERAL ENTITY.—The term 'head of the Federal entity' means any person or persons designated by statute as the head of a Federal entity, and if no such designation exists, the chief policymaking officer or board of a Federal entity as identified in the list published pursuant to subsection (h)(1) of this section.

"(5) INSPECTOR GENERAL.—The term 'Inspector General' means an Inspector General of a designated Federal entity.

"(6) OFFICE OF INSPECTOR GENERAL.—The term 'Office of Inspector General' means an Office of Inspector General of a designated Federal entity.

"(b) OFFICE OF INSPECTOR GENERAL IN EACH DESIGNATED FEDERAL ENTITY.—Not later than 180 days after October 18, 1988, there shall be established and maintained in each designated Federal entity an Office of Inspector General. The head of the designated Federal entity shall transfer to such office the offices, units, or other components, and the functions, powers, or duties thereof, that such head determines are properly related to the functions of the Office of Inspector General and would, if so transferred, further the purposes of this section.

1 There shall not be transferred to such office any program
2 operating responsibilities.

3 "(c) APPOINTMENT OF INSPECTOR GENERAL.—Ex-
4 cept as provided under subsection (f) of this section, the
5 Inspector General shall be appointed by the head of the
6 designated Federal entity in accordance with the applica-
7 ble laws and regulations governing appointments within
8 the designated Federal entity. Each Inspector General
9 shall be appointed without regard to political affiliation
10 and solely on the basis of integrity and demonstrated abil-
11 ity in accounting, auditing, financial analysis, law, man-
12 agement analysis, public administration, or investigations.
13 For purposes of implementing this section, the Chairman
14 of the Board of Governors of the Federal Reserve System
15 shall appoint the Inspector General of the Board of Gov-
16 ernors of the Federal Reserve System and the Bureau of
17 Consumer Financial Protection. The Inspector General of
18 the Board of Governors of the Federal Reserve System
19 and the Bureau of Consumer Financial Protection shall
20 have all of the authorities and responsibilities provided by
21 this Act with respect to the Bureau of Consumer Financial
22 Protection, as if the Bureau were part of the Board of
23 Governors of the Federal Reserve System.

24 "(d) SUPERVISION.—

"(1) IN GENERAL.—Each Inspector General shall report to and be under the general supervision of the head of the designated Federal entity, but shall not report to, or be subject to supervision by, any other officer or employee of such designated Federal entity. Except as provided in paragraph (2), the head of the designated Federal entity shall not prevent or prohibit the Inspector General from initiating, carrying out, or completing any audit or investigation, or from issuing any subpoena during the course of any audit or investigation.

"(2) EXCEPTION RELATING TO INTELLIGENCE COMMUNITY.—

"(A) IN GENERAL.—The Secretary of Defense, in consultation with the Director of National Intelligence, may prohibit the inspector general of an element of the intelligence community specified in subparagraph (D) from initiating, carrying out, or completing any audit or investigation, or from accessing information available to an element of the intelligence community specified in subparagraph (D), if the Secretary determines that the prohibition is necessary to protect vital national security interests of the United States.

"(B) STATEMENT OF REASONS FOR EXERCISE OF AUTHORITY.—If the Secretary exercises the authority under subparagraph (A), the Secretary shall submit to the committees of Congress specified in subparagraph (E) an appropriately classified statement of the reasons for the exercise of such authority not later than 7 days after the exercise of such authority.

"(C) NOTIFICATION TO INSPECTOR GENERAL.—At the same time the Secretary submits under subparagraph (B) a statement on the exercise of the authority in subparagraph (A) to the committees of Congress specified in subparagraph (E), the Secretary shall notify the inspector general of such element of the submittal of such statement and, to the extent consistent with the protection of intelligence sources and methods, provide such inspector general with a copy of such statement. Such inspector general may submit to such committees of Congress any comments on a notice or statement received by the inspector general under this subparagraph that the inspector general considers appropriate.

"(D) ELEMENTS OF THE INTELLIGENCE COMMUNITY.—The elements of the intelligence community specified in this subparagraph are as follows:

"(i) The Defense Intelligence Agency.

"(ii) The National Geospatial-Intelligence Agency.

"(iii) The National Reconnaissance Office.

"(iv) The National Security Agency.

"(E) COMMITTEES OF CONGRESS.—The committees of Congress specified in this subparagraph are—

"(i) the Committee on Armed Services and the Select Committee on Intelligence of the Senate; and

"(ii) the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives.

"(e) REMOVAL.—

"(1) BOARD, CHAIRMAN OF COMMITTEE, OR COMMISSION IS HEAD OF DESIGNATED FEDERAL ENTITY.—In the case of a designated Federal entity for which a board, chairman of a committee, or commis-

sion is the head of the designated Federal entity, a removal under this subsection may only be made upon the written concurrence of a ⅔ majority of the board, committee, or commission.

"(2) INSPECTOR GENERAL REMOVED OR TRANSFERRED.—If an Inspector General is removed from office or is transferred to another position or location within a designated Federal entity, the head of the designated Federal entity shall communicate in writing the reasons for any such removal or transfer to both Houses of Congress, not later than 30 days before the removal or transfer. Nothing in this subsection shall prohibit a personnel action otherwise authorized by law, other than transfer or removal.

"(f) UNITED STATES POSTAL SERVICE.—

"(1) APPOINTMENT.—For purposes of carrying out subsection (c) with respect to the United States Postal Service, the appointment provisions of section 202(e) of title 39 shall be applied.

"(2) OVERSIGHT RESPONSIBILITY OF INSPECTOR GENERAL FOR ACTIVITIES OF POSTAL INSPECTION SERVICE.—In carrying out the duties and responsibilities specified in this chapter, the Inspector General of the United States Postal Service (herein-

after in this subsection referred to as the 'Inspector General') shall have oversight responsibility for all activities of the Postal Inspection Service, including any internal investigation performed by the Postal Inspection Service. The Chief Postal Inspector shall promptly report the significant activities being carried out by the Postal Inspection Service to such Inspector General.

"(3) AUDITS AND INVESTIGATIONS.—

"(A) AUTHORITY, DIRECTION, AND CONTROL OF GOVERNORS.—

"(i) ACCESS TO SENSITIVE INFORMATION.—Notwithstanding subsection (d), the Inspector General shall be under the authority, direction, and control of the Governors with respect to audits or investigations, or the issuance of subpoenas, which require access to sensitive information concerning—

"(I) ongoing civil or criminal investigations or proceedings;

"(II) undercover operations;

"(III) the identity of confidential sources, including protected witnesses;

"(IV) intelligence or counterintelligence matters; or

"(V) other matters the disclosure of which would constitute a serious threat to national security.

"(ii) AUTHORITY TO PROHIBIT INSPECTOR GENERAL FROM CARRYING OUT OR COMPLETING AUDIT OR INVESTIGATION.—With respect to the information described under clause (i), the Governors may prohibit the Inspector General from carrying out or completing any audit or investigation, or from issuing any subpoena, after such Inspector General has decided to initiate, carry out, or complete such audit or investigation or to issue such subpoena, if the Governors determine that such prohibition is necessary to prevent the disclosure of any information described under clause (i) or to prevent significant impairment to the national interests of the United States.

"(iii) NOTIFICATION OF REASONS FOR EXERCISE OF POWER.—If the Governors exercise any power under clause (i) or (ii),

the Governors shall notify the Inspector General in writing, stating the reasons for such exercise. Within 30 days after receipt of any such notice, the Inspector General shall transmit a copy of such notice to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives, and to other appropriate committees or subcommittees of the Congress.

"(B) INITIATING, CONDUCTING, AND SUPERVISING AUDITS AND INVESTIGATIONS.—In carrying out the duties and responsibilities specified in this chapter, the Inspector General—

"(i) may initiate, conduct, and supervise such audits and investigations in the United States Postal Service as the Inspector General considers appropriate; and

"(ii) shall give particular regard to the activities of the Postal Inspection Service with a view toward avoiding duplication and ensuring effective coordination and cooperation.

"(C) REPORTING SERIOUS PROBLEMS, ABUSES, OR DEFICIENCIES.—Any report required to be transmitted by the Governors to the appropriate committees or subcommittees of the Congress under section 405(e) of this title shall also be transmitted, within the 7-day period specified under such section, to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives.

"(4) LIMITATION.—Nothing in this chapter shall restrict, eliminate, or otherwise adversely affect any of the rights, privileges, or benefits of either employees of the United States Postal Service, or labor organizations representing employees of the United States Postal Service, under chapter 12 of title 39, the National Labor Relations Act, any handbook or manual affecting employee labor relations with the United States Postal Service, or any collective bargaining agreement.

"(5) DEFINITION OF GOVERNORS.—In this subsection, the term 'Governors' has the meaning given the term by section 102(3) of title 39.

"(6) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated, out of the Postal Service Fund, such sums as may be necessary for the Office of Inspector General of the United States Postal Service.

"(g) SPECIAL APPLICATION.—

"(1) SECTIONS 404, 405, 406, AND 407.—Sections 404, 405, 406 (other than paragraphs (7) and (8) of section 406(a)), and 407 of this title shall apply to each Inspector General and Office of Inspector General of a designated Federal entity, and such sections shall be applied to each designated Federal entity and head of the designated Federal entity (as defined under subsection (a)) by substituting—

"(A) 'designated Federal entity' for 'establishment'; and

"(B) 'head of the designated Federal entity' for 'head of the establishment'.

"(2) PERSONNEL.—In addition to the other authorities specified in this chapter, an Inspector General is authorized to select, appoint, and employ such officers and employees as may be necessary for carrying out the functions, powers, and duties of the Office of Inspector General and to obtain the temporary or intermittent services of experts or consult-

ants or an organization of experts or consultants, subject to the applicable laws and regulations that govern such selections, appointments, and employment, and the obtaining of such services, within the designated Federal entity.

"(3) APPLICATION OF SECTION 412(a).—Notwithstanding the last sentence of subsection (d)(1) of this section, the provisions of subsection (a) of section 412 of this title (other than the provisions of subparagraphs (A), (B), (C), and (E) of subsection (a)(1) of section 412 of this title) shall apply to the Inspector General of the Board of Governors of the Federal Reserve System and the Bureau of Consumer Financial Protection and the Chairman of the Board of Governors of the Federal Reserve System in the same manner as such provisions apply to the Inspector General of the Department of the Treasury and the Secretary of the Treasury, respectively.

"(4) COUNSEL.—Each Inspector General shall—

"(A) in accordance with applicable laws and regulations governing appointments within the designated Federal entity, appoint a Counsel to the Inspector General who shall report to the Inspector General;

"(B) obtain the services of a counsel appointed by and directly reporting to another Inspector General on a reimbursable basis; or

"(C) obtain the services of appropriate staff of the Council of the Inspectors General on Integrity and Efficiency on a reimbursable basis.

"(h) ANNUAL LISTING AND REPORT.—

"(1) LISTING.—Each year, the Director of the Office of Management and Budget, after consultation with the Comptroller General of the United States, shall publish in the Federal Register a list of the Federal entities and designated Federal entities and if the designated Federal entity is not a board or commission, include the head of each such entity (as defined under subsection (a)).

"(2) REPORT.—On October 31 of each year, the head of each Federal entity (as defined under subsection (a)) shall prepare and transmit to the Director of the Office of Management and Budget and to each House of the Congress a report that—

"(A) states whether there has been established in the Federal entity an office that meets the requirements of this section;

"(B) specifies the actions taken by the Federal entity otherwise to ensure that audits are conducted of its programs and operations in accordance with the standards for audit of governmental organizations, programs, activities, and functions issued by the Comptroller General of the United States, and includes a list of each audit report completed by a Federal or non-Federal auditor during the reporting period and a summary of any particularly significant findings; and

"(C) summarizes any matters relating to the personnel, programs, and operations of the Federal entity referred to prosecutive authorities, including a summary description of any preliminary investigation conducted by or at the request of the Federal entity concerning these matters, and the prosecutions and convictions which have resulted.

"§ 416. Additional provisions with respect to Inspectors General of the intelligence community

"(a) DEFINITIONS.—In this section:

"(1) INTELLIGENCE COMMITTEES.—The term 'intelligence committees' means the Permanent Se-

lect Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

"(2) URGENT CONCERN.—The term 'urgent concern' means any of the following:

"(A) A serious or flagrant problem, abuse, violation of law or Executive order, or deficiency relating to the funding, administration, or operations of an intelligence activity involving classified information, but does not include differences of opinions concerning public policy matters.

"(B) A false statement to Congress, or a willful withholding from Congress, on an issue of material fact relating to the funding, administration, or operation of an intelligence activity.

"(C) An action, including a personnel action described in section 2302(a)(2)(A) of this title constituting reprisal or threat of reprisal prohibited under section 407(c) of this title in response to an employee's reporting an urgent concern in accordance with this section.

"(b) COMPLAINT OR INFORMATION WITH RESPECT TO URGENT CONCERN.—

"(1) TO WHOM REPORTS MAY BE MADE.—

"(A) INSPECTOR GENERAL OF DEPARTMENT OF DEFENSE.—An employee of the Defense Intelligence Agency, the National Geospatial-Intelligence Agency, the National Reconnaissance Office, or the National Security Agency, or of a contractor of any of those Agencies, who intends to report to Congress a complaint or information with respect to an urgent concern may report the complaint or information to the Inspector General of the Department of Defense (or designee).

"(B) INSPECTOR GENERAL OF INTELLIGENCE COMMUNITY.—An employee of an element of the intelligence community, an employee assigned or detailed to an element of the intelligence community, or an employee of a contractor to the intelligence community, who intends to report to Congress a complaint or information with respect to an urgent concern may report such complaint or information to the Inspector General of the Intelligence Community.

"(C) INSPECTOR GENERAL OF DEPARTMENT OF JUSTICE.—An employee of the Fed-

eral Bureau of Investigation, or of a contractor of the Bureau, who intends to report to Congress a complaint or information with respect to an urgent concern may report the complaint or information to the Inspector General of the Department of Justice (or designee).

"(D) OTHER APPROPRIATE INSPECTOR GENERAL.—Any other employee of, or contractor to, an executive agency, or element or unit thereof, determined by the President under section 2302(a)(2)(C)(ii) of this title, to have as its principal function the conduct of foreign intelligence or counterintelligence activities, who intends to report to Congress a complaint or information with respect to an urgent concern may report the complaint or information to the appropriate Inspector General (or designee) under this chapter, section 17 of the Central Intelligence Agency Act of 1949 (50 U.S.C. 3517), or section 103H(k) of the National Security Act of 1947 (50 U.S.C. 3033(k)).

"(2) DESIGNEE TO REPORT COMPLAINT OR INFORMATION TO INSPECTOR GENERAL WITHIN 7 DAYS.—If a designee of an Inspector General under this section receives a complaint or information of

an employee with respect to an urgent concern, that designee shall report the complaint or information to the Inspector General within 7 calendar days of receipt.

"(3) DESIGNEES OF INSPECTOR GENERAL OF DEPARTMENT OF DEFENSE.—The Inspectors General of the Defense Intelligence Agency, the National Geospatial-Intelligence Agency, the National Reconnaissance Office, and the National Security Agency shall be designees of the Inspector General of the Department of Defense for purposes of this section.

"(c) INITIAL DETERMINATIONS AND TRANSMITTALS.—

"(1) CREDIBILITY.—Not later than the end of the 14-calendar day period beginning on the date of receipt of an employee complaint or information under subsection (b), the Inspector General shall determine whether the complaint or information appears credible. Upon making such a determination, the Inspector General shall transmit to the head of the establishment notice of that determination, together with the complaint or information.

"(2) CONFLICT OF INTEREST.—If the head of an establishment determines that a complaint or information transmitted under paragraph (1) would

create a conflict of interest for the head of the establishment, the head of the establishment shall return the complaint or information to the Inspector General with that determination and the Inspector General shall make the transmission to the Director of National Intelligence and, if the establishment is within the Department of Defense, to the Secretary of Defense. In such a case, the requirements of this section for the head of the establishment apply to each recipient of the Inspector General's transmission.

''(d) FORWARDING TRANSMITTALS.—Upon receipt of a transmittal from the Inspector General under subsection (c), the head of the establishment shall, within 7 calendar days of such receipt, forward such transmittal to the intelligence committees, together with any comments the head of the establishment considers appropriate.

''(e) SUBMITTING COMPLAINT OR INFORMATION TO CONGRESS.—

''(1) IN GENERAL.—If the Inspector General does not find credible under subsection (c) a complaint or information submitted to the Inspector General under subsection (b), or does not transmit the complaint or information to the head of the establishment in accurate form under subsection (c),

the employee (subject to paragraph (2)) may submit the complaint or information to Congress by contacting either or both of the intelligence committees directly.

"(2) LIMITATION.—The employee may contact the intelligence committees directly as described in paragraph (1) only if the employee—

"(A) before making such a contact, furnishes to the head of the establishment, through the Inspector General, a statement of the employee's complaint or information and notice of the employee's intent to contact the intelligence committees directly; and

"(B) obtains and follows from the head of the establishment, through the Inspector General, direction on how to contact the intelligence committees in accordance with appropriate security practices.

"(3) INTELLIGENCE COMMITTEE RECEIPT OF COMPLAINT OR INFORMATION.—A member or employee of one of the intelligence committees who receives a complaint or information under paragraph (1) does so in that member or employee's official capacity as a member or employee of that committee.

"(f) NOTIFICATION.—The Inspector General shall notify an employee who reports a complaint or information under this section of each action taken under this section with respect to the complaint or information. Such notice shall be provided not later than 3 days after any such action is taken.

"(g) NO JUDICIAL REVIEW.—An action taken by the head of an establishment or an Inspector General under subsections (b) through (f) shall not be subject to judicial review.

"(h) NOTICE OF SUBMISSION AND DATE.—An individual who has submitted a complaint or information to an Inspector General under this section may notify any member of the Permanent Select Committee on Intelligence of the House of Representatives or the Select Committee on Intelligence of the Senate, or a staff member of either such Committee, of the fact that such individual has made a submission to that particular Inspector General, and of the date on which such submission was made.

"§ 417. Special provisions concerning the Department of Homeland Security

"(a) IN GENERAL.—

"(1) AUTHORITY OF SECRETARY OF HOMELAND SECURITY OVER CERTAIN AUDITS AND INVESTIGATIONS.—Notwithstanding the 2d sentence and last

sentence of section 403(a) of this title, the Inspector General of the Department of Homeland Security shall be under the authority, direction, and control of the Secretary of Homeland Security with respect to audits or investigations, or the issuance of subpoenas, that require access to sensitive information concerning—

"(A) intelligence, counterintelligence, or counterterrorism matters;

"(B) ongoing criminal investigations or proceedings;

"(C) undercover operations;

"(D) the identity of confidential sources, including protected witnesses;

"(E) other matters the disclosure of which would, in the Secretary's judgment, constitute a serious threat to the protection of any person or property authorized protection by section 3056 of title 18, section 3056A of title 18, or any provision of the Presidential Protection Assistance Act of 1976 (18 U.S.C. 3056 note); or

"(F) other matters the disclosure of which would constitute a serious threat to national security.

1 "(2) AUTHORITY OF SECRETARY OF HOMELAND
2 SECURITY TO PROHIBIT CARRYING OUT OR COM-
3 PLETING AUDITS OR INVESTIGATIONS.—With re-
4 spect to the information described in paragraph (1),
5 the Secretary of Homeland Security may prohibit
6 the Inspector General of the Department of Home-
7 land Security from carrying out or completing any
8 audit or investigation, from accessing information
9 described in paragraph (1), or from issuing any sub-
10 poena, after such Inspector General has decided to
11 initiate, carry out, or complete such audit or inves-
12 tigation, access such information, or to issue such
13 subpoena, if the Secretary determines that such pro-
14 hibition is necessary to prevent the disclosure of any
15 information described in paragraph (1), to preserve
16 the national security, or to prevent a significant im-
17 pairment to the interests of the United States.
18 "(3) NOTIFICATION OF EXERCISE OF POWER.—
19 If the Secretary of Homeland Security exercises any
20 power under paragraph (1) or (2), the Secretary
21 shall notify the Inspector General of the Department
22 of Homeland Security in writing within 7 days, stat-
23 ing the reasons for such exercise. Within 30 days
24 after receipt of any such notice, the Inspector Gen-
25 eral shall transmit to the President of the Senate,

the Speaker of the House of Representatives, and appropriate committees and subcommittees of Congress the following—

"(A) a copy of such notice; and

"(B) a written response to such notice that includes a statement regarding whether the Inspector General agrees or disagrees with such exercise, and the reasons for any disagreement.

"(b) NOT A LIMITATION ON CONGRESSIONAL ACCESS TO INFORMATION.—The exercise of authority by the Secretary described in subsection (a)(2) should not be construed as limiting the right of Congress or any committee of Congress to access any information it seeks.

"(c) AUTHORITY OF INSPECTOR GENERAL TO INITIATE, CONDUCT, AND SUPERVISE AUDITS AND INVESTIGATIONS.—Subject to the conditions established in subsections (a) and (b), in carrying out the duties and responsibilities specified in this chapter, the Inspector General of the Department of Homeland Security may initiate, conduct, and supervise such audits and investigations in the Department of Homeland Security as the Inspector General considers appropriate.

"(d) REPORTS.—Any report required to be transmitted by the Secretary of Homeland Security to the appropriate committees or subcommittees of Congress under

1 section 405(e) of this title shall be transmitted, within the
2 7-day period specified in section 405(e) of this title, to
3 the President of the Senate, the Speaker of the House of
4 Representatives, and appropriate committees and sub-
5 committees of Congress.

6 ''(e) OVERSIGHT RESPONSIBILITY.—Notwith-
7 standing any other provision of law, in carrying out the
8 duties and responsibilities specified in this chapter, the In-
9 spector General of the Department of Homeland Security
10 shall have oversight responsibility for the internal inves-
11 tigations performed by the Office of Internal Affairs of
12 the United States Customs Service, the Office of Inspec-
13 tions of the United States Secret Service, the Bureau of
14 Border Security, and the Bureau of Citizenship and Immi-
15 gration Services. The head of each such office or bureau
16 shall promptly report to the Inspector General the signifi-
17 cant activities being carried out by such office or bureau.

18 ''(f) DESIGNATED SENIOR OFFICIAL.—

19 ''(1) IN GENERAL.—The Inspector General of
20 the Department of Homeland Security shall des-
21 ignate a senior official within the Office of Inspector
22 General, who shall be a career member of the civil
23 service at the equivalent to the GS–15 level or a ca-
24 reer member of the Senior Executive Service, to per-
25 form the functions described in paragraph (2).

"(2) FUNCTIONS.—The senior official designated under paragraph (1) shall—

"(A) coordinate the activities of the Office of Inspector General with respect to investigations of abuses of civil rights or civil liberties;

"(B) receive and review complaints and information from any source alleging abuses of civil rights and civil liberties by employees or officials of the Department and employees or officials of independent contractors or grantees of the Department;

"(C) initiate investigations of alleged abuses of civil rights or civil liberties by employees or officials of the Department and employees or officials of independent contractors or grantees of the Department;

"(D) ensure that personnel within the Office of Inspector General receive sufficient training to conduct effective civil rights and civil liberties investigations;

"(E) consult with the Officer for Civil Rights and Civil Liberties regarding—

"(i) alleged abuses of civil rights or civil liberties; and

"(ii) any policy recommendations regarding civil rights and civil liberties that may be founded upon an investigation by the Office of Inspector General;

"(F) provide the Officer for Civil Rights and Civil Liberties with information regarding the outcome of investigations of alleged abuses of civil rights and civil liberties;

"(G) refer civil rights and civil liberties matters that the Inspector General decides not to investigate to the Officer for Civil Rights and Civil Liberties;

"(H) ensure that the Office of the Inspector General publicizes and provides convenient public access to information regarding—

"(i) the procedure to file complaints or comments concerning civil rights and civil liberties matters; and

"(ii) the status of corrective actions taken by the Department in response to Office of the Inspector General reports; and

"(I) inform the Officer for Civil Rights and Civil Liberties of any weaknesses, problems,

and deficiencies within the Department relating to civil rights or civil liberties.

"§ 418. Rule of construction of special provisions

''The special provisions under section 408, 409, 410, 411, 412, 413, 414, 416, or 421 of this title relate only to the establishment named in such section and no inference shall be drawn from the presence or absence of a provision in any such section with respect to an establishment not named in such section or with respect to a designated Federal entity as defined under section 415(a) of this title.

"§ 419. Special provisions concerning overseas contingency operations

''(a) ADDITIONAL RESPONSIBILITIES OF CHAIR OF COUNCIL OF INSPECTORS GENERAL ON INTEGRITY AND EFFICIENCY.—The Chair of the Council of Inspectors General on Integrity and Efficiency (CIGIE) shall, in consultation with the members of the Council, have the additional responsibilities specified in subsection (b) with respect to the Inspectors General specified in subsection (c) upon the earlier of—

''(1) the commencement or designation of a military operation as an overseas contingency operation that exceeds 60 days; or

"(2) receipt of a notification under section 113(n) of title 10 with respect to an overseas contingency operation.

"(b) SPECIFIC RESPONSIBILITIES.—The responsibilities specified in this subsection are the following:

"(1) DESIGNATE LEAD INSPECTOR GENERAL.—In consultation with the Inspectors General specified in subsection (c), to designate a lead Inspector General in accordance with subsection (d) to discharge the authorities of the lead Inspector General for the overseas contingency operation concerned as set forth in subsection (d).

"(2) RESOLVE CONFLICTS OF JURISDICTION.—To resolve conflicts of jurisdiction among the Inspectors General specified in subsection (c) on investigations, inspections, and audits with respect to such contingency operation in accordance with subsection (d)(2)(B).

"(3) IDENTIFY OFFICE PERSONNEL.—To assist in identifying for the lead inspector general for such contingency operation, Inspectors General and inspector general office personnel available to assist the lead Inspector General and the other Inspectors General specified in subsection (c) on matters relating to such contingency operation.

"(c) INSPECTORS GENERAL.—The Inspectors General specified in this subsection are the Inspectors General as follows:

"(1) The Inspector General of the Department of Defense.

"(2) The Inspector General of the Department of State.

"(3) The Inspector General of the United States Agency for International Development.

"(d) LEAD INSPECTOR GENERAL FOR OVERSEAS CONTINGENCY OPERATION.—

"(1) DESIGNATION.—A lead Inspector General for an overseas contingency operation shall be designated by the Chair of the Council of Inspectors General on Integrity and Efficiency under subsection (b)(1) not later than 30 days after the earlier of—

"(A) the commencement or designation of the military operation concerned as an overeas contingency operation that exceeds 60 days; or

"(B) receipt of a notification under section 113(n) of title 10 with respect to an overseas contingency operation.

The lead Inspector General for a contingency operation shall be designated from among the Inspectors General specified in subsection (c).

"(2) RESPONSIBILITIES.—The lead Inspector General for an overseas contingency operation shall have the following responsibilities:

"(A) APPOINT ASSOCIATE INSPECTOR GENERAL.—To appoint, from among the offices of the other Inspectors General specified in subsection (c), an Inspector General to act as associate Inspector General for the contingency operation who shall act in a coordinating role to assist the lead Inspector General in the discharge of responsibilities under this subsection.

"(B) STRATEGIC PLAN TO CONDUCT COMPREHENSIVE OVERSIGHT.—To develop and carry out, in coordination with the offices of the other Inspectors General specified in subsection (c), a joint strategic plan to conduct comprehensive oversight over all aspects of the contingency operation and to ensure through either joint or individual audits, inspections, and investigations, independent and effective oversight of all programs and operations of the Federal Government in support of the contingency operation.

"(C) ACCURACY OF INFORMATION.—To review and ascertain the accuracy of information

provided by Federal agencies relating to obligations and expenditures, costs of programs and projects, accountability of funds, and the award and execution of major contracts, grants, and agreements in support of the contingency operation.

"(D) JURISDICTIONAL MATTERS.—

"(i) NO INSPECTOR GENERAL WITH PRINCIPAL JURISDICTION.—If none of the Inspectors General specified in subsection (c) has principal jurisdiction over a matter with respect to the contingency operation, to identify and coordinate with the Inspector General who has principal jurisdiction over the matter to ensure effective oversight.

"(ii) MORE THAN ONE INSPECTOR GENERAL WITH JURISDICTION.—If more than one of the Inspectors General specified in subsection (c) has jurisdiction over a matter with respect to the contingency operation, to determine principal jurisdiction for discharging oversight responsibilities in accordance with this chapter with respect to such matter.

1 "(iii) INVESTIGATIONS.—

2 "(I) REQUEST BY INSPECTOR GEN-
3 ERAL WITH PRINCIPAL JURISDICTION.—
4 Upon written request by the Inspector
5 General with principal jurisdiction over a
6 matter with respect to the contingency op-
7 eration, and with the approval of the lead
8 Inspector General, an Inspector General
9 specified in subsection (c) may provide in-
10 vestigative support or conduct an inde-
11 pendent investigation of an allegation of
12 criminal activity by any United States per-
13 sonnel, contractor, subcontractor, grantee,
14 or vendor in the applicable theater of oper-
15 ations.

16 "(II) NO INSPECTOR GENERAL WITH
17 PRINCIPAL JURISDICTION.—In the case of
18 a determination by the lead Inspector Gen-
19 eral that no Inspector General has prin-
20 cipal jurisdiction over a matter with re-
21 spect to the contingency operation, the
22 lead Inspector General may—

23 "(aa) conduct an independent in-
24 vestigation of an allegation described
25 in subclause (I); or

1 "(bb) request that an Inspector
2 General specified in subsection (c)
3 conduct such investigation.
4 "(E) PERSONNEL.—To employ, or author-
5 ize the employment by the other Inspectors
6 General specified in subsection (c), on a tem-
7 porary basis using the authorities in section
8 3161 of this title (without regard to subsection
9 (b)(2) of that section), such auditors, investiga-
10 tors, and other personnel as the lead Inspector
11 General considers appropriate to assist the lead
12 Inspector General and such other Inspectors
13 General on matters relating to the contingency
14 operation.
15 "(F) REPORT ON ACTIVITY.—To submit to
16 Congress on a bi-annual basis, and to make
17 available on an internet website available to the
18 public, a report on the activities of the lead In-
19 spector General and the other Inspectors Gen-
20 eral specified in subsection (c) with respect to
21 the contingency operation, including—
22 "(i) the status and results of inves-
23 tigations, inspections, and audits and of
24 referrals to the Department of Justice; and

"(ii) overall plans for the review of the contingency operation by inspectors general, including plans for investigations, inspections, and audits.

"(G) REPORT ON CONTINGENCY OPERATION.—To submit to Congress on a quarterly basis, and to make available on an Internet website available to the public, a report on the contingency operation.

"(H) OTHER RESPONSIBILITIES.—To carry out such other responsibilities relating to the coordination and efficient and effective discharge by the Inspectors General specified in subsection (c) of duties relating to the contingency operation as the lead Inspector General shall specify.

"(I) ENHANCING COOPERATION.—To enhance cooperation among Inspectors General and encourage comprehensive oversight of the contingency operation, any Inspector General responsible for conducting oversight of any program or operation performed in support of the contingency operation may, to the maximum extent practicable and consistent with the duties,

responsibilities, policies, and procedures of that Inspector General—

"(i) coordinate such oversight activities with the lead Inspector General; and

"(ii) provide information requested by the lead Inspector General relating to the responsibilities of the lead Inspector General described in subparagraphs (B), (C), and (G).

"(3) EMPLOYMENT OF ANNUITANTS.—

"(A) IN GENERAL.—The lead Inspector General for an overseas contingency operation may employ, or authorize the employment by the other Inspectors General specified in subsection (c) of, annuitants covered by section 9902(g) of this title, for purposes of assisting the lead Inspector General in discharging responsibilities under this subsection with respect to the contingency operation.

"(B) DEEMED DEPARTMENT OF DEFENSE.—The employment of annuitants under this paragraph shall be subject to the provisions of section 9902(g) of this title as if the lead Inspector General concerned was the Department of Defense.

"(C) FOREIGN SERVICE ANNUITANTS.—

"(i) CONTINUANCE OF ANNUITY.—An annuitant receiving an annuity under the Foreign Service Retirement and Disability System or the Foreign Service Pension System under chapter 8 of title I of the Foreign Service Act of 1980 (22 U.S.C. 4041 et seq.) who is reemployed under this subsection—

"(I) shall continue to receive the annuity; and

"(II) shall not be considered a participant for purposes of chapter 8 of title I of the Foreign Service Act of 1980 (22 U.S.C. 4041 et seq.) or an employee for purposes of subchapter III of chapter 83 or chapter 84 of this title.

"(ii) ELECTION REGARDING REEMPLOYMENT.—An annuitant described in clause (i) may elect in writing for the reemployment of the annuitant under this subsection to be subject to section 824 of the Foreign Service Act of 1980 (22 U.S.C. 4064). A reemployed annuitant

shall make an election under this clause not later than 90 days after the date of the reemployment of the annuitant.

"(4) DISCHARGE OF RESPONSIBILITIES IN ACCORDANCE WITH CHAPTER.—The lead Inspector General for an overseas contingency operation shall discharge the responsibilities for the contingency operation under this subsection in a manner consistent with the authorities and requirements of this chapter generally and the authorities and requirements applicable to the Inspectors General specified in subsection (c) under this chapter.

"(5) CCOMPETITIVE STATUS FOR APPOINTMENT.—

"(A) IN GENERAL.—A person employed by a lead Inspector General for an overseas contingency operation under this section shall acquire competitive status for appointment to any position in the competitive service for which the employee possesses the required qualifications upon the completion of 2 years of continuous service as an employee under this section.

"(B) LIMITATION.—No person who is first employed as described in subparagraph (A) more than 2 years after December 19, 2019,

may acquire competitive status under subparagraph (A).

"(e) SUNSET FOR PARTICULAR CONTINGENCY OPERATIONS.—The requirements and authorities of this section with respect to an overseas contingency operation shall cease at the end of the first fiscal year after the commencement or designation of the contingency operation in which the total amount appropriated for the contingency operation is less than $100,000,000.

"(f) CONSTRUCTION OF AUTHORITY.—Nothing in this section shall be construed to limit the ability of the Inspectors General specified in subsection (c) to enter into agreements to conduct joint audits, inspections, or investigations in the exercise of their oversight responsibilities in accordance with this chapter with respect to overseas contingency operations.

"§ 420. Information on websites of Offices of Inspectors General

"(a) DIRECT LINKS TO INSPECTORS GENERAL OFFICES.—

"(1) IN GENERAL.—Each Federal agency and designated Federal entity shall establish and maintain on the homepage of the website of that Federal agency or designated Federal entity, a direct link to

the website of the Office of the Inspector General of that Federal agency or designated Federal entity.

"(2) ACCESSIBILITY.—The direct link under paragraph (1) shall be obvious and facilitate accessibility to the website of the Office of the Inspector General.

"(b) REQUIREMENTS FOR INSPECTORS GENERAL WEBSITES.—

"(1) POSTING OF REPORTS AND AUDITS.—The Inspector General of each Federal agency and designated Federal entity shall—

"(A) not later than 3 days after any audit report, inspection report, or evaluation report (or portion of any such report) is submitted in final form to the head of the Federal agency or the head of the designated Federal entity, as applicable, post that report (or portion of that report) on the website of the Office of Inspector General; and

"(B) ensure that any posted report (or portion of that report) described under subparagraph (A)—

"(i) is easily accessible from a direct link on the homepage of the website of the Office of the Inspector General;

"(ii) includes a summary of the findings of the Inspector General; and

"(iii) is in a format that—

"(I) is searchable and downloadable; and

"(II) facilitates printing by individuals of the public accessing the website.

"(2) REPORTING OF FRAUD, WASTE, AND ABUSE.—

"(A) IN GENERAL.—The Inspector General of each Federal agency and designated Federal entity shall establish and maintain a direct link on the homepage of the website of the Office of the Inspector General for individuals to report fraud, waste, and abuse. Individuals reporting fraud, waste, or abuse using the direct link established under this paragraph shall not be required to provide personally identifying information relating to that individual.

"(B) ANONYMITY.—The Inspector General of each Federal agency and designated Federal entity shall not disclose the identity of any individual making a report under this paragraph without the consent of the individual unless the

Inspector General determines that such a disclosure is unavoidable during the course of the investigation.

"(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed as authorizing an Inspector General to publicly disclose information otherwise prohibited from disclosure by law.

"(c) DEFINITIONS.—In this section, the terms 'designated Federal entity' and 'head of the designated Federal entity' have the meanings given those terms in section 415(a) of this title.

"§ 421. Additional provisions with respect to the Department of Energy

"(a) AUTHORITY TO PROHIBIT ACCESS TO CERTAIN MATERIALS.—The Secretary of Energy may prohibit the Inspector General of the Department of Energy from accessing Restricted Data and nuclear safeguards information protected from disclosure under chapter 12 of the Atomic Energy Act of 1954 (42 U.S.C. 2161 et seq.) and intelligence or counterintelligence, as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003), if the Secretary of Energy determines that the prohibition is necessary to protect the national security or prevent the significant impairment to the national security interests of the United States.

"(b) NOTIFICATION TO INSPECTOR GENERAL AND STATEMENT TO CONGRESS.—Not later than 7 days after the date on which the Secretary of Energy exercises any power authorized under subsection (a), the Secretary shall notify the Inspector General of the Department of Energy in writing of the reasons for such exercise. Within 30 days after receipt of any such notice, the Inspector General of the Department of Energy shall submit to the appropriate committees of Congress a statement concerning such exercise.

"§ 422. Transfer of functions

"(a) IN GENERAL.—There shall be transferred—

"(1) to the Office of Inspector General—

"(A) of the Department of Agriculture, the offices of that department referred to as the 'Office of Investigation' and the 'Office of Audit';

"(B) of the Department of Commerce, the offices of that department referred to as the 'Office of Audits' and the 'Investigations and Inspections Staff' and that portion of the office referred to as the 'Office of Investigations and Security' which has responsibility for investigation of alleged criminal violations and program abuse;

"(C) of the Department of Defense, the offices of that department referred to as the 'Defense Audit Service' and the 'Office of Inspector General, Defense Logistics Agency', and that portion of the office of that department referred to as the 'Defense Investigative Service' which has responsibility for the investigation of alleged criminal violations;

"(D) of the Department of Education, all functions of the Inspector General of Health, Education, and Welfare or of the Office of Inspector General of Health, Education, and Welfare relating to functions transferred by section 301 of the Department of Education Organization Act (20 U.S.C. 3441);

"(E) of the Department of Energy, the Office of Inspector General (as established by section 208 of the Department of Energy Organization Act);

"(F) of the Department of Health and Human Services, the Office of Inspector General (as established by title II of Public Law 94–505);

"(G) of the Department of Housing and Urban Development, the office of that depart-

1 ment referred to as the 'Office of Inspector
2 General';
3 "(H) of the Department of the Interior,
4 the office of that department referred to as the
5 'Office of Audit and Investigation';
6 "(I) of the Department of Justice—
7 "(i) the offices of that Department re-
8 ferred to as—
9 "(I) the 'Audit Staff, Justice
10 Management Division';
11 "(II) the 'Policy and Procedures
12 Branch, Office of the Comptroller,
13 Immigration and Naturalization Serv-
14 ice', the 'Office of Professional Re-
15 sponsibility, Immigration and Natu-
16 ralization Service', and the 'Office of
17 Program Inspections, Immigration
18 and Naturalization Service';
19 "(III) the 'Office of Internal In-
20 spection, United States Marshals
21 Service'; and
22 "(IV) the 'Financial Audit Sec-
23 tion, Office of Financial Management,
24 Bureau of Prisons' and the 'Office of
25 Inspections, Bureau of Prisons'; and

"(ii) from the Drug Enforcement Administration, that portion of the 'Office of Inspections' which is engaged in internal audit activities, and that portion of the 'Office of Planning and Evaluation' which is engaged in program review activities;

"(J) of the Department of Labor, the office of that department referred to as the 'Office of Special Investigations';

"(K) of the Department of Transportation, the offices of that department referred to as the 'Office of Investigations and Security' and the 'Office of Audit' of the Department, the 'Offices of Investigations and Security, Federal Aviation Administration', and 'External Audit Divisions, Federal Aviation Administration', the 'Investigations Division and the External Audit Division of the Office of Program Review and Investigation, Federal Highway Administration', and the 'Office of Program Audits, Federal Transit Administration';

"(L)(i) of the Department of the Treasury, the office of that department referred to as the 'Office of Inspector General', and, notwithstanding any other provision of law, that por-

tion of each of the offices of that department referred to as the 'Office of Internal Affairs, Tax and Trade Bureau', the 'Office of Internal Affairs, United States Customs Service', and the 'Office of Inspections, United States Secret Service' which is engaged in internal audit activities; and

''(ii) of the Treasury Inspector General for Tax Administration, effective 180 days after July 22, 1998, the Office of Chief Inspector of the Internal Revenue Service;

''(M) of the Environmental Protection Agency, the offices of that agency referred to as the 'Office of Audit' and the 'Security and Inspection Division';

''(N) of the Federal Emergency Management Agency, the office of that agency referred to as the 'Office of Inspector General';

''(O) of the General Services Administration, the offices of that agency referred to as the 'Office of Audits' and the 'Office of Investigations';

''(P) of the National Aeronautics and Space Administration, the offices of that agency

referred to as the 'Management Audit Office' and the 'Office of Inspections and Security';

"(Q) of the Nuclear Regulatory Commission, the office of that commission referred to as the 'Office of Inspector and Auditor';

"(R) of the Office of Personnel Management, the offices of that agency referred to as the 'Office of Inspector General', the 'Insurance Audits Division, Retirement and Insurance Group', and the 'Analysis and Evaluation Division, Administration Group';

"(S) of the Railroad Retirement Board, the Office of Inspector General (as established by section 23 of the Railroad Retirement Act of 1974);

"(T) of the Small Business Administration, the office of that agency referred to as the 'Office of Audits and Investigations';

"(U) of the Department of Veterans Affairs, the offices of that department referred to as the 'Office of Audits' and the 'Office of Investigations';

"(V) of the Corporation for National and Community Service, the Office of Inspector General of ACTION; and

"(W) of the Social Security Administration, the functions of the Inspector General of the Department of Health and Human Services which are transferred to the Social Security Administration by the Social Security Independence and Program Improvements Act of 1994 (other than functions performed pursuant to section 105(a)(2) of such Act), except that such transfers shall be made in accordance with the provisions of such Act and shall not be subject to subsections (b) through (d) of this section; and

"(2) to the Office of the Inspector General, such other offices or agencies, or functions, powers, or duties thereof, as the head of the establishment involved may determine are properly related to the functions of the Office and would, if so transferred, further the purposes of this chapter,

except that there shall not be transferred to an Inspector General under paragraph (2) program operating responsibilities.

"(b) RELATED TRANSFERS.—The personnel, assets, liabilities, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds employed, held, used, arising from, avail-

able or to be made available, of any office or agency the functions, powers, and duties of which are transferred under subsection (a) are hereby transferred to the applicable Office of Inspector General.

''(c) PERSONNEL.—Personnel transferred pursuant to subsection (b) shall be transferred in accordance with applicable laws and regulations relating to the transfer of functions except that the classification and compensation of such personnel shall not be reduced for one year after such transfer.

''(d) LAPSE OF OFFICE OR AGENCY AND COMPENSATION FOR TRANSFERRED POSITIONS WITH COMPARABLE DUTIES.—In any case in which all the functions, powers, and duties of any office or agency are transferred pursuant to this subsection, such office or agency shall lapse. Any person who, on October 1, 1978, held a position compensated in accordance with the General Schedule, and who, without a break in service, is appointed in an Office of Inspector General to a position having duties comparable to those performed immediately preceding such appointment shall continue to be compensated in the new position at not less than the rate provided for the previous position, for the duration of service in the new position.

"§ 423. Pay of Inspectors General

''(a) CERTAIN INSPECTORS GENERAL.—

"(1) IN GENERAL.—Notwithstanding any other provision of law, the annual rate of basic pay of the Inspector General of the Intelligence Community, the Inspector General of the Central Intelligence Agency, and the Special Inspector General for Afghanistan Reconstruction shall be that of an Inspector General as defined under section 401 of this title.

"(2) PROHIBITION OF CASH BONUS OR AWARDS.—Section 403(f) of this title shall apply to the Inspectors General described under paragraph (1).

"(b) INSPECTORS GENERAL OF DESIGNATED FEDERAL ENTITIES.—Notwithstanding any other provision of law, the Inspector General of each designated Federal entity (as those terms are defined under section 415(a) of this title) shall, for pay and all other purposes, be classified at a grade, level, or rank designation, as the case may be, at or above those of a majority of the senior level executives of that designated Federal entity (such as a General Counsel, Chief Information Officer, Chief Financial Officer, Chief Human Capital Officer, or Chief Acquisition Officer). The pay of an Inspector General of a designated Federal entity (as those terms are defined under section 415(a) of this title) shall be not less than the average total

compensation (including bonuses) of the senior level executives of that designated Federal entity calculated on an annual basis.

"(c) SAVINGS PROVISION FOR NEWLY APPOINTED INSPECTORS GENERAL.—

"(1) IN GENERAL.—The provisions of section 3392 of this title, other than the terms 'performance awards' and 'awarding of ranks' in subsection (c)(1) of that section, shall apply to career appointees of the Senior Executive Service who are appointed to the position of Inspector General.

"(2) NONREDUCTION IN PAY.—Notwithstanding any other provision of law, career Federal employees serving on an appointment made pursuant to statutory authority found other than in section 3392 of this title shall not suffer a reduction in pay, not including any bonus or performance award, as a result of being appointed to the position of Inspector General.

"§ 424. Establishment of the Council of the Inspectors General on Integrity and Efficiency

"(a) ESTABLISHMENT AND MISSION.—

"(1) ESTABLISHMENT.—There is established as an independent entity within the executive branch the Council of the Inspectors General on Integrity

and Efficiency (in this section referred to as the 'Council').

"(2) MISSION.—The mission of the Council shall be to—

"(A) address integrity, economy, and effectiveness issues that transcend individual Government agencies; and

"(B) increase the professionalism and effectiveness of personnel by developing policies, standards, and approaches to aid in the establishment of a well-trained and highly skilled workforce in the offices of the Inspectors General.

"(b) MEMBERSHIP.—

"(1) IN GENERAL.—The Council shall consist of the following members:

"(A) All Inspectors General whose offices are established under—

"(i) section 402 of this title; or

"(ii) section 415 of this title.

"(B) The Inspectors General of the Intelligence Community and the Central Intelligence Agency.

"(C) The Controller of the Office of Federal Financial Management.

"(D) A senior level official of the Federal Bureau of Investigation designated by the Director of the Federal Bureau of Investigation.

"(E) The Director of the Office of Government Ethics.

"(F) The Special Counsel of the Office of Special Counsel.

"(G) The Deputy Director of the Office of Personnel Management.

"(H) The Deputy Director for Management of the Office of Management and Budget.

"(I) The Inspectors General of the Library of Congress, Capitol Police, Government Publishing Office, Government Accountability Office, and the Architect of the Capitol.

"(2) CHAIRPERSON AND EXECUTIVE CHAIRPERSON.—

"(A) EXECUTIVE CHAIRPERSON.—The Deputy Director for Management of the Office of Management and Budget shall be the Executive Chairperson of the Council.

"(B) CHAIRPERSON.—The Council shall elect 1 of the Inspectors General referred to in paragraph (1)(A) or (B) to act as Chairperson

of the Council. The term of office of the Chairperson shall be 2 years.

"(3) FUNCTIONS OF CHAIRPERSON AND EXECUTIVE CHAIRPERSON.—

"(A) EXECUTIVE CHAIRPERSON.—The Executive Chairperson shall—

"(i) preside over meetings of the Council;

"(ii) provide to the heads of agencies and entities represented on the Council summary reports of the activities of the Council; and

"(iii) provide to the Council such information relating to the agencies and entities represented on the Council as assists the Council in performing its functions.

"(B) CHAIRPERSON.—The Chairperson shall—

"(i) convene meetings of the Council—

"(I) at least 6 times each year;

"(II) monthly to the extent possible; and

"(III) more frequently at the discretion of the Chairperson;

"(ii) carry out the functions and duties of the Council under subsection (c);

"(iii) appoint a Vice Chairperson to assist in carrying out the functions of the Council and act in the absence of the Chairperson, from a category of Inspectors General described in subparagraph (A)(i), (A)(ii), or (B) of paragraph (1), other than the category from which the Chairperson was elected;

"(iv) make such payments from funds otherwise available to the Council as may be necessary to carry out the functions of the Council;

"(v) select, appoint, and employ personnel as needed to carry out the functions of the Council subject to the provisions of this title governing appointments in the competitive service, and the provisions of chapter 51 and subchapter III of chapter 53 of this title, relating to classification and General Schedule pay rates;

"(vi) to the extent and in such amounts as may be provided in advance by appropriations Acts, made available from

the revolving fund established under subsection (c)(3)(B), or as otherwise provided by law, enter into contracts and other arrangements with public agencies and private persons to carry out the functions and duties of the Council;

"(vii) establish, in consultation with the members of the Council, such committees as determined by the Chairperson to be necessary and appropriate for the efficient conduct of Council functions; and

"(viii) prepare and transmit an annual report on behalf of the Council on the activities of the Council to—

"(I) the President;

"(II) the appropriate committees of jurisdiction of the Senate and the House of Representatives;

"(III) the Committee on Homeland Security and Governmental Affairs of the Senate; and

"(IV) the Committee on Oversight and Reform of the House of Representatives.

"(c) FUNCTIONS AND DUTIES OF COUNCIL.—

"(1) IN GENERAL.—The Council shall—

"(A) continually identify, review, and discuss areas of weakness and vulnerability in Federal programs and operations with respect to fraud, waste, and abuse;

"(B) develop plans for coordinated, Governmentwide activities that address these problems and promote economy and efficiency in Federal programs and operations, including interagency and interentity audit, investigation, inspection, and evaluation programs and projects to deal efficiently and effectively with those problems concerning fraud and waste that exceed the capability or jurisdiction of an individual agency or entity;

"(C) develop policies that will aid in the maintenance of a corps of well-trained and highly skilled Office of Inspector General personnel;

"(D) maintain an Internet website and other electronic systems for the benefit of all Inspectors General, as the Council determines are necessary or desirable;

"(E) maintain 1 or more academies as the Council considers desirable for the professional

training of auditors, investigators, inspectors, evaluators, and other personnel of the various offices of Inspector General;

"(F) submit recommendations of individuals to the appropriate appointing authority for any appointment to an office of Inspector General described under subsection (b)(1)(A) or (B);

"(G) make such reports to Congress as the Chairperson determines are necessary or appropriate;

"(H) except for matters coordinated among Inspectors General under section 103H of the National Security Act of 1947 (50 U.S.C. 3033), receive, review, and mediate any disputes submitted in writing to the Council by an Office of Inspector General regarding an audit, investigation, inspection, evaluation, or project that involves the jurisdiction of more than one Office of Inspector General; and

"(I) perform other duties within the authority and jurisdiction of the Council, as appropriate.

"(2) ADHERENCE AND PARTICIPATION BY MEMBERS.—To the extent permitted under law, and to

the extent not inconsistent with standards established by the Comptroller General of the United States for audits of Federal establishments, organizations, programs, activities, and functions, each member of the Council, as appropriate, shall—

"(A) adhere to professional standards developed by the Council; and

"(B) participate in the plans, programs, and projects of the Council, except that in the case of a member described under subsection (b)(1)(I), the member shall participate only to the extent requested by the member and approved by the Executive Chairperson and Chairperson.

"(3) ADDITIONAL ADMINISTRATIVE AUTHORITIES.—

"(A) INTERAGENCY FUNDING.—Notwithstanding section 1532 of title 31, or any other provision of law prohibiting the interagency funding of activities described under subclause (I), (II), or (III) of clause (i), in the performance of the responsibilities, authorities, and duties of the Council—

"(i) the Executive Chairperson may authorize the use of interagency funding for—

"(I) Governmentwide training of employees of the Offices of the Inspectors General;

"(II) the functions of the Integrity Committee of the Council; and

"(III) any other authorized purpose determined by the Council; and

"(ii) upon the authorization of the Executive Chairperson, any Federal agency or designated Federal entity (as defined in section 415(a) of this title) which has a member on the Council shall fund or participate in the funding of such activities.

"(B) REVOLVING FUND.—

"(i) IN GENERAL.—The Council may—

"(I) establish in the Treasury of the United States a revolving fund to be called the Inspectors General Council Fund; or

"(II) enter into an arrangement with a department or agency to use an existing revolving fund.

"(ii) AMOUNTS IN REVOLVING FUND.—

"(I) IN GENERAL.—Amounts transferred to the Council under this subsection shall be deposited in the revolving fund described under clause (i)(I) or (II).

"(II) TRAINING.—Any remaining unexpended balances appropriated for or otherwise available to the Inspectors General Criminal Investigator Academy and the Inspectors General Auditor Training Institute shall be transferred to the revolving fund described under clause (i)(I) or (II).

"(iii) USE OF REVOLVING FUND.—

"(I) IN GENERAL.—Except as provided under subclause (II), amounts in the revolving fund described under clause (i)(I) or (II) may be used to carry out the functions and

duties of the Council under this subsection.

"(II) TRAINING.—Amounts transferred into the revolving fund described under clause (i)(I) or (II) may be used for the purpose of maintaining any training academy as determined by the Council.

"(iv) AVAILABILITY OF FUNDS.—Amounts in the revolving fund described under clause (i)(I) or (II) shall remain available to the Council without fiscal year limitation.

"(C) SUPERSEDING PROVISIONS.—No provision of law enacted after October 14, 2008, shall be construed to limit or supersede any authority under subparagraph (A) or (B), unless such provision makes specific reference to the authority in that subparagraph.

"(4) EXISTING AUTHORITIES AND RESPONSIBILITIES.—The establishment and operation of the Council shall not affect—

"(A) the role of the Department of Justice in law enforcement and litigation;

"(B) the authority or responsibilities of any Government agency or entity; and

"(C) the authority or responsibilities of individual members of the Council.

"(5) ADDITIONAL RESPONSIBILITIES RELATING TO WHISTLEBLOWER PROTECTION.—The Council shall—

"(A) facilitate the work of the Whistleblower Protection Coordinators designated under section 403(d)(1)(C) of this title; and

"(B) in consultation with the Office of Special Counsel and Whistleblower Protection Coordinators from the member offices of the Inspector General, develop best practices for coordination and communication in promoting the timely and appropriate handling and consideration of protected disclosures, allegations of reprisal, and general matters regarding the implementation and administration of whistleblower protection laws, in accordance with Federal law.

"(d) INTEGRITY COMMITTEE.—

"(1) ESTABLISHMENT.—The Council shall have an Integrity Committee, which shall receive, review, and refer for investigation allegations of wrongdoing that are made against Inspectors General and staff

members of the various Offices of Inspector General described under paragraph (4)(C).

"(2) MEMBERSHIP.—

"(A) IN GENERAL.—The Integrity Committee shall consist of the following members:

"(i) The official of the Federal Bureau of Investigation serving on the Council.

"(ii) Four Inspectors General described in subparagraph (A) or (B) of subsection (b)(1) appointed by the Chairperson of the Council, representing both establishments and designated Federal entities (as that term is defined in section 415(a) of this title).

"(iii) The Director of the Office of Government Ethics or the designee of the Director.

"(B) CHAIRPERSON.—

"(i) IN GENERAL.—The Integrity Committee shall elect one of the Inspectors General referred to in subparagraph (A)(ii) to act as Chairperson of the Integrity Committee.

"(ii) TERM.—The term of office of the Chairperson of the Integrity Committee shall be 2 years.

"(3) LEGAL ADVISOR.—The Chief of the Public Integrity Section of the Criminal Division of the Department of Justice, or the Chief's designee, shall serve as a legal advisor to the Integrity Committee.

"(4) REFERRAL OF ALLEGATIONS.—

"(A) DEFINITION OF STAFF MEMBER.—In this paragraph, the term 'staff member' means any employee of an Office of Inspector General who—

"(i) reports directly to an Inspector General; or

"(ii) is designated by an Inspector General under subparagraph (C).

"(B) REQUIREMENT.—An Inspector General shall refer to the Integrity Committee any allegation of wrongdoing against a staff member of the office of that Inspector General, if—

"(i) review of the substance of the allegation cannot be assigned to an agency of the executive branch with appropriate jurisdiction over the matter; and

"(ii) the Inspector General determines that—

"(I) an objective internal investigation of the allegation is not feasible; or

"(II) an internal investigation of the allegation may appear not to be objective.

"(C) DESIGNATION OF STAFF MEMBERS.—Each Inspector General shall annually submit to the Chairperson of the Integrity Committee a designation of positions whose holders are staff members for purposes of subparagraph (A).

"(5) REVIEW OF ALLEGATIONS.—

"(A) IN GENERAL.—Not later than 7 days after the date on which the Integrity Committee receives an allegation of wrongdoing against an Inspector General or against a staff member of an Office of Inspector General described under paragraph (4)(C), the allegation of wrongdoing shall be reviewed and referred to the Department of Justice or the Office of Special Counsel for investigation, or to the Integrity Committee for review, as appropriate, by—

"(i) a representative of the Department of Justice, as designated by the Attorney General;

"(ii) a representative of the Office of Special Counsel, as designated by the Special Counsel; and

"(iii) a representative of the Integrity Committee, as designated by the Chairperson of the Integrity Committee.

"(B) REFERRAL TO THE CHAIRPERSON.—

"(i) IN GENERAL.—Except as provided in clause (ii), not later than 30 days after the date on which an allegation of wrongdoing is referred to the Integrity Committee under subparagraph (A), the Integrity Committee shall determine whether to refer the allegation of wrongdoing to the Chairperson of the Integrity Committee to initiate an investigation.

"(ii) EXTENSION.—The 30-day period described in clause (i) may be extended for an additional period of 30 days if the Integrity Committee provides written notice to the congressional committees described in paragraph (8)(A)(iii) that includes a de-

tailed, case-specific description of why the additional time is needed to evaluate the allegation of wrongdoing.

"(6) AUTHORITY TO INVESTIGATE ALLEGATIONS.—

"(A) REQUIREMENT.—The Chairperson of the Integrity Committee shall cause a thorough and timely investigation of each allegation referred under paragraph (5)(B) to be conducted in accordance with this paragraph.

"(B) RESOURCES.—At the request of the Chairperson of the Integrity Committee, the head of each agency or entity represented on the Council—

"(i) shall provide assistance necessary to the Integrity Committee; and

"(ii) may detail employees from that agency or entity to the Integrity Committee, subject to the control and direction of the Chairperson, to conduct an investigation under this subsection.

"(7) PROCEDURES FOR INVESTIGATIONS.—

"(A) STANDARDS APPLICABLE.—Investigations initiated under this subsection shall be conducted in accordance with the most current

Quality Standards for Investigations issued by the Council or by its predecessors (the President's Council on Integrity and Efficiency and the Executive Council on Integrity and Efficiency).

"(B) ADDITIONAL POLICIES AND PROCEDURES.—

"(i) ESTABLISHMENT.—The Integrity Committee, in conjunction with the Chairperson of the Council, shall establish additional policies and procedures necessary to ensure fairness and consistency in—

"(I) determining whether to initiate an investigation;

"(II) conducting investigations;

"(III) reporting the results of an investigation;

"(IV) providing the person who is the subject of an investigation with an opportunity to respond to any Integrity Committee report;

"(V) except as provided in clause (ii), ensuring, to the extent possible, that investigations are conducted by

Offices of Inspector General of similar size;

"(VI) creating a process for rotation of Inspectors General assigned to investigate allegations through the Integrity Committee; and

"(VII) creating procedures to avoid conflicts of interest for Integrity Committee investigations.

"(ii) EXCEPTION.—The requirement under clause (i)(V) shall not apply to any Office of Inspector General with less than 50 employees who are authorized to conduct audits or investigations.

"(iii) SUBMISSION TO CONGRESS.—The Council shall submit a copy of the policies and procedures established under clause (i) to the congressional committees of jurisdiction.

"(C) COMPLETION OF INVESTIGATION.—If an allegation of wrongdoing is referred to the Chairperson of the Integrity Committee under paragraph (5)(B), the Chairperson of the Integrity Committee—

"(i) shall complete the investigation not later than 150 days after the date on which the Integrity Committee made the referral; and

"(ii) if the investigation cannot be completed within the 150-day period described in clause (i), shall—

"(I) promptly notify the congressional committees described in paragraph (8)(A)(iii); and

"(II) brief the congressional committees described in paragraph (8)(A)(iii) every 30 days regarding the status of the investigation and the general reasons for delay until the investigation is complete.

"(D) CONCURRENT INVESTIGATION.—If an allegation of wrongdoing against an Inspector General or a staff member of an Office of Inspector General described under paragraph (4)(C) is referred to the Department of Justice or the Office of Special Counsel under paragraph (5)(A), the Chairperson of the Integrity Committee may conduct any related investigation referred to the Chairperson under para-

graph (5)(B) concurrently with the Department of Justice or the Office of Special Counsel, as applicable.

"(E) REPORTS.—

"(i) INTEGRITY COMMITTEE INVESTIGATIONS.—For each investigation of an allegation of wrongdoing referred to the Chairperson of the Integrity Committee under paragraph (5)(B), the Chairperson of the Integrity Committee shall submit to members of the Integrity Committee and to the Chairperson of the Council a report containing the results of the investigation.

"(ii) OTHER INVESTIGATIONS.—For each allegation of wrongdoing referred to the Department of Justice or the Office of Special Counsel under paragraph (5)(A), the Attorney General or the Special Counsel, as applicable, shall submit to the Integrity Committee a report containing the results of the investigation.

"(iii) AVAILABILITY TO CONGRESS.—

"(I) IN GENERAL.—The congressional committees described in paragraph (8)(A)(iii) shall have access to

any report authored by the Integrity Committee.

"(II) MEMBERS OF CONGRESS.—Subject to any other provision of law that would otherwise prohibit disclosure of such information, the Integrity Committee may provide any report authored by the Integrity Committee to any Member of Congress.

"(8) ASSESSMENT AND FINAL DISPOSITION.—

"(A) IN GENERAL.—With respect to any report received under paragraph (7)(E), the Integrity Committee shall—

"(i) assess the report;

"(ii) forward the report, with the recommendations of the Integrity Committee, including those on disciplinary action, within 30 days (to the maximum extent practicable) after the completion of the investigation, to the Executive Chairperson of the Council and to the President (in the case of a report relating to an Inspector General of an establishment or any employee of that Inspector General) or the head of a designated Federal entity (in the

case of a report relating to an Inspector General of such an entity or any employee of that Inspector General) for resolution;

"(iii) submit the report, with the recommendations of the Integrity Committee, to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Reform of the House of Representatives, and other congressional committees of jurisdiction; and

"(iv) following the submission of the report under clause (iii) and upon request by any Member of Congress, submit the report, with the recommendations of the Integrity Committee, to that Member.

"(B) DISPOSITION.—The Executive Chairperson of the Council shall report to the Integrity Committee the final disposition of the matter, including what action was taken by the President or agency head.

"(9) ANNUAL REPORT.—The Council shall submit to Congress and the President by December 31 of each year a report on the activities of the Integ-

rity Committee during the preceding fiscal year, which shall include the following:

"(A) The number of allegations received.

"(B) The number of allegations referred to the Department of Justice or the Office of Special Counsel, including the number of allegations referred for criminal investigation.

"(C) The number of allegations referred to the Chairperson of the Integrity Committee for investigation.

"(D) The number of allegations closed without referral.

"(E) The date each allegation was received and the date each allegation was finally disposed of.

"(F) In the case of allegations referred to the Chairperson of the Integrity Committee, a summary of the status of the investigation of the allegations and, in the case of investigations completed during the preceding fiscal year, a summary of the findings of the investigations.

"(G) Other matters that the Council considers appropriate.

"(10) REQUESTS FOR MORE INFORMATION.—With respect to paragraphs (8) and (9), the Council

shall provide more detailed information about specific allegations upon request from any Member of Congress.

"(11) NO RIGHT OR BENEFIT.—This subsection is not intended to create any right or benefit, substantive or procedural, enforceable at law by a person against the United States, its agencies, its officers, or any person.

"(12) ALLEGATIONS OF WRONGDOING AGAINST SPECIAL COUNSEL OR DEPUTY SPECIAL COUNSEL.—

"(A) SPECIAL COUNSEL DEFINED.—In this paragraph, the term 'Special Counsel' means the Special Counsel appointed under section 1211(b) of title 5.

"(B) AUTHORITY OF INTEGRITY COMMITTEE.—

"(i) IN GENERAL.—An allegation of wrongdoing against the Special Counsel or the Deputy Special Counsel may be received, reviewed, and referred for investigation to the same extent and in the same manner as in the case of an allegation against an Inspector General or against a staff member of an Office of Inspector General described under paragraph (4)(C),

subject to the requirement that the representative designated by the Special Counsel under paragraph (5)(A)(ii) shall recuse himself or herself from the consideration of any allegation brought under this paragraph.

"(ii) COORDINATION WITH EXISTING PROVISIONS OF LAW.—This paragraph shall not eliminate access to the Merit Systems Protection Board for review under section 7701 of title 5. To the extent that an allegation brought under this paragraph involves section 2302(b)(8) of title 5, a failure to obtain corrective action within 120 days after the date on which the allegation is received by the Integrity Committee shall, for purposes of section 1221 of title 5, be considered to satisfy section 1214(a)(3)(B) of title 5.

"(C) REGULATIONS.—The Integrity Committee may prescribe any rules or regulations necessary to carry out this paragraph, subject to such consultation or other requirements as may otherwise apply.

"(13) COMMITTEE RECORDS.—The Chairperson of the Council shall maintain the records of the Integrity Committee.

"(e) OVERSIGHT.GOV.—

"(1) DEFINITION.—In this subsection, the term 'Office of Inspector General' means the Office of—

"(A) an Inspector General described in subparagraph (A), (B), or (I) of subsection (b)(1);

"(B) the Special Inspector General for Afghanistan Reconstruction established under section 1229 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 378);

"(C) the Special Inspector General for the Troubled Asset Relief Program established under section 121 of title I of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5231); and

"(D) the Special Inspector General for Pandemic Recovery established under section 4018 of the Coronavirus Economic Stabilization Act of 2020 (15 U.S.C. 9053).

"(2) ESTABLISHMENT.—The Council shall establish and maintain a website entitled 'oversight.gov'—

"(A) to consolidate all public reports from each Office of Inspector General to improve the access of the public to any audit report, inspection report, or evaluation report (or portion of any such report) made by an Office of Inspector General; and

"(B) that shall include any additional resources, information, and enhancements as the Council determines are necessary or desirable.

"(3) PARTICIPATION OF OFFICES OF INSPECTORS GENERAL.—Each Office of Inspector General that publishes an audit report, inspection report, or evaluation report (or portion of any such report) on the website of the Office of Inspector General shall, or in the case of the office of an Inspector General described in subparagraph (I) of subsection (b)(1) may, contemporaneously publish the report (or portion of the report) on oversight.gov in a manner prescribed by the Council.

"(4) EFFECTIVE DATE.—This subsection shall take effect on the date that is 30 days after the date of receipt by the Council of the Inspectors General

on Integrity and Efficiency of an appropriation for the implementation of this subsection.''.

(c) ENACTMENT OF PART IV, CHAPTER 131.—Title 5, United States Code, is amended by inserting after part III the following:

''PART IV—ETHICS REQUIREMENTS

''CHAPTER 131—ETHICS IN GOVERNMENT

''SUBCHAPTER I—FINANCIAL DISCLOSURE REQUIREMENTS OF FEDERAL PERSONNEL

''Sec.
''13101. Definitions.
''13102. Administration of provisions.
''13103. Persons required to file.
''13104. Contents of reports.
''13105. Filing of reports.
''13106. Failure to file or filing false reports.
''13107. Custody of and public access to reports.
''13108. Review of reports.
''13109. Confidential reports and other additional requirements.
''13110. Authority of Comptroller General.
''13111. Notice of actions taken to comply with ethics agreements.

''SUBCHAPTER II—OFFICE OF GOVERNMENT ETHICS

''13121. Establishment; appointment of Director.
''13122. Authority and functions.
''13123. Administrative provisions.
''13124. Rules and regulations.
''13125. Authorization of appropriations.
''13126. Reports to Congress.

''SUBCHAPTER III—LIMITATIONS ON OUTSIDE EARNED INCOME AND EMPLOYMENT

''13141. Definitions.
''13142. Administration.
''13143. Outside earned income limitation.
''13144. Limitations on outside employment.
''13145. Civil penalties.
''13146. Conditional termination.

1 "SUBCHAPTER I—FINANCIAL DISCLOSURE
2 REQUIREMENTS OF FEDERAL PERSONNEL

3 **"§ 13101. Definitions**

4 "In this subchapter:

5 "(1) CONGRESSIONAL ETHICS COMMITTEES.—
6 The term 'congressional ethics committees' means
7 the Select Committee on Ethics of the Senate and
8 the Committee on Ethics of the House of Represent-
9 atives.

10 "(2) DEPENDENT CHILD.—The term 'depend-
11 ent child' means, when used with respect to any re-
12 porting individual, any individual who is a son,
13 daughter, stepson, or stepdaughter and who—

14 "(A) is unmarried and under age 21 and
15 is living in the household of such reporting indi-
16 vidual; or

17 "(B) is a dependent of such reporting indi-
18 vidual within the meaning of section 152 of the
19 Internal Revenue Code of 1986 (26 U.S.C.
20 152).

21 "(3) DESIGNATED AGENCY ETHICS OFFICIAL.—
22 The term 'designated agency ethics official' means
23 an officer or employee who is designated to admin-
24 ister the provisions of this subchapter within an
25 agency.

"(4) EXECUTIVE BRANCH.—The term 'executive branch' includes each Executive agency (as defined in section 105 of this title), other than the Government Accountability Office, and any other entity or administrative unit in the executive branch.

"(5) GIFT.—The term 'gift' means a payment, advance, forbearance, rendering, or deposit of money, or any thing of value, unless consideration of equal or greater value is received by the donor, but does not include—

"(A) bequest and other forms of inheritance;

"(B) suitable mementos of a function honoring the reporting individual;

"(C) food, lodging, transportation, and entertainment provided by a foreign government within a foreign country or by the United States Government, the District of Columbia, or a State or local government or political subdivision thereof;

"(D) food and beverages which are not consumed in connection with a gift of overnight lodging;

"(E) communications to the offices of a reporting individual, including subscriptions to newspapers and periodicals; or

"(F) consumable products provided by home-State businesses to the offices of a reporting individual who is an elected official, if those products are intended for consumption by persons other than such reporting individual.

"(6) HONORARIA.—The term 'honoraria' means the plural of 'honorarium' as defined in section 13141 of this title.

"(7) INCOME.—The term 'income' means all income from whatever source derived, including but not limited to the following items: compensation for services, including fees, commissions, and similar items; gross income derived from business (and net income if the individual elects to include it); gains derived from dealings in property; interest; rents; royalties; dividends; annuities; income from life insurance and endowment contracts; pensions; income from discharge of indebtedness; distributive share of partnership income; and income from an interest in an estate or trust.

1 "(8) JUDICIAL CONFERENCE.—The term 'Judi-
2 cial Conference' means the Judicial Conference of
3 the United States.
4 "(9) JUDICIAL EMPLOYEE.—The term 'judicial
5 employee' means any employee of the judicial branch
6 of the Government, of the United States Sentencing
7 Commission, of the Tax Court, of the Court of Fed-
8 eral Claims, of the Court of Appeals for Veterans
9 Claims, or of the United States Court of Appeals for
10 the Armed Forces, who is not a judicial officer and
11 who is authorized to perform adjudicatory functions
12 with respect to proceedings in the judicial branch, or
13 who occupies a position for which the rate of basic
14 pay is equal to or greater than 120 percent of the
15 minimum rate of basic pay payable for GS–15 of the
16 General Schedule.
17 "(10) JUDICIAL OFFICER.—The term 'judicial
18 officer' means the Chief Justice of the United
19 States, the Associate Justices of the Supreme Court,
20 and the judges of the United States courts of ap-
21 peals, United States district courts, including the
22 district courts in Guam, the Northern Mariana Is-
23 lands, and the Virgin Islands, Court of Appeals for
24 the Federal Circuit, Court of International Trade,
25 Tax Court, Court of Federal Claims, Court of Ap-

peals for Veterans Claims, United States Court of Appeals for the Armed Forces, and any court created by Act of Congress, the judges of which are entitled to hold office during good behavior.

"(11) LEGISLATIVE BRANCH.—The term 'legislative branch' includes—

"(A) the Architect of the Capitol;

"(B) the Botanic Gardens;

"(C) the Congressional Budget Office;

"(D) the Government Accountability Office;

"(E) the Government Publishing Office;

"(F) the Library of Congress;

"(G) the United States Capitol Police;

"(H) the Office of Technology Assessment; and

"(I) any other agency, entity, office, or commission established in the legislative branch.

"(12) MEMBER OF CONGRESS.—The term 'Member of Congress' means a United States Senator, a Representative in Congress, a Delegate to Congress, or the Resident Commissioner from Puerto Rico.

"(13) OFFICER OR EMPLOYEE OF CONGRESS.—The term 'officer or employee of Congress' means an

individual described in subparagraph (A), (B), or (C), other than a Member of Congress or the Vice President, whose compensation is disbursed by the Secretary of the Senate or the Chief Administrative Officer of the House of Representatives. The individuals described in subparagraphs (A), (B), and (C) are—

"(A) each officer or employee of the legislative branch (except any officer or employee of the Government Accountability Office) who, for at least 60 days, occupies a position for which the rate of basic pay is equal to or greater than 120 percent of the minimum rate of basic pay payable for GS–15 of the General Schedule;

"(B) each officer or employee of the Government Accountability Office who, for at least 60 consecutive days, occupies a position for which the rate of basic pay, minus the amount of locality pay that would have been authorized under section 5304 of this title (had the officer or employee been paid under the General Schedule) for the locality within which the position of such officer or employee is located (as determined by the Comptroller General), is equal to or greater than 120 percent of the

minimum rate of basic pay payable for GS–15 of the General Schedule; and

"(C) at least one principal assistant designated for purposes of this paragraph by each Member who does not have an employee who occupies a position for which the rate of basic pay is equal to or greater than 120 percent of the minimum rate of basic pay payable for GS–15 of the General Schedule.

"(14) PERSONAL HOSPITALITY OF ANY INDIVIDUAL.—The term 'personal hospitality of any individual' means hospitality extended for a nonbusiness purpose by an individual, not a corporation or organization, at the personal residence of that individual or the individual's family or on property or facilities owned by that individual or the individual's family.

"(15) REIMBURSEMENT.—The term 'reimbursement' means any payment or other thing of value received by the reporting individual, other than gifts, to cover travel-related expenses of such individual other than those which are—

"(A) provided by the United States Government, the District of Columbia, or a State or local government or political subdivision thereof;

"(B) required to be reported by the reporting individual under section 7342 of this title; or

"(C) required to be reported under section 304 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30104).

"(16) RELATIVE.—The term 'relative' means an individual who is related to the reporting individual, as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, or who is the grandfather or grandmother of the spouse of the reporting individual, and shall be deemed to include the fiance or fiancee of the reporting individual.

"(17) SECRETARY CONCERNED.—The term 'Secretary concerned' has the meaning set forth in section 101(a) of title 10, and, in addition, means—

"(A) the Secretary of Commerce, with respect to matters concerning the National Oceanic and Atmospheric Administration;

"(B) the Secretary of Health and Human Services, with respect to matters concerning the Public Health Service; and

"(C) the Secretary of State, with respect to matters concerning the Foreign Service.

"(18) SUPERVISING ETHICS OFFICE.—The term 'supervising ethics office' means—

"(A) the Select Committee on Ethics of the Senate, for Senators, officers and employees of the Senate, and other officers or employees of the legislative branch required to file financial disclosure reports with the Secretary of the Senate pursuant to section 13105(h) of this title;

"(B) the Committee on Ethics of the House of Representatives, for Members, officers and employees of the House of Representatives and other officers or employees of the legislative branch required to file financial disclosure reports with the Clerk of the House of Representatives pursuant to section 13105(h) of this title;

"(C) the Judicial Conference for judicial officers and judicial employees; and

"(D) the Office of Government Ethics for all executive branch officers and employees.

"(19) VALUE.—The term 'value' means a good faith estimate of the dollar value if the exact value is neither known nor easily obtainable by the reporting individual.

"§ 13102. Administration of provisions

"(a) IN GENERAL.—The provisions of this subchapter shall be administered by—

"(1) the Director of the Office of Government Ethics, the designated agency ethics official, or the Secretary concerned, as appropriate, with regard to officers and employees described in paragraphs (1) through (8) of section 13103(f) of this title;

"(2) the Select Committee on Ethics of the Senate and the Committee on Ethics of the House of Representatives, as appropriate, with regard to officers and employees described in paragraphs (9) and (10) of section 13103(f) of this title; and

"(3) the Judicial Conference in the case of an officer or employee described in paragraphs (11) and (12) of section 13103(f) of this title.

"(b) DELEGATION BY JUDICIAL CONFERENCE.—The Judicial Conference may delegate any authority it has under this subchapter to an ethics committee established by the Judicial Conference.

"§ 13103. Persons required to file

''(a) REPORTS FILED UPON ENTERING A FILING POSITION.—Within 30 days of assuming the position of an officer or employee described in subsection (f), an individual shall file a report containing the information described in section 13104(b) of this title unless the individual has left another position described in subsection (f) within 30 days prior to assuming such new position or has already filed a report under this subchapter with respect to nomination for the new position or as a candidate for the position.

''(b) REPORTS FOR NOMINEES TO POSITIONS REQUIRING SENATE CONFIRMATION.—

''(1) IN GENERAL.—Within 5 days of the transmittal by the President to the Senate of the nomination of an individual (other than an individual nominated for appointment to a position as a Foreign Service Officer or a grade or rank in the uniformed services for which the pay grade prescribed by section 201 of title 37 is O–6 or below) to a position, appointment to which requires the advice and consent of the Senate, such individual shall file a report containing the information described in section 13104(b) of this title. Such individual shall, not later than the date of the first hearing to consider the nomination of such individual, make current the

report filed pursuant to this paragraph by filing the information required by section 13104(a)(1)(A) of this title with respect to income and honoraria received as of the date which occurs 5 days before the date of such hearing. Nothing in this chapter shall prevent any congressional committee from requesting, as a condition of confirmation, any additional financial information from any Presidential nominee whose nomination has been referred to that committee.

"(2) PUBLIC ANNOUNCEMENT OF INTENDED NOMINATION.—An individual whom the President or the President-elect has publicly announced he or she intends to nominate to a position may file the report required by paragraph (1) at any time after that public announcement, but not later than is required under the 1st sentence of paragraph (1).

"(c) REPORTS FOR CANDIDATES FOR ELECTED FEDERAL OFFICE.—Within 30 days of becoming a candidate as defined in section 301 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101), in a calendar year for nomination or election to the office of President, Vice President, or Member of Congress, or on or before May 15 of that calendar year, whichever is later, but in no event later than 30 days before the election, and on or

before May 15 of each successive year an individual continues to be a candidate, an individual other than an incumbent President, Vice President, or Member of Congress shall file a report containing the information described in section 13104(b) of this title. Notwithstanding the preceding sentence, in any calendar year in which an individual continues to be a candidate for any office but all elections for such office relating to such candidacy were held in prior calendar years, such individual need not file a report unless the individual becomes a candidate for another vacancy in that office or another office during that year.

''(d) ANNUAL REPORTS.—Any individual who is an officer or employee described in subsection (f) during any calendar year and performs the duties of the position or office for a period in excess of 60 days in that calendar year shall file on or before May 15 of the succeeding year a report containing the information described in section 13104(a) of this title.

''(e) TERMINATION REPORTS.—Any individual who occupies a position described in subsection (f) shall, on or before the 30th day after termination of employment in such position, file a report containing the information described in section 13104(a) of this title covering the preceding calendar year if the report required by subsection

(d) has not been filed and covering the portion of the calendar year in which such termination occurs up to the date the individual left such office or position, unless such individual has accepted employment in another position described in subsection (f).

''(f) INDIVIDUALS REQUIRED TO FILE.—The officers and employees referred to in subsections (a), (d), and (e) are—

''(1) the President;

''(2) the Vice President;

''(3) each officer or employee in the executive branch, including a special Government employee, as defined in section 202 of title 18, who occupies a position classified above GS–15 of the General Schedule or, in the case of positions not under the General Schedule, for which the rate of basic pay is equal to or greater than 120 percent of the minimum rate of basic pay payable for GS–15 of the General Schedule; each member of a uniformed service whose pay grade is at or in excess of O–7 under section 201 of title 37; and each officer or employee in any other position determined by the Director of the Office of Government Ethics to be of equal classification;

''(4) each employee appointed pursuant to section 3105 of this title;

"(5) any employee not described in paragraph (3) who is in a position in the executive branch which is excepted from the competitive service by reason of being of a confidential or policymaking character, except that the Director of the Office of Government Ethics may, by regulation, exclude from the application of this paragraph any individual, or group of individuals, who are in such positions, but only in cases in which the Director determines such exclusion would not affect adversely the integrity of the Government or the public's confidence in the integrity of the Government;

"(6) the Postmaster General, the Deputy Postmaster General, each Governor of the Board of Governors of the United States Postal Service and each officer or employee of the United States Postal Service or Postal Regulatory Commission who occupies a position for which the rate of basic pay is equal to or greater than 120 percent of the minimum rate of basic pay payable for GS–15 of the General Schedule;

"(7) the Director of the Office of Government Ethics and each designated agency ethics official;

"(8) any civilian employee not described in paragraph (3), employed in the Executive Office of

the President (other than a special Government employee) who holds a commission of appointment from the President;

"(9) a Member of Congress as defined in section 13101 of this title;

"(10) an officer or employee of the Congress as defined in section 13101 of this title;

"(11) a judicial officer as defined in section 13101 of this title; and

"(12) a judicial employee as defined in section 13101 of this title.

"(g) EXTENSIONS OF TIME FOR FILING.—

"(1) IN GENERAL.—Reasonable extensions of time for filing any report may be granted under procedures prescribed by the supervising ethics office for each branch, but the total of such extensions shall not exceed 90 days.

"(2) ARMED FORCES.—

"(A) COMBAT ZONE.—In the case of an individual who is serving in the Armed Forces, or serving in support of the Armed Forces, in an area while that area is designated by the President by Executive order as a combat zone for purposes of section 112 of the Internal Revenue Code of 1986 (26 U.S.C. 112), the date for the

filing of any report shall be extended so that the date is 180 days after the later of—

"(i) the last day of the individual's service in such area during such designated period; or

"(ii) the last day of the individual's hospitalization as a result of injury received or disease contracted while serving in such area.

"(B) PROCEDURES.—The Office of Government Ethics, in consultation with the Secretary of Defense, may prescribe procedures under this paragraph.

"(h) EXCEPTIONS.—The provisions of subsections (a), (b), and (e) shall not apply to an individual who, as determined by the designated agency ethics official or Secretary concerned (or in the case of a Presidential appointee under subsection (b), the Director of the Office of Government Ethics), the congressional ethics committees, or the Judicial Conference, is not reasonably expected to perform the duties of the individual's office or position for more than 60 days in a calendar year, except that if such individual performs the duties of the office or position for more than 60 days in a calendar year—

"(1) the report required by subsections (a) and (b) shall be filed within 15 days of the 60th day; and

"(2) the report required by subsection (e) shall be filed as provided in that subsection.

"(i) REQUEST FOR WAIVER.—The supervising ethics office for each branch may grant a publicly available request for a waiver of any reporting requirement under this section for an individual who is expected to perform or has performed the duties of the individual's office or position less than 130 days in a calendar year, but only if the supervising ethics office determines that—

"(1) such individual is not a full-time employee of the Government;

"(2) such individual is able to provide services specially needed by the Government;

"(3) it is unlikely that the individual's outside employment or financial interests will create a conflict of interest; and

"(4) public financial disclosure by such individual is not necessary in the circumstances.

"§ 13104. Contents of reports

"(a) ANNUAL AND TERMINATION REPORTS.—Each report filed pursuant to section 13103(d) and (e) of this

1 title shall include a full and complete statement with re-
2 spect to the following:

3 "(1) INCOME.—

4 "(A) IN GENERAL.—The source, type, and
5 amount or value of income (other than income
6 referred to in subparagraph (B)) from any
7 source (other than from current employment by
8 the United States Government), and the source,
9 date, and amount of honoraria from any source,
10 received during the preceding calendar year, ag-
11 gregating $200 or more in value and, effective
12 January 1, 1991, the source, date, and amount
13 of payments made to charitable organizations in
14 lieu of honoraria, and the reporting individual
15 shall simultaneously file with the applicable su-
16 pervising ethics office, on a confidential basis, a
17 corresponding list of recipients of all such pay-
18 ments, together with the dates and amounts of
19 such payments.

20 "(B) DIVIDENDS, RENTS, INTEREST, AND
21 CAPITAL GAINS.—The source and type of in-
22 come which consists of dividends, rents, inter-
23 est, and capital gains, received during the pre-
24 ceding calendar year which exceeds $200 in
25 amount or value, and an indication of which of

the following categories the amount or value of such item of income is within—

"(i) not more than $1,000;

"(ii) greater than $1,000 but not more than $2,500;

"(iii) greater than $2,500 but not more than $5,000;

"(iv) greater than $5,000 but not more than $15,000;

"(v) greater than $15,000 but not more than $50,000;

"(vi) greater than $50,000 but not more than $100,000;

"(vii) greater than $100,000 but not more than $1,000,000;

"(viii) greater than $1,000,000 but not more than $5,000,000; or

"(ix) greater than $5,000,000.

"(2) GIFTS AND REIMBURSEMENTS.—

"(A) GIFTS.—The identity of the source, a brief description, and the value of all gifts aggregating more than the minimal value as established by section 7342(a)(5) of this title, or $250, whichever is greater, received from any source other than a relative of the reporting in-

dividual during the preceding calendar year, except that any food, lodging, or entertainment received as personal hospitality of an individual need not be reported, and any gift with a fair market value of $100 or less, as adjusted at the same time and by the same percentage as the minimal value is adjusted, need not be aggregated for purposes of this subparagraph.

"(B) REIMBURSEMENTS.—The identity of the source and a brief description (including a travel itinerary, dates, and nature of expenses provided) of reimbursements received from any source aggregating more than the minimal value as established by section 7342(a)(5) of this title, or $250, whichever is greater, and received during the preceding calendar year.

"(C) WAIVER.—In an unusual case, a gift need not be aggregated under subparagraph (A) if a publicly available request for a waiver is granted.

"(3) INTERESTS IN PROPERTY.—The identity and category of value of any interest in property held during the preceding calendar year in a trade or business, or for investment or the production of income, which has a fair market value which exceeds

$1,000 as of the close of the preceding calendar year, excluding any personal liability owed to the reporting individual by a spouse or by a parent, brother, sister, or child of the reporting individual or of the reporting individual's spouse, or any deposits aggregating $5,000 or less in a personal savings account. For purposes of this paragraph, a personal savings account shall include any certificate of deposit or any other form of deposit in a bank, savings and loan association, credit union, or similar financial institution.

"(4) LIABILITIES.—The identity and category of value of the total liabilities owed to any creditor other than a spouse, or a parent, brother, sister, or child of the reporting individual or of the reporting individual's spouse which exceed $10,000 at any time during the preceding calendar year, excluding—

"(A) any mortgage secured by real property which is a personal residence of the reporting individual or the individual's spouse, except that this exception shall not apply to a reporting individual—

"(i) described in paragraph (1), (2), or (9) of 13103(f) of this title;

"(ii) described in section 13103(b) of this title who has been nominated for appointment as an officer or employee in the executive branch described in subsection (f) of that section, other than—

"(I) an individual appointed to a position—

"(aa) as a Foreign Service Officer below the rank of ambassador; or

"(bb) in the uniformed services for which the pay grade prescribed by section 201 of title 37 is O–6 or below; or

"(II) a special Government employee, as defined under section 202 of title 18; or

"(iii) described in section 13103(f) of this title who is in a position in the executive branch the appointment to which is made by the President and requires advice and consent of the Senate, other than—

"(I) an individual appointed to a position—

"(aa) as a Foreign Service Officer below the rank of ambassador; or

"(bb) in the uniformed services for which the pay grade prescribed by section 201 of title 37 is O–6 or below; or

"(II) a special Government employee, as defined under section 202 of title 18; and

"(B) any loan secured by a personal motor vehicle, household furniture, or appliances, which loan does not exceed the purchase price of the item which secures it.

With respect to revolving charge accounts, only those with an outstanding liability which exceeds $10,000 as of the close of the preceding calendar year need be reported under this paragraph.

"(5) TRANSACTIONS.—Except as provided in this paragraph, a brief description, the date, and category of value of any purchase, sale or exchange during the preceding calendar year which exceeds $1,000—

"(A) in real property, other than property used solely as a personal residence of the reporting individual or the individual's spouse; or

"(B) in stocks, bonds, commodities futures, and other forms of securities.

Reporting is not required under this paragraph of any transaction solely by and between the reporting individual, the individual's spouse, or dependent children.

"(6) POSITIONS WITH OUTSIDE ENTITIES AND MAJOR SOURCES OF COMPENSATION.—

"(A) POSITIONS WITH OUTSIDE ENTITIES.—The identity of all positions held on or before the date of filing during the current calendar year (and, for the first report filed by an individual, during the 2-year period preceding such calendar year) as an officer, director, trustee, partner, proprietor, representative, employee, or consultant of any corporation, company, firm, partnership, or other business enterprise, any nonprofit organization, any labor organization, or any educational or other institution other than the United States. This subparagraph shall not require the reporting of positions held in any religious, social, fraternal, or

political entity and positions solely of an honorary nature.

"(B) MAJOR SOURCES OF COMPENSATION.—If any person, other than the United States Government, paid a nonelected reporting individual compensation in excess of $5,000 in any of the 2 calendar years prior to the calendar year during which the individual files the individual's first report under this chapter, the individual shall include in the report—

"(i) the identity of each source of such compensation; and

"(ii) a brief description of the nature of the duties performed or services rendered by the reporting individual for each such source.

The preceding sentence shall not require any individual to include in such report any information which is considered confidential as a result of a privileged relationship, established by law, between such individual and any person, nor shall it require an individual to report any information with respect to any person for whom services were provided by any firm or association of which such individual was a member, partner, or employee unless such individual

was directly involved in the provision of such services.

"(7) AGREEMENTS OR ARRANGEMENTS RELATING TO OTHER EMPLOYMENT.—A description of the date, parties to, and terms of any agreement or arrangement with respect to—

"(A) future employment;

"(B) a leave of absence during the period of the reporting individual's Government service;

"(C) continuation of payments by a former employer other than the United States Government; and

"(D) continuing participation in an employee welfare or benefit plan maintained by a former employer.

"(8) QUALIFIED BLIND TRUSTS.—The category of the total cash value of any interest of the reporting individual in a qualified blind trust, unless the trust instrument was executed prior to July 24, 1995, and precludes the beneficiary from receiving information on the total cash value of any interest in the qualified blind trust.

"(b) REPORTS FOR NEW EMPLOYEES, NOMINEES, AND CANDIDATES.—

"(1) IN GENERAL.—Each report filed pursuant to subsections (a), (b), and (c) of section 13103 of this title shall include a full and complete statement with respect to the information required by—

"(A) paragraph (1) of subsection (a) for the year of filing and the preceding calendar year;

"(B) paragraphs (3) and (4) of subsection (a) as of the date specified in the report but which is less than 31 days before the filing date; and

"(C) paragraphs (6) and (7) of subsection (a) as of the filing date but for periods described in such paragraphs.

"(2) ALTERNATIVES FOR REPORTING.—

"(A) FORMATS.—In lieu of filling out one or more schedules of a financial disclosure form, an individual may supply the required information in an alternative format, pursuant to either rules adopted by the supervising ethics office for the branch in which such individual serves or pursuant to a specific written determination by such office for a reporting individual.

"(B) AMOUNTS.—In lieu of indicating the category of amount or value of any item contained in any report filed under this subchapter, a reporting individual may indicate the exact dollar amount of such item.

"(c) REPORT AFTER TERMINATION OF EMPLOYMENT.—In the case of any individual described in section 13103(e) of this title, any reference to the preceding calendar year shall be considered also to include that part of the calendar year of filing up to the date of the termination of employment.

"(d) CATEGORIES FOR REPORTING AMOUNTS OR VALUES.—

"(1) PARAGRAPHS (3), (4), (5), AND (8) OF SUBSECTION (A).—The categories for reporting the amount or value of the items covered in paragraphs (3), (4), (5), and (8) of subsection (a) are—

"(A) not more than $15,000;

"(B) greater than $15,000 but not more than $50,000;

"(C) greater than $50,000 but not more than $100,000;

"(D) greater than $100,000 but not more than $250,000;

"(E) greater than $250,000 but not more than $500,000;

"(F) greater than $500,000 but not more than $1,000,000;

"(G) greater than $1,000,000 but not more than $5,000,000;

"(H) greater than $5,000,000 but not more than $25,000,000;

"(I) greater than $25,000,000 but not more than $50,000,000; and

"(J) greater than $50,000,000.

"(2) VALUATION OF INTERESTS IN REAL PROPERTY.—For the purposes of paragraph (3) of subsection (a), if the current value of an interest in real property (or an interest in a real estate partnership) is not ascertainable without an appraisal, an individual may list (A) the date of purchase and the purchase price of the interest in the real property, or (B) the assessed value of the real property for tax purposes, adjusted to reflect the market value of the property used for the assessment if the assessed value is computed at less than 100 percent of such market value, but such individual shall include in his or her report a full and complete description of the method used to determine such assessed value, in-

stead of specifying a category of value pursuant to paragraph (1) of this subsection. If the current value of any other item required to be reported under paragraph (3) of subsection (a) is not ascertainable without an appraisal, such individual may list the book value of a corporation whose stock is not publicly traded, the net worth of a business partnership, the equity value of an individually owned business, or with respect to other holdings, any recognized indication of value, but such individual shall include in his or her report a full and complete description of the method used in determining such value. In lieu of any value referred to in the preceding sentence, an individual may list the assessed value of the item for tax purposes, adjusted to reflect the market value of the item used for the assessment if the assessed value is computed at less than 100 percent of such market value, but a full and complete description of the method used in determining such assessed value shall be included in the report.

"(e) REPORTING INFORMATION RELATING TO SPOUSE OR DEPENDENT CHILD.—

"(1) IN GENERAL.—Except as provided in the last sentence of this paragraph, each report required

by section 13103 of this title shall also contain information listed in paragraphs (1) through (5) of subsection (a) of this section respecting the spouse or dependent child of the reporting individual as follows:

"(A) SOURCE OF EARNED INCOME AND HONORARIA.—The source of items of earned income earned by a spouse from any person which exceed $1,000 and the source and amount of any honoraria received by a spouse, except that, with respect to earned income (other than honoraria), if the spouse is self-employed in business or a profession, only the nature of such business or profession need be reported.

"(B) DIVIDENDS, RENTS, INTEREST, AND CAPITAL GAINS.—All information required to be reported in subsection (a)(1)(B) with respect to income derived by a spouse or dependent child from any asset held by the spouse or dependent child and reported pursuant to subsection (a)(3).

"(C) GIFTS.—In the case of any gifts received by a spouse or dependent child which are not received totally independent of the relation-

ship of the spouse or dependent child to the reporting individual, the identity of the source and a brief description of gifts of transportation, lodging, food, or entertainment and a brief description and the value of other gifts.

"(D) REIMBURSEMENTS.—In the case of any reimbursements received by a spouse or dependent child which are not received totally independent of the relationship of the spouse or dependent child to the reporting individual, the identity of the source and a brief description of each such reimbursement.

"(E) INTERESTS IN PROPERTY, LIABILITIES, AND TRANSACTIONS.—In the case of items described in paragraphs (3) through (5) of subsection (a), all information required to be reported under these paragraphs other than items (i) which the reporting individual certifies represent the spouse's or dependent child's sole financial interest or responsibility and which the reporting individual has no knowledge of, (ii) which are not in any way, past or present, derived from the income, assets, or activities of the reporting individual, and (iii) from which the reporting individual neither derives, nor ex-

pects to derive, any financial or economic benefit.

"(F) AMOUNTS OR VALUES GREATER THAN $1,000,000.—For purposes of this section, categories with amounts or values greater than $1,000,000 set forth in subsection (a)(1)(B) and subsection (d)(1) shall apply to the income, assets, or liabilities of spouses and dependent children only if the income, assets, or liabilities are held jointly with the reporting individual. All other income, assets, or liabilities of the spouse or dependent children required to be reported under this section in an amount or value greater than $1,000,000 shall be categorized only as an amount or value greater than $1,000,000.

Reports required by subsections (a), (b), and (c) of section 13103 of this title shall, with respect to the spouse and dependent child of the reporting individual, contain only information listed in paragraphs (1), (3), and (4) of subsection (a), as specified in this paragraph.

"(2) SEPARATED SPOUSE.—No report shall be required with respect to a spouse living separate and apart from the reporting individual with the inten-

tion of terminating the marriage or providing for permanent separation; or with respect to any income or obligations of an individual arising from the dissolution of the individual's marriage or the permanent separation from the individual's spouse.

"(f) TRUSTS AND OTHER FINANCIAL ARRANGEMENTS.—

"(1) IN GENERAL.—Except as provided in paragraph (2), each reporting individual shall report the information required to be reported pursuant to subsections (a), (b), and (c) of this section with respect to the holdings of and the income from a trust or other financial arrangement from which income is received by, or with respect to which a beneficial interest in principal or income is held by, such individual, the individual's spouse, or any dependent child.

"(2) EXCEPTIONS.—A reporting individual need not report the holdings of or the source of income from any of the holdings of—

"(A) any qualified blind trust (as defined in paragraph (3));

"(B) a trust—

"(i) which was not created directly by such individual, the individual's spouse, or any dependent child; and

"(ii) the holdings or sources of income of which such individual, the individual's spouse, and any dependent child have no knowledge; or

"(C) an entity described under the provisions of paragraph (8),

but such individual shall report the category of the amount of income received by the individual, the individual's spouse, or any dependent child from the trust or other entity under subsection (a)(1)(B).

"(3) DEFINITION OF QUALIFIED BLIND TRUST.—For purposes of this subsection, the term 'qualified blind trust' includes any trust in which a reporting individual, the individual's spouse, or any minor or dependent child has a beneficial interest in the principal or income, and which meets the following requirements:

"(A) TRUSTEE.—

"(i) The trustee of the trust and any other entity designated in the trust instrument to perform fiduciary duties is a financial institution, an attorney, a certified

public accountant, a broker, or an investment advisor who—

"(I) is independent of and not associated with any interested party so that the trustee or other person cannot be controlled or influenced in the administration of the trust by any interested party;

"(II) is not and has not been an employee of or affiliated with any interested party and is not a partner of, or involved in any joint venture or other investment with, any interested party; and

"(III) is not a relative of any interested party.

"(ii) Any officer or employee of a trustee or other entity who is involved in the management or control of the trust—

"(I) is independent of and not associated with any interested party so that such officer or employee cannot be controlled or influenced in the administration of the trust by any interested party;

"(II) is not a partner of, or involved in any joint venture or other investment with, any interested party; and

"(III) is not a relative of any interested party.

"(B) TRANSFERRED ASSET.—Any asset transferred to the trust by an interested party is free of any restriction with respect to its transfer or sale unless such restriction is expressly approved by the supervising ethics office of the reporting individual.

"(C) TRUST INSTRUMENT.—The trust instrument which establishes the trust provides that—

"(i) except to the extent provided in subparagraph (B) of this paragraph, the trustee in the exercise of the trustee's authority and discretion to manage and control the assets of the trust shall not consult or notify any interested party;

"(ii) the trust shall not contain any asset the holding of which by an interested party is prohibited by any law or regulation;

"(iii) the trustee shall promptly notify the reporting individual and the reporting individual's supervising ethics office when the holdings of any particular asset transferred to the trust by any interested party are disposed of or when the value of such holding is less than $1,000;

"(iv) the trust tax return shall be prepared by the trustee or the trustee's designee, and such return and any information relating thereto (other than the trust income summarized in appropriate categories necessary to complete an interested party's tax return) shall not be disclosed to any interested party;

"(v) an interested party shall not receive any report on the holdings and sources of income of the trust, except a report at the end of each calendar quarter with respect to the total cash value of the interest of the interested party in the trust or the net income or loss of the trust or any reports necessary to enable the interested party to complete an individual tax return required by law or to provide the in-

formation required by subsection (a)(1) of this section, but such report shall not identify any asset or holding;

''(vi) except for communications which solely consist of requests for distributions of cash or other unspecified assets of the trust, there shall be no direct or indirect communication between the trustee and an interested party with respect to the trust unless such communication is in writing and unless it relates only (I) to the general financial interest and needs of the interested party (including, but not limited to, an interest in maximizing income or long-term capital gain), (II) to the notification of the trustee of a law or regulation subsequently applicable to the reporting individual which prohibits the interested party from holding an asset, which notification directs that the asset not be held by the trust, or (III) to directions to the trustee to sell all of an asset initially placed in the trust by an interested party which in the determination of the reporting individual creates a conflict of interest or the appear-

ance thereof due to the subsequent assumption of duties by the reporting individual (but nothing herein shall require any such direction); and

"(vii) the interested parties shall make no effort to obtain information with respect to the holdings of the trust, including obtaining a copy of any trust tax return filed or any information relating thereto except as otherwise provided in this subsection.

"(D) APPROVAL BY SUPERVISING ETHICS OFFICE.—The proposed trust instrument and the proposed trustee are approved by the reporting individual's supervising ethics office.

"(E) DEFINITIONS.—For purposes of this subsection, 'interested party' means a reporting individual, the individual's spouse, and any minor or dependent child; 'broker' has the meaning set forth in section 3(a)(4) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a)(4)); and 'investment adviser' includes any investment adviser who, as determined under regulations prescribed by the supervising ethics office, is generally involved in the role as

such an adviser in the management or control of trusts.

"(F) TRUST QUALIFIED BEFORE EFFECTIVE DATE OF TITLE II OF ETHICS REFORM ACT OF 1989.—Any trust qualified by a supervising ethics office before the effective date of title II of the Ethics Reform Act of 1989 shall continue to be governed by the law and regulations in effect immediately before such effective date.

"(4) TRUST ASSET CONSIDERED FINANCIAL INTEREST.—

"(A) IN GENERAL.—An asset placed in a trust by an interested party shall be considered a financial interest of the reporting individual, for the purposes of any applicable conflict of interest statutes, regulations, or rules of the Federal Government (including section 208 of title 18), until such time as the reporting individual is notified by the trustee that such asset has been disposed of, or has a value of less than $1,000.

"(B) EXCEPTION.—

"(i) The provisions of subparagraph (A) shall not apply with respect to a trust

created for the benefit of a reporting individual, or the spouse, dependent child, or minor child of such a person, if the supervising ethics office for such reporting individual finds that—

"(I) the assets placed in the trust consist of a well-diversified portfolio of readily marketable securities;

"(II) none of the assets consist of securities of entities having substantial activities in the area of the reporting individual's primary area of responsibility;

"(III) the trust instrument prohibits the trustee, notwithstanding the provisions of paragraphs (3)(C)(iii) and (iv) of this subsection, from making public or informing any interested party of the sale of any securities;

"(IV) the trustee is given power of attorney, notwithstanding the provisions of paragraph (3)(C)(v) of this subsection, to prepare on behalf of any interested party the personal income tax returns and similar returns

which may contain information relating to the trust; and

"(V) except as otherwise provided in this paragraph, the trust instrument provides (or in the case of a trust established prior to the effective date of this Act which by its terms does not permit amendment, the trustee, the reporting individual, and any other interested party agree in writing) that the trust shall be administered in accordance with the requirements of this subsection and the trustee of such trust meets the requirements of paragraph (3)(A).

"(ii) In any instance covered by this subparagraph in which the reporting individual is an individual whose nomination is being considered by a congressional committee, the reporting individual shall inform the congressional committee considering the individual's nomination before or during the period of such individual's confirmation hearing of the individual's intention to comply with this paragraph.

"(5) NOTIFICATION.—

"(A) COPIES.—The reporting individual shall, within 30 days after a qualified blind trust is approved by the individual's supervising ethics office, file with such office a copy of—

"(i) the executed trust instrument of such trust (other than those provisions which relate to the testamentary disposition of the trust assets); and

"(ii) a list of the assets which were transferred to such trust, including the category of value of each asset as determined under subsection (d) of this section.

This subparagraph shall not apply with respect to a trust meeting the requirements for being considered a qualified blind trust under paragraph (7) of this subsection.

"(B) TRANSFER OF ASSET.—The reporting individual shall, within 30 days of transferring an asset (other than cash) to a previously established qualified blind trust, notify the individual's supervising ethics office of the identity of each such asset and the category of value of each asset as determined under subsection (d) of this section.

"(C) DISSOLUTION.—Within 30 days of the dissolution of a qualified blind trust, a reporting individual shall—

"(i) notify the individual's supervising ethics office of such dissolution; and

"(ii) file with such office a copy of a list of the assets of the trust at the time of such dissolution and the category of value under subsection (d) of this section of each such asset.

"(D) DOCUMENTS AVAILABLE TO PUBLIC.—Documents filed under subparagraphs (A), (B), and (C) of this paragraph and the lists provided by the trustee of assets placed in the trust by an interested party which have been sold shall be made available to the public in the same manner as a report is made available under section 13107 of this title, and the provisions of that section shall apply with respect to such documents and lists.

"(E) COPY OF WRITTEN COMMUNICATION.—A copy of each written communication with respect to the trust under paragraph (3)(C)(vi) shall be filed by the person initiating the communication with the reporting individ-

ual's supervising ethics office within 5 days of the date of the communication.

"(6) PROHIBITIONS.—

"(A) TRUSTEES.—A trustee of a qualified blind trust shall not knowingly and willfully, or negligently—

"(i) disclose any information to an interested party with respect to such trust that may not be disclosed under paragraph (3) of this subsection;

"(ii) acquire any holding the ownership of which is prohibited by the trust instrument;

"(iii) solicit advice from any interested party with respect to such trust, which solicitation is prohibited by paragraph (3) of this subsection or the trust agreement; or

"(iv) fail to file any document required by this subsection.

"(B) REPORTING INDIVIDUALS.—A reporting individual shall not knowingly and willfully, or negligently—

"(i) solicit or receive any information with respect to a qualified blind trust of

which the reporting individual is an interested party that may not be disclosed under paragraph (3)(C) of this subsection; or

"(ii) fail to file any document required by this subsection.

"(C) CIVIL ACTIONS FOR VIOLATIONS.—

"(i) KNOWING AND WILLFUL VIOLATIONS.—The Attorney General may bring a civil action in any appropriate United States district court against any individual who knowingly and willfully violates the provisions of subparagraph (A) or (B) of this paragraph. The court in which such action is brought may assess against such individual a civil penalty in any amount not to exceed $10,000.

"(ii) NEGLIGENT VIOLATIONS.—The Attorney General may bring a civil action in any appropriate United States district court against any individual who negligently violates the provisions of subparagraph (A) or (B) of this paragraph. The court in which such action is brought may

assess against such individual a civil penalty in any amount not to exceed $5,000.

"(7) TRUST CONSIDERED TO BE QUALIFIED BLIND TRUST.—Any trust may be considered to be a qualified blind trust if—

"(A) the trust instrument is amended to comply with the requirements of paragraph (3) or, in the case of a trust instrument which does not by its terms permit amendment, the trustee, the reporting individual, and any other interested party agree in writing that the trust shall be administered in accordance with the requirements of this subsection and the trustee of such trust meets the requirements of paragraph (3)(A); except that in the case of any interested party who is a dependent child, a parent or guardian of such child may execute the agreement referred to in this subparagraph;

"(B) a copy of the trust instrument (except testamentary provisions) and a copy of the agreement referred to in subparagraph (A), and a list of the assets held by the trust at the time of approval by the supervising ethics office, including the category of value of each asset as determined under subsection (d) of this section,

are filed with such office and made available to the public as provided under paragraph (5)(D) of this subsection; and

"(C) the supervising ethics office determines that approval of the trust arrangement as a qualified blind trust is in the particular case appropriate to assure compliance with applicable laws and regulations.

"(8) EXCEPTED INVESTMENT FUNDS.—A reporting individual shall not be required to report the financial interests held by a widely held investment fund (whether such fund is a mutual fund, regulated investment company, pension or deferred compensation plan, or other investment fund)—

"(A) if—

"(i) the fund is publicly traded; or

"(ii) the assets of the fund are widely diversified; and

"(B) if the reporting individual neither exercises control over nor has the ability to exercise control over the financial interests held by the fund.

"(g) POLITICAL CAMPAIGN FUNDS.—Political campaign funds, including campaign receipts and expendi-

tures, need not be included in any report filed pursuant to this subchapter.

"(h) GIFTS AND REIMBURSEMENTS RECEIVED WHILE INDIVIDUAL NOT OFFICER OR EMPLOYEE OF FEDERAL GOVERNMENT.—A report filed pursuant to subsection (a), (d), or (e) of section 13103 of this title need not contain the information described in subparagraphs (A), (B), and (C) of subsection (a)(2) with respect to gifts and reimbursements received in a period when the reporting individual was not an officer or employee of the Federal Government.

"(i) NON-REPORTABLE RETIREMENT BENEFITS.—A reporting individual shall not be required under this subchapter to report—

"(1) financial interests in or income derived from—

"(A) any retirement system under this title (including the Thrift Savings Plan under subchapter III of chapter 84 of this title); or

"(B) any other retirement system maintained by the United States for officers or employees of the United States, including the President, or for members of the uniformed services; or

1 "(2) benefits received under the Social Security
2 Act (42 U.S.C. 301 et seq.).

3 **"§ 13105. Filing of reports**

4 "(a) REPORTS FILED WITH DESIGNATED AGENCY
5 ETHICS OFFICIAL.—Except as otherwise provided in this
6 section, the reports required under this subchapter shall
7 be filed by the reporting individual with the designated
8 agency ethics official at the agency by which the reporting
9 individual is employed (or in the case of an individual de-
10 scribed in section 13103(e) of this title, was employed)
11 or in which the individual will serve. The date any report
12 is received (and the date of receipt of any supplemental
13 report) shall be noted on such report by the designated
14 agency ethics official.

15 "(b) REPORTS FILED WITH DIRECTOR OF OFFICE
16 OF GOVERNMENT ETHICS.—The President, the Vice
17 President, and independent counsel and persons appointed
18 by independent counsel under chapter 40 of title 28, shall
19 file reports required under this subchapter with the Direc-
20 tor of the Office of Government Ethics.

21 "(c) COPIES OF REPORTS TRANSMITTED TO THE OF-
22 FICE OF GOVERNMENT ETHICS.—Copies of the reports re-
23 quired to be filed under this subchapter by the Postmaster
24 General, the Deputy Postmaster General, the Governors
25 of the Board of Governors of the United States Postal

Service, designated agency ethics officials, employees described in section 105(a)(2)(A) or (B), 106(a)(1)(A) or (B), or 107(a)(1)(A) or (b)(1)(A)(i) of title 3, candidates for the office of President or Vice President and officers and employees in (and nominees to) offices or positions which require confirmation by the Senate or by both Houses of Congress other than individuals nominated to be judicial officers and those referred to in subsection (f) shall be transmitted to the Director of the Office of Government Ethics. The Director shall forward a copy of the report of each nominee to the congressional committee considering the nomination.

''(d) AVAILABILITY TO PUBLIC.—Reports required to be filed under this subchapter by the Director of the Office of Government Ethics shall be filed in the Office of Government Ethics and, immediately after being filed, shall be made available to the public in accordance with this subchapter.

''(e) REPORTS FILED WITH FEDERAL ELECTION COMMISSION.—Each individual identified in section 13103(c) of this title who is a candidate for nomination or election to the Office of President or Vice President shall file the reports required by this subchapter with the Federal Election Commission.

1 "(f) REPORTS FILED WITH SECRETARY CON-
2 CERNED.—Reports required of members of the uniformed
3 services shall be filed with the Secretary concerned.
4 "(g) FORMS FOR REPORTING.—Each supervising
5 ethics office shall develop and make available forms for
6 reporting the information required by this subchapter.
7 "(h) REPORTS FILED BY CERTAIN GOVERNMENT
8 OFFICIALS.—
9 "(1) OFFICIALS WITH WHOM REPORTS ARE
10 FILED.—
11 "(A) REPORTS BY MEMBERS AND STAFF
12 OF CONGRESS.—
13 "(i) IN GENERAL.—
14 "(I) REPORTS FILED WITH
15 CLERK OF THE HOUSE OF REP-
16 RESENTATIVES.—The reports required
17 under this subchapter shall be filed by
18 a reporting individual with the Clerk
19 of the House of Representatives, in
20 the case of a Representative in Con-
21 gress, a Delegate to Congress, the
22 Resident Commissioner from Puerto
23 Rico, an officer or employee of the
24 Congress whose compensation is dis-
25 bursed by the Chief Administrative

Officer of the House of Representatives, an officer or employee of the Architect of the Capitol, the United States Capitol Police, the United States Botanic Garden, the Congressional Budget Office, the Government Publishing Office, the Library of Congress, or the Copyright Royalty Tribunal (including any individual terminating service, under section 13103(e) of this title, in any office or position referred to in this subclause), or an individual described in section 13103(c) of this title who is a candidate for nomination or election as a Representative in Congress, a Delegate to Congress, or the Resident Commissioner from Puerto Rico.

"(II) REPORTS FILED WITH SECRETARY OF THE SENATE.—The reports required under this subchapter shall be filed by a reporting individual with the Secretary of the Senate, in the case of a Senator, an officer or employee of the Congress whose com-

pensation is disbursed by the Secretary of the Senate, an officer or employee of the Government Accountability Office, the Office of Technology Assessment, or the Office of the Attending Physician (including any individual terminating service, under section 13103(e) of this title, in any office or position referred to in this subclause), or an individual described in section 13103(c) of this title who is a candidate for nomination or election as a Senator.

''(ii) OTHER REPORTS.—In the case of an officer or employee of the Congress as described under section 13103(f)(10) of this title who is employed by an agency or commission established in the legislative branch after November 30, 1989, the reports required under this subchapter shall be filed by a reporting individual with—

''(I) the Secretary of the Senate or the Clerk of the House of Representatives, as the case may be, as

designated in the statute establishing such agency or commission; or

"(II) if such statute does not designate such committee, the Secretary of the Senate for agencies and commissions established in even numbered calendar years, and the Clerk of the House of Representatives for agencies and commissions established in odd numbered calendar years.

"(B) REPORTS FILED WITH JUDICIAL CONFERENCE.—The reports required under this subchapter shall be filed by a reporting individual with the Judicial Conference with regard to a judicial officer or employee described under paragraphs (11) and (12) of section 13103(f) of this title (including individuals terminating service in such office or position under section 13103(e) of this title or immediately preceding service in such office or position).

"(2) DATE REPORT RECEIVED.—The date any report is received (and the date of receipt of any supplemental report) shall be noted on such report by such committee.

"(i) COPIES OF REPORTS TO STATE OFFICERS.—

"(1) IN GENERAL.—A copy of each report filed under this subchapter by a Member or an individual who is a candidate for the office of Member shall be sent by the Clerk of the House of Representatives or Secretary of the Senate, as the case may be, to the appropriate State officer designated under section 312(a) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30113(a)) of the State represented by the Member or in which the individual is a candidate, as the case may be, within the 30-day period beginning on the day the report is filed with the Clerk or Secretary.

"(2) EXCEPTION FOR ELECTRONICALLY FILED REPORTS.—The requirements of paragraph (1) do not apply to any report filed under this subchapter which is filed electronically and for which there is online public access, in accordance with the systems developed by the Secretary and Sergeant at Arms of the Senate and the Clerk of the House of Representatives under section 8(b) of the STOCK Act.

"(j) COPIES OF REPORTS TO ETHICS COMMITTEES.—

"(1) HOUSE OF REPRESENTATIVES.—A copy of each report filed under this subchapter with the Clerk of the House of Representatives shall be sent

by the Clerk to the Committee on Ethics of the House of Representatives within the 7-day period beginning on the day the report is filed.

"(2) SENATE.—A copy of each report filed under this subchapter with the Secretary of the Senate shall be sent by the Secretary to the Select Committee on Ethics of the Senate within the 7-day period beginning on the day the report is filed.

"(k) ASSISTANCE OF FEDERAL ELECTION COMMISSION.—In carrying out their responsibilities under this subchapter with respect to candidates for office, the Clerk of the House of Representatives and the Secretary of the Senate shall avail themselves of the assistance of the Federal Election Commission. The Commission shall make available to the Clerk and the Secretary on a regular basis a complete list of names and addresses of all candidates registered with the Commission, and shall cooperate and coordinate its candidate information and notification program with the Clerk and the Secretary to the greatest extent possible.

"(l) PERIODIC TRANSACTION REPORTS.—Not later than 30 days after receiving notification of any transaction required to be reported under section 13104(a)(5)(B of this title, but in no case later than 45 days after such transaction, the following persons, if re-

quired to file a report under any subsection of section 13103 of this title, subject to any waivers and exclusions, shall file a report of the transaction:

"(1) The President.

"(2) The Vice President.

"(3) Each officer or employee in the executive branch, including a special Government employee as defined in section 202 of title 18, who occupies a position classified above GS–15 of the General Schedule or, in the case of positions not under the General Schedule, for which the rate of basic pay is equal to or greater than 120 percent of the minimum rate of basic pay payable for GS–15 of the General Schedule; each member of a uniformed service whose pay grade is at or in excess of O–7 under section 201 of title 37; and each officer or employee in any other position determined by the Director of the Office of Government Ethics to be of equal classification.

"(4) Each employee appointed pursuant to section 3105 of this title.

"(5) Any employee not described in paragraph (3) who is in a position in the executive branch which is excepted from the competitive service by reason of being of a confidential or policymaking character, except that the Director of the Office of

Government Ethics may, by regulation, exclude from the application of this paragraph any individual, or group of individuals, who are in such positions, but only in cases in which the Director determines such exclusion would not affect adversely the integrity of the Government or the public's confidence in the integrity of the Government.

"(6) The Postmaster General, the Deputy Postmaster General, each Governor of the Board of Governors of the United States Postal Service and each officer or employee of the United States Postal Service or Postal Regulatory Commission who occupies a position for which the rate of basic pay is equal to or greater than 120 percent of the minimum rate of basic pay payable for GS–15 of the General Schedule.

"(7) The Director of the Office of Government Ethics and each designated agency ethics official.

"(8) Any civilian employee not described in paragraph (3), employed in the Executive Office of the President (other than a special Government employee as defined in section 202 of title 18) who holds a commission of appointment from the President.

"(9) A Member of Congress, as defined under section 13101 of this title.

"(10) An officer or employee of the Congress, as defined under section 13101 of this title.

"§ 13106. Failure to file or filing false reports

"(a) VIOLATION.—

"(1) CIVIL ACTIONS.—The Attorney General may bring a civil action in any appropriate United States district court against any individual who knowingly and willfully falsifies or who knowingly and willfully fails to file or report any information that such individual is required to report pursuant to section 13104 of this title. The court in which such action is brought may assess against such individual a civil penalty in any amount, not to exceed $50,000.

"(2) VIOLATIONS AND PENALTIES.—

"(A) VIOLATIONS.—It shall be unlawful for any person to knowingly and willfully—

"(i) falsify any information that such person is required to report under section 13104 of this title; and

"(ii) fail to file or report any information that such person is required to report under section 13104 of this title.

"(B) PENALTIES.—Any person who—

"(i) violates subparagraph (A)(i) shall be fined under title 18, imprisoned for not more than 1 year, or both; and

"(ii) violates subparagraph (A)(ii) shall be fined under title 18.

"(b) REFERRAL TO ATTORNEY GENERAL.—The head of each agency, each Secretary concerned, the Director of the Office of Government Ethics, each congressional ethics committee, or the Judicial Conference, as the case may be, shall refer to the Attorney General the name of any individual which such official or committee has reasonable cause to believe has willfully failed to file a report or has willfully falsified or willfully failed to file information required to be reported. Whenever the Judicial Conference refers a name to the Attorney General under this subsection, the Judicial Conference also shall notify the judicial council of the circuit in which the named individual serves of the referral.

"(c) PERSONNEL ACTION.—The President, the Vice President, the Secretary concerned, the head of each agency, the Office of Personnel Management, a congressional ethics committee, and the Judicial Conference, may take any appropriate personnel or other action in accordance with applicable law or regulation against any individual

failing to file a report or falsifying or failing to report information required to be reported.

"(d) LATE FEES.—

"(1) IN GENERAL.—Any individual who files a report required to be filed under this subchapter more than 30 days after the later of—

"(A) the date such report is required to be filed pursuant to the provisions of this subchapter and the rules and regulations promulgated under this subchapter; or

"(B) if a filing extension is granted to such individual under section 13103(g) of this title, the last day of the filing extension period,

shall, at the direction of and pursuant to regulations issued by the supervising ethics office, pay a filing fee of $200. All such fees shall be deposited in the miscellaneous receipts of the Treasury. The authority under this paragraph to direct the payment of a filing fee may be delegated by the supervising ethics office in the executive branch to other agencies in the executive branch.

"(2) WAIVER.—The supervising ethics office may waive the filing fee under this subsection in extraordinary circumstances.

"§ 13107. Custody of and public access to reports

''(a) AVAILABILITY OF REPORTS TO PUBLIC.—Each agency, each supervising ethics office in the executive or judicial branch, the Clerk of the House of Representatives, and the Secretary of the Senate shall make available to the public, in accordance with subsection (b), each report filed under this subchapter with such agency or office or with the Clerk or the Secretary of the Senate, except that—

''(1) this section does not require public availability of a report filed by any individual in the Office of the Director of National Intelligence, the Central Intelligence Agency, the Defense Intelligence Agency, the National Geospatial-Intelligence Agency, or the National Security Agency, or any individual engaged in intelligence activities in any agency of the United States, if the President finds or has found that, due to the nature of the office or position occupied by such individual, public disclosure of such report would, by revealing the identity of the individual or other sensitive information, compromise the national interest of the United States; and such individuals may be authorized, notwithstanding section 13106(a) of this title, to file such additional reports as are necessary to protect their identity from public disclosure if the President first finds or has

found that such filing is necessary in the national interest; and

"(2) any report filed by an independent counsel whose identity has not been disclosed by the division of the court under chapter 40 of title 28, and any report filed by any person appointed by that independent counsel under such chapter, shall not be made available to the public under this subchapter.

"(b) INSPECTION OF REPORTS.—

"(1) IN GENERAL.—Except as provided in the second sentence of this subsection, each agency, each supervising ethics office in the executive or judicial branch, the Clerk of the House of Representatives, and the Secretary of the Senate shall, within 30 days after any report is received under this subchapter by such agency or office or by the Clerk or the Secretary of the Senate, as the case may be, permit inspection of such report by or furnish a copy of such report to any person requesting such inspection or copy. With respect to any report required to be filed by May 15 of any year, such report shall be made available for public inspection within 30 calendar days after May 15 of such year or within 30 days of the date of filing of such a report for which an extension is granted pursuant to section

13103(g) of this title. The agency, office, Clerk, or Secretary of the Senate, as the case may be, may require a reasonable fee to be paid in any amount which is found necessary to recover the cost of reproduction or mailing of such report excluding any salary of any employee involved in such reproduction or mailing. A copy of such report may be furnished without charge or at a reduced charge if it is determined that waiver or reduction of the fee is in the public interest.

"(2) PROCEDURE FOR REQUESTING REPORTS.—Notwithstanding paragraph (1), a report may not be made available under this section to any person nor may any copy of the report be provided under this section to any person except upon a written application by such person stating—

"(A) that person's name, occupation, and address;

"(B) the name and address of any other person or organization on whose behalf the inspection or copy is requested; and

"(C) that such person is aware of the prohibitions on the obtaining or use of the report.

Any such application shall be made available to the public throughout the period during which the report is made available to the public.

"(3) JUDICIAL EMPLOYEES AND OFFICERS.—

"(A) IN GENERAL.—This section does not require the immediate and unconditional availability of reports filed by an individual described in paragraph (9) or (10) of section 13101 of this title if a finding is made by the Judicial Conference, in consultation with the United States Marshals Service, that revealing personal and sensitive information could endanger that individual or a family member of that individual.

"(B) REDACTION.—A report may be redacted pursuant to this paragraph only—

"(i) to the extent necessary to protect the individual who filed the report or a family member of that individual; and

"(ii) for as long as the danger to such individual exists.

"(C) REDACTION REPORT.—The Administrative Office of the United States Courts shall submit to the Committees on the Judiciary of the House of Representatives and of the Senate

and the Senate Committee on Homeland Security and Governmental Affairs and the House Committee on Oversight and Reform an annual report with respect to the operation of this paragraph including—

"(i) the total number of reports redacted pursuant to this paragraph;

"(ii) the total number of individuals whose reports have been redacted pursuant to this paragraph;

"(iii) the types of threats against individuals whose reports are redacted, if appropriate;

"(iv) the nature or type of information redacted;

"(v) what steps or procedures are in place to ensure that sufficient information is available to litigants to determine if there is a conflict of interest;

"(vi) principles used to guide implementation of redaction authority; and

"(vii) any public complaints received relating to redaction.

"(D) REGULATIONS.—The Judicial Conference, in consultation with the Department of

Justice, shall issue regulations setting forth the circumstances under which redaction is appropriate under this paragraph and the procedures for redaction.

"(E) EXPIRATION OF PARAGRAPH.—This paragraph shall expire on December 31, 2027, and apply to filings through calendar year 2027.

"(c) PROHIBITED USES OF REPORTS.—

"(1) IN GENERAL.—It shall be unlawful for any person to obtain or use a report—

"(A) for any unlawful purpose;

"(B) for any commercial purpose, other than by news and communications media for dissemination to the general public;

"(C) for determining or establishing the credit rating of any individual; or

"(D) for use, directly or indirectly, in the solicitation of money for any political, charitable, or other purpose.

"(2) CIVIL ACTIONS.—The Attorney General may bring a civil action against any person who obtains or uses a report for any purpose prohibited in paragraph (1) of this subsection. The court in which such action is brought may assess against such per-

son a penalty in any amount not to exceed $10,000. Such remedy shall be in addition to any other remedy available under statutory or common law.

"(d) RETENTION OF REPORTS.—

"(1) IN GENERAL.—Any report filed with or transmitted to an agency or supervising ethics office or to the Clerk of the House of Representatives or the Secretary of the Senate pursuant to this subchapter shall be retained by such agency or office or by the Clerk of the House of Representatives or the Secretary of the Senate, as the case may be.

"(2) PUBLIC AVAILABILITY.—Such report shall be made available to the public—

"(A) in the case of a Member of Congress, until a date that is 6 years from the date the individual ceases to be a Member of Congress; and

"(B) in the case of all other reports filed pursuant to this subchapter, for a period of 6 years after receipt of the report.

"(3) DESTRUCTION OF REPORTS.—After the relevant time period identified under paragraph (2), the report shall be destroyed unless needed in an ongoing investigation, except that in the case of an individual who filed the report pursuant to section

13103(b) of this title and was not subsequently confirmed by the Senate, or who filed the report pursuant to section 13103(c) of this title and was not subsequently elected, such reports shall be destroyed 1 year after the individual either is no longer under consideration by the Senate or is no longer a candidate for nomination or election to the Office of President, Vice President, or as a Member of Congress, unless needed in an ongoing investigation or inquiry.

"§ 13108. Review of reports

''(a) TIME FOR REVIEW.—

''(1) EXECUTIVE BRANCH.—Each designated agency ethics official or Secretary concerned shall make provisions to ensure that each report filed with the designated agency ethics official or Secretary under this subchapter is reviewed within 60 days after the date of such filing, except that the Director of the Office of Government Ethics shall review only those reports required to be transmitted to the Director of the Office of Government Ethics under this subchapter within 60 days after the date of transmittal.

''(2) CONGRESSIONAL ETHICS COMMITTEE AND JUDICIAL CONFERENCE.—Each congressional ethics

1 committee and the Judicial Conference shall make
2 provisions to ensure that each report filed under this
3 subchapter is reviewed within 60 days after the date
4 of such filing.
5 ''(b) RESULTS OF REVIEW.—
6 ''(1) COMPLIANCE.—If after reviewing any re-
7 port under subsection (a), the Director of the Office
8 of Government Ethics, the Secretary concerned, the
9 designated agency ethics official, a person des-
10 ignated by the congressional ethics committee, or a
11 person designated by the Judicial Conference, as the
12 case may be, is of the opinion that on the basis of
13 information contained in such report the individual
14 submitting such report is in compliance with applica-
15 ble laws and regulations, he or she shall state such
16 opinion on the report, and shall sign such report.
17 ''(2) ADDITIONAL INFORMATION REQUIRED OR
18 POSSIBLE NONCOMPLIANCE.—If the Director of the
19 Office of Government Ethics, the Secretary con-
20 cerned, the designated agency ethics official, a per-
21 son designated by the congressional ethics com-
22 mittee, or a person designated by the Judicial Con-
23 ference, after reviewing any report under subsection
24 (a)—

"(A) believes additional information is required to be submitted, he or she shall notify the individual submitting such report what additional information is required and the time by which it must be submitted; or

"(B) is of the opinion, on the basis of information submitted, that the individual is not in compliance with applicable laws and regulations, he or she shall notify the individual, afford a reasonable opportunity for a written or oral response, and after consideration of such response, reach an opinion as to whether or not, on the basis of information submitted, the individual is in compliance with such laws and regulations.

"(3) NONCOMPLIANCE AND NOTIFICATION OF STEPS TO ASSURE COMPLIANCE.—If the Director of the Office of Government Ethics, the Secretary concerned, the designated agency ethics official, a person designated by a congressional ethics committee, or a person designated by the Judicial Conference, reaches an opinion under paragraph (2)(B) that an individual is not in compliance with applicable laws and regulations, the official or committee shall notify the individual of that opinion and, after an oppor-

tunity for personal consultation (if practicable), determine and notify the individual of which steps, if any, would in the opinion of such official or committee be appropriate for assuring compliance with such laws and regulations and the date by which such steps should be taken. Such steps may include, as appropriate—

"(A) divestiture;

"(B) restitution;

"(C) the establishment of a blind trust;

"(D) request for an exemption under section 208(b) of title 18; or

"(E) voluntary request for transfer, reassignment, limitation of duties, or resignation.

The use of any such steps shall be in accordance with such rules or regulations as the supervising ethics office may prescribe.

"(4) REFERRAL OF INDIVIDUALS IN POSITIONS REQUIRING SENATE CONFIRMATION.—If steps for assuring compliance with applicable laws and regulations are not taken by the date set under paragraph (3) by an individual in a position in the executive branch (other than in the Foreign Service or the uniformed services), appointment to which requires the advice and consent of the Senate, the matter

shall be referred to the President for appropriate action.

"(5) REFERRAL OF MEMBER OF FOREIGN SERVICE OR UNIFORMED SERVICES.—If steps for assuring compliance with applicable laws and regulations are not taken by the date set under paragraph (3) by a member of the Foreign Service or the uniformed services, the Secretary concerned shall take appropriate action.

"(6) REFERRAL OF OTHER OFFICERS OR EMPLOYEES.—If steps for assuring compliance with applicable laws and regulations are not taken by the date set under paragraph (3) by any other officer or employee, the matter shall be referred to the head of the appropriate agency, the congressional ethics committee, or the Judicial Conference, for appropriate action, except that in the case of the Postmaster General or Deputy Postmaster General, the Director of the Office of Government Ethics shall recommend to the Governors of the Board of Governors of the United States Postal Service the action to be taken.

"(7) ADVISORY OPINIONS.—Each supervising ethics office may render advisory opinions interpreting this subchapter within its respective jurisdic-

tion. Notwithstanding any other provision of law, the individual to whom a public advisory opinion is rendered in accordance with this paragraph, and any other individual covered by this subchapter who is involved in a fact situation which is indistinguishable in all material aspects, and who acts in good faith in accordance with the provisions and findings of such advisory opinion shall not, as a result of such act, be subject to any penalty or sanction provided by this subchapter.

"§ 13109. Confidential reports and other additional requirements

''(a) IN GENERAL.—

''(1) AUTHORITY TO REQUIRE CONFIDENTIAL FINANCIAL DISCLOSURE REPORTS.—Each supervising ethics office may require officers and employees under its jurisdiction (including special Government employees as defined in section 202 of title 18) to file confidential financial disclosure reports, in such form as the supervising ethics office may prescribe. The information required to be reported under this subsection by the officers and employees of any department or agency shall be set forth in rules or regulations prescribed by the supervising ethics office, and may be less extensive than other-

wise required by this subchapter, or more extensive when determined by the supervising ethics office to be necessary and appropriate in light of sections 202 through 209 of title 18, regulations promulgated under those sections, or the authorized activities of such officers or employees. Any individual required to file a report pursuant to section 13103 of this title shall not be required to file a confidential report pursuant to this subsection, except with respect to information which is more extensive than information otherwise required by this subchapter. Subsections (a), (b), and (d) of section 13107 of this title shall not apply with respect to any such report.

"(2) CONFIDENTIALITY.—Any information required to be provided by an individual under this subsection shall be confidential and shall not be disclosed to the public.

"(3) NO EXEMPTION FROM OTHER REPORTING REQUIREMENTS.—Nothing in this subsection exempts any individual otherwise covered by the requirement to file a public financial disclosure report under this subchapter from such requirement.

"(b) PREEMPTION.—The provisions of this subchapter requiring the reporting of information shall supersede any general requirement under any other provision

of law or regulation with respect to the reporting of information required for purposes of preventing conflicts of interest or apparent conflicts of interest. Such provisions of this subchapter shall not supersede the requirements of section 7342 of this title.

''(c) NO AUTHORIZATION FOR ACTIVITY OTHERWISE PROHIBITED.—Nothing in this chapter requiring reporting of information shall be deemed to authorize the receipt of income, gifts, or reimbursements; the holding of assets, liabilities, or positions; or the participation in transactions that are prohibited by law, Executive order, rule, or regulation.

"§ 13110. Authority of Comptroller General

''(a) ACCESS TO FINANCIAL DISCLOSURE REPORTS.—The Comptroller General shall have access to financial disclosure reports filed under this subchapter for the purposes of carrying out the Comptroller General's statutory responsibilities.

''(b) STUDIES.—Not later than December 31, 1992, and regularly thereafter, the Comptroller General shall conduct a study to determine whether the provisions of this subchapter are being carried out effectively.

"§ 13111. Notice of actions taken to comply with ethics agreements

''(a) IN GENERAL.—In any case in which an individual agrees with that individual's designated agency ethics official, the Office of Government Ethics, a Senate confirmation committee, a congressional ethics committee, or the Judicial Conference, to take any action to comply with this chapter or any other law or regulation governing conflicts of interest of, or establishing standards of conduct applicable with respect to, officers or employees of the Government, that individual shall notify in writing the designated agency ethics official, the Office of Government Ethics, the appropriate committee of the Senate, the congressional ethics committee, or the Judicial Conference, as the case may be, of any action taken by the individual pursuant to that agreement. Such notification shall be made not later than the date specified in the agreement by which action by the individual must be taken, or not later than 3 months after the date of the agreement, if no date for action is so specified.

''(b) RECUSAL.—If an agreement described in subsection (a) requires that the individual recuse himself or herself from particular categories of agency or other official action, the individual shall reduce to writing those subjects regarding which the recusal agreement will apply and the process by which it will be determined whether

the individual must recuse himself or herself in a specific instance. An individual shall be considered to have complied with the requirements of subsection (a) with respect to such recusal agreement if such individual files a copy of the document setting forth the information described in the preceding sentence with such individual's designated agency ethics official or the appropriate supervising ethics office within the time prescribed in the last sentence of subsection (a).

''SUBCHAPTER II—OFFICE OF GOVERNMENT ETHICS

''§ 13121. Establishment; appointment of Director

''(a) ESTABLISHMENT.—There is established an executive agency to be known as the Office of Government Ethics.

''(b) DIRECTOR.—There shall be at the head of the Office of Government Ethics a Director (hereinafter referred to as the 'Director'), who shall be appointed by the President, by and with the advice and consent of the Senate. Effective with respect to any individual appointed or reappointed by the President as Director on or after October 1, 1983, the term of service of the Director shall be 5 years.

''(c) AUTHORITY OF DIRECTOR.—The Director may—

"(1) appoint officers and employees, including attorneys, in accordance with chapter 51 and subchapter III of chapter 53 of this title; and

"(2) contract for financial and administrative services (including those related to budget and accounting, financial reporting, personnel, and procurement) with the General Services Administration, or such other Federal agency as the Director determines appropriate, for which payment shall be made in advance, or by reimbursement, from funds of the Office of Government Ethics in such amounts as may be agreed upon by the Director and the head of the agency providing such services.

Contract authority under paragraph (2) shall be effective for any fiscal year only to the extent that appropriations are available for that purpose.

"§ 13122. Authority and functions

"(a) OVERALL DIRECTION OF EXECUTIVE BRANCH POLICIES RELATING TO PREVENTION OF CONFLICTS OF INTEREST.—The Director shall provide, in consultation with the Office of Personnel Management, overall direction of executive branch policies related to preventing conflicts of interest on the part of officers and employees of any executive agency, as defined in section 105 of this title.

1 ''(b) RESPONSIBILITIES OF DIRECTOR.—The respon-
2 sibilities of the Director shall include—
3 ''(1) developing, in consultation with the Attor-
4 ney General and the Office of Personnel Manage-
5 ment, rules and regulations to be promulgated by
6 the President or the Director pertaining to conflicts
7 of interest and ethics in the executive branch, in-
8 cluding rules and regulations establishing procedures
9 for the filing, review, and public availability of finan-
10 cial statements filed by officers and employees in the
11 executive branch as required by subchapter I;
12 ''(2) developing, in consultation with the Attor-
13 ney General and the Office of Personnel Manage-
14 ment, rules and regulations to be promulgated by
15 the President or the Director pertaining to the iden-
16 tification and resolution of conflicts of interest;
17 ''(3) monitoring and investigating compliance
18 with the public financial disclosure requirements of
19 subchapter I by officers and employees of the execu-
20 tive branch and executive agency officials responsible
21 for receiving, reviewing, and making available finan-
22 cial statements filed pursuant to subchapter I;
23 ''(4) conducting a review of financial statements
24 to determine whether such statements reveal possible
25 violations of applicable conflict of interest laws or

regulations and recommending appropriate action to correct any conflict of interest or ethical problems revealed by such review;

''(5) monitoring and investigating individual and agency compliance with any additional financial reporting and internal review requirements established by law for the executive branch;

''(6) interpreting rules and regulations issued by the President or the Director governing conflict of interest and ethical problems and the filing of financial statements;

''(7) consulting, when requested, with agency ethics counselors and other responsible officials regarding the resolution of conflict of interest problems in individual cases;

''(8) establishing a formal advisory opinion service whereby advisory opinions are rendered on matters of general applicability or on important matters of first impression after, to the extent practicable, providing interested parties with an opportunity to transmit written comments with respect to the request for such advisory opinion, and whereby such advisory opinions are compiled, published, and made available to agency ethics counselors and the public;

1 ''(9) ordering corrective action on the part of
2 agencies and employees which the Director deems
3 necessary;
4 ''(10) requiring such reports from executive
5 agencies as the Director deems necessary;
6 ''(11) assisting the Attorney General in evalu-
7 ating the effectiveness of the conflict of interest laws
8 and in recommending appropriate amendments;
9 ''(12) evaluating, with the assistance of the At-
10 torney General and the Office of Personnel Manage-
11 ment, the need for changes in rules and regulations
12 issued by the Director and the agencies regarding
13 conflict of interest and ethical problems, with a view
14 toward making such rules and regulations consistent
15 with and an effective supplement to the conflict of
16 interest laws;
17 ''(13) cooperating with the Attorney General in
18 developing an effective system for reporting allega-
19 tions of violations of the conflict of interest laws to
20 the Attorney General, as required by section 535 of
21 title 28;
22 ''(14) providing information on and promoting
23 understanding of ethical standards in executive
24 agencies; and

"(15) developing, in consultation with the Office of Personnel Management, and promulgating such rules and regulations as the Director determines necessary or desirable with respect to the evaluation of any item required to be reported by subchapter I.

"(c) CONSULTATION.—In the development of policies, rules, regulations, procedures, and forms to be recommended, authorized, or prescribed by the Director, the Director shall consult when appropriate with the executive agencies affected and with the Attorney General.

"(d) ESTABLISHED WRITTEN PROCEDURES.—

"(1) IN GENERAL.—The Director shall, by the exercise of any authority otherwise available to the Director under this subchapter, ensure that each executive agency has established written procedures relating to how the agency is to collect, review, evaluate, and, if applicable, make publicly available, financial disclosure statements filed by any of its officers or employees.

"(2) CONFORMANCE WITH APPLICABLE REQUIREMENTS.—In carrying out paragraph (1), the Director shall ensure that each agency's procedures are in conformance with all applicable requirements,

whether established by law, rule, regulation, or Executive order.

"(e) REPORTS FROM EXECUTIVE AGENCIES.—In carrying out subsection (b)(10), the Director shall prescribe regulations under which—

"(1) each executive agency shall be required to submit to the Office an annual report containing—

"(A) a description and evaluation of the agency's ethics program, including any educational, counseling, or other services provided to officers and employees, in effect during the period covered by the report;

"(B) the position title and duties of—

"(i) each official who was designated by the agency head to have primary responsibility for the administration, coordination, and management of the agency's ethics program during any portion of the period covered by the report; and

"(ii) each officer or employee who was designated to serve as an alternate to the official having primary responsibility during any portion of such period; and

"(C) any other information that the Director may require in order to carry out the re-

sponsibilities of the Director under this subchapter; and

"(2) each executive agency shall be required to inform the Director upon referral of any alleged violation of Federal conflict of interest law to the Attorney General pursuant to section 535 of title 28, except that nothing under this paragraph shall require any notification or disclosure which would otherwise be prohibited by law.

"(f) CORRECTIVE ACTIONS.—

"(1) EXECUTIVE AGENCIES.—In carrying out subsection (b)(9) with respect to executive agencies, the Director—

"(A) may—

"(i) order specific corrective action on the part of an agency based on the failure of such agency to establish a system for the collection, filing, review, and, when applicable, public inspection of financial disclosure statements, in accordance with applicable requirements, or to modify an existing system in order to meet applicable requirements; or

"(ii) order specific corrective action involving the establishment or modification

of an agency ethics program (other than with respect to any matter under clause (i)) in accordance with applicable requirements; and

"(B) shall, if an agency has not complied with an order under subparagraph (A) within a reasonable period of time, notify the President and the Congress of the agency's noncompliance in writing (including, with the notification, any written comments which the agency may provide).

"(2) INDIVIDUAL OFFICERS AND EMPLOYEES.—

"(A) IN GENERAL.—In carrying out subsection (b)(9) with respect to individual officers and employees—

"(i) the Director may make such recommendations and provide such advice to such officers and employees as the Director considers necessary to ensure compliance with rules, regulations, and Executive orders relating to conflicts of interest or standards of conduct;

"(ii) if the Director has reason to believe that an officer or employee is violating, or has violated, any rule, regulation,

or Executive order relating to conflicts of interest or standards of conduct, the Director—

"(I) may recommend to the head of the officer's or employee's agency that such agency head investigate the possible violation and, if the agency head finds such a violation, that such agency head take any appropriate disciplinary action (such as reprimand, suspension, demotion, or dismissal) against the officer or employee, except that, if the officer or employee involved is the agency head, any such recommendation shall instead be submitted to the President; and

"(II) shall notify the President in writing if the Director determines that the head of an agency has not conducted an investigation pursuant to subclause (I) within a reasonable time after the Director recommends such action;

"(iii) if the Director finds that an officer or employee is violating any rule, reg-

ulation, or Executive order relating to conflicts of interest or standards of conduct, the Director—

"(I) may order the officer or employee to take specific action (such as divestiture, recusal, or the establishment of a blind trust) to end such violation; and

"(II) shall, if the officer or employee has not complied with the order under subclause (I) within a reasonable period of time, notify, in writing, the head of the officer's or employee's agency of the officer's or employee's noncompliance, except that, if the officer or employee involved is the agency head, the notification shall instead be submitted to the President; and

"(iv) if the Director finds that an officer or employee is violating, or has violated, any rule, regulation, or Executive order relating to conflicts of interest or standards of conduct, the Director—

"(I) may recommend to the head of the officer's or employee's agency that appropriate disciplinary action (such as reprimand, suspension, demotion, or dismissal) be brought against the officer or employee, except that if the officer or employee involved is the agency head, any such recommendations shall instead be submitted to the President; and

"(II) may notify the President in writing if the Director determines that the head of an agency has not taken appropriate disciplinary action within a reasonable period of time after the Director recommends such action.

"(B) INVESTIGATIONS AND FINDINGS CONCERNING POSSIBLE VIOLATIONS.—

"(i) AUTHORITY OF DIRECTOR.—In order to carry out the Director's duties and responsibilities under subparagraph (A)(iii) or (iv) with respect to individual officers and employees, the Director may conduct investigations and make findings concerning possible violations of any rule,

regulation, or Executive order relating to conflicts of interest or standards of conduct applicable to officers and employees of the executive branch.

"(ii) NOTIFICATION OF ALLEGED VIOLATION AND OPPORTUNITY TO COMMENT.—

"(I) NOTIFICATION BEFORE A FINDING IS MADE.—Subject to clause (iv) of this subparagraph, before any finding is made under subparagraphs (A)(iii) or (iv), the officer or employee involved shall be afforded notification of the alleged violation, and an opportunity to comment, either orally or in writing, on the alleged violation.

"(II) PROCEDURES.—The Director shall, in accordance with section 553 of this title, establish procedures for such notification and comment.

"(iii) HEARING.—Subject to clause (iv) of this subparagraph, before any action is ordered under subparagraph (A)(iii), the officer or employee involved shall be afforded an opportunity for a

hearing, if requested by such officer or employee, except that any such hearing shall be conducted on the record.

"(iv) EXCEPTION.—The procedures described in clauses (ii) and (iii) of this subparagraph do not apply to findings or orders for action made to obtain compliance with the financial disclosure requirements in subchapter I. For those findings and orders, the procedures in section 13108 of this title shall apply.

"(3) COPIES OF ORDERS RELATING TO FINDING OF VIOLATION.—The Director shall send a copy of any order under paragraph (2)(A)(iii) to—

"(A) the officer or employee who is the subject of such order; and

"(B) the head of the officer's or employee's agency or, if such officer or employee is the agency head, to the President.

"(4) AGENCY HEADED BY BOARD, COMMITTEE, OR OTHER GROUP.—For purposes of paragraphs (2)(A)(ii), (iii), (iv), and (3)(B), in the case of an officer or employee within an agency which is headed by a board, committee, or other group of individuals (rather than by a single individual), any notification,

recommendation, or other matter which would otherwise be sent to an agency head shall instead be sent to the officer's or employee's appointing authority.

"(5) NO AUTHORITY TO MAKE FINDINGS OF CRIMINAL LAW VIOLATIONS.—Nothing in this subchapter shall be considered to allow the Director (or any designee) to make any finding that a provision of title 18, or any criminal law of the United States outside of title 18, has been or is being violated.

"(6) LIMITATION ON AVAILABILITY OF RECORDS.—Notwithstanding any other provision of law, no record developed pursuant to the authority of this section concerning an investigation of an individual for a violation of any rule, regulation, or Executive order relating to a conflict of interest shall be made available pursuant to section 552(a)(3) of this title, unless the request for such information identifies the individual to whom such records relate and the subject matter of any alleged violation to which such records relate, except that nothing in this subsection shall affect the application of the provisions of section 552(b) of this title to any record so identified.

"§ 13123. Administrative provisions

''(a) ASSISTANCE TO DIRECTOR.—Upon the request of the Director, each executive agency is directed to—

''(1) make its services, personnel, and facilities available to the Director to the greatest practicable extent for the performance of functions under this chapter; and

''(2) except when prohibited by law, furnish to the Director all information and records in its possession which the Director may determine to be necessary for the performance of the Director's duties.

The authority of the Director under this section includes the authority to request assistance from the inspector general of an agency in conducting investigations pursuant to the Office of Government Ethics responsibilities under this chapter. The head of any agency may detail such personnel and furnish such services, with or without reimbursement, as the Director may request to carry out the provisions of this chapter.

''(b) GIFT ACCEPTANCE AUTHORITY.—

''(1) IN GENERAL.—The Director is authorized to accept and utilize on behalf of the United States, any gift, donation, bequest, or devise of money, use of facilities, personal property, or services for the purpose of aiding or facilitating the work of the Office of Government Ethics.

1 "(2) LIMITATIONS.—No gift may be accepted—
2 "(A) that attaches conditions inconsistent
3 with applicable laws or regulations; or
4 "(B) that is conditioned upon or will re-
5 quire the expenditure of appropriated funds
6 that are not available to the Office of Govern-
7 ment Ethics.
8 "(3) CRITERIA FOR DETERMINING APPRO-
9 PRIATENESS OF GIFT ACCEPTANCE.—The Director
10 shall establish written rules setting forth the criteria
11 to be used in determining whether the acceptance of
12 contributions of money, services, use of facilities, or
13 personal property under this subsection would reflect
14 unfavorably upon the ability of the Office of Govern-
15 ment Ethics, or any employee of such Office, to
16 carry out its responsibilities or official duties in a
17 fair and objective manner, or would compromise the
18 integrity or the appearance of the integrity of its
19 programs or any official involved in those programs.

"§ 13124. Rules and regulations

''In promulgating rules and regulations pertaining to financial disclosure, conflict of interest, and ethics in the executive branch, the Director shall issue rules and regulations in accordance with chapter 5 of this title. Any person may seek judicial review of any such rule or regulation.

"§ 13125. Authorization of appropriations

''There are authorized to be appropriated to carry out this subchapter such sums as may be necessary for fiscal year 2007.

"§ 13126. Reports to Congress

''The Director shall, no later than April 30 of each year in which the second session of a Congress begins, submit to the Congress a report containing—

''(1) a summary of the actions taken by the Director during a 2-year period ending on December 31 of the preceding year in order to carry out the Director's functions and responsibilities under this subchapter; and

''(2) such other information as the Director may consider appropriate.

''SUBCHAPTER III—LIMITATIONS ON OUTSIDE EARNED INCOME AND EMPLOYMENT

"§ 13141. Definitions

''In this subchapter:

"(1) CHARITABLE ORGANIZATION.—The term 'charitable organization' means an organization described in section 170(c) of the Internal Revenue Code of 1986 (26 U.S.C. 170(c)).

"(2) HONORARIUM.—The term 'honorarium' means a payment of money or any thing of value for an appearance, speech or article (including a series of appearances, speeches, or articles if the subject matter is directly related to the individual's official duties or the payment is made because of the individual's status with the Government) by a Member, officer or employee, excluding any actual and necessary travel expenses incurred by such individual (and one relative) to the extent that such expenses are paid or reimbursed by any other person, and the amount otherwise determined shall be reduced by the amount of any such expenses to the extent that such expenses are not paid or reimbursed.

"(3) MEMBER.—The term 'Member' means a Senator in, a Representative in, or a Delegate or Resident Commissioner to, the Congress.

"(4) OFFICER OR EMPLOYEE.—The term 'officer or employee' means any officer or employee of the Government except any special Government employee (as defined in section 202 of title 18).

1 ''(5) TRAVEL EXPENSES.—The term 'travel ex-
2 penses' means, with respect to a Member, officer or
3 employee, or a relative of any such individual, the
4 cost of transportation, and the cost of lodging and
5 meals while away from his or her residence or prin-
6 cipal place of employment.

7 **"§ 13142. Administration**

8 ''This subchapter shall be subject to the rules and
9 regulations of—

10 ''(1) and administered by—

11 ''(A) the Committee on Ethics of the
12 House of Representatives, with respect to Mem-
13 bers, officers, and employees of the House of
14 Representatives; and

15 ''(B) in the case of Senators and legislative
16 branch officers and employees other than those
17 officers and employees specified in subpara-
18 graph (A), the committee to which reports filed
19 by such officers and employees under sub-
20 chapter I are transmitted under that sub-
21 chapter, except that the authority of this sec-
22 tion may be delegated by such committee with
23 respect to such officers and employees;

24 ''(2) the Office of Government Ethics and ad-
25 ministered by designated agency ethics officials with

respect to officers and employees of the executive branch; and

"(3) and administered by the Judicial Conference of the United States (or such other agency as it may designate) with respect to officers and employees of the judicial branch.

"§ 13143. Outside earned income limitation

"(a) OUTSIDE EARNED INCOME LIMITATION.—

"(1) IN GENERAL.—Except as provided by paragraph (2), a Member or an officer or employee who is a noncareer officer or employee and who occupies a position classified above GS–15 of the General Schedule or, in the case of positions not under the General Schedule, for which the rate of basic pay is equal to or greater than 120 percent of the minimum rate of basic pay payable for GS–15 of the General Schedule, may not in any calendar year have outside earned income attributable to such calendar year which exceeds 15 percent of the annual rate of basic pay for level II of the Executive Schedule under section 5313 of this title, as of January 1 of such calendar year.

"(2) PORTION OF YEAR.—In the case of any individual who during a calendar year becomes a Member or an officer or employee who is a non-

career officer or employee and who occupies a position classified above GS–15 of the General Schedule or, in the case of positions not under the General Schedule, for which the rate of basic pay is equal to or greater than 120 percent of the minimum rate of basic pay payable for GS–15 of the General Schedule, such individual may not have outside earned income attributable to the portion of that calendar year which occurs after such individual becomes a Member or such an officer or employee which exceeds 15 percent of the annual rate of basic pay for level II of the Executive Schedule under section 5313 of this title, as of January 1 of such calendar year multiplied by a fraction the numerator of which is the number of days such individual is a Member or such officer or employee during such calendar year and the denominator of which is 365.

''(b) HONORARIA PROHIBITION.—An individual may not receive any honorarium while that individual is a Member, officer or employee.

''(c) TREATMENT OF CHARITABLE CONTRIBUTIONS.—Any honorarium which, except for subsection (b), might be paid to a Member, officer or employee, but which is paid instead on behalf of such Member, officer or employee to a charitable organization, shall be deemed not

to be received by such Member, officer or employee. No such payment shall exceed $2,000 or be made to a charitable organization from which such individual or a parent, sibling, spouse, child, or dependent relative of such individual derives any financial benefit.

"§ 13144. Limitations on outside employment

''(a) LIMITATIONS.—A Member or an officer or employee who is a noncareer officer or employee and who occupies a position classified above GS–15 of the General Schedule or, in the case of positions not under the General Schedule, for which the rate of basic pay is equal to or greater than 120 percent of the minimum rate of basic pay payable for GS–15 of the General Schedule shall not—

''(1) receive compensation for affiliating with or being employed by a firm, partnership, association, corporation, or other entity which provides professional services involving a fiduciary relationship;

''(2) permit that Member's, officer's, or employee's name to be used by any such firm, partnership, association, corporation, or other entity;

''(3) receive compensation for practicing a profession which involves a fiduciary relationship;

"(4) serve for compensation as an officer or member of the board of any association, corporation, or other entity; or

"(5) receive compensation for teaching, without the prior notification and approval of the appropriate entity referred to in section 13142 of this title.

"(b) TEACHING COMPENSATION OF JUSTICES AND JUDGES RETIRED FROM REGULAR ACTIVE SERVICE.—For purposes of the limitation under section 13143(a) of this title, any compensation for teaching approved under subsection (a)(5) of this section shall not be treated as outside earned income—

"(1) when received by a justice of the United States retired from regular active service under section 371(b) of title 28;

"(2) when received by a judge of the United States retired from regular active service under section 371(b) of title 28, for teaching performed during any calendar year for which such judge has met the requirements of subsection (e) of section 371 of title 28, as certified in accordance with such subsection; or

"(3) when received by a justice or judge of the United States retired from regular active service under section 372(a) of title 28.

"§ 13145. Civil penalties

"(a) CIVIL ACTION.—The Attorney General may bring a civil action in any appropriate United States district court against any individual who violates any provision of section 13143 or 13144 of this title. The court in which such action is brought may assess against such individual a civil penalty of not more than $10,000 or the amount of compensation, if any, which the individual received for the prohibited conduct, whichever is greater.

"(b) ADVISORY OPINIONS.—Any entity described in section 13142 of this title may render advisory opinions interpreting this subchapter, in writing, to individuals covered by this subchapter. Any individual to whom such an advisory opinion is rendered and any other individual covered by this subchapter who is involved in a fact situation which is indistinguishable in all material aspects, and who, after the issuance of such advisory opinion, acts in good faith in accordance with its provisions and findings shall not, as a result of such actions, be subject to any sanction under subsection (a).

"§ 13146. Conditional termination

''This subchapter shall cease to be effective if the provisions of section 703 of the Ethics Reform Act of 1989 (Public Law 101–194, 5 U.S.C. 5318 note) are repealed.''.

SEC. 4. TECHNICAL AMENDMENTS.

(a) AMENDMENTS TO UPDATE REFERENCES TO FEDERAL ADVISORY COMMITTEE ACT.—

(1) Section 204(b) (matter before paragraph (1)) of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1534(b) (matter before paragraph (1)) is amended by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(2) Section 3(8)(B)(vi) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1602(8)(B)(vi)) is amended by striking ''the Federal Advisory Committee Act;'' and inserting ''chapter 10 of title 5, United States Code;''.

(3) Section 411(c)(1)(B) of title 3, United States Code, is amended by striking ''section 3(2) of the Federal Advisory Committee Act;'' and inserting ''section 1001 of title 5;''.

(4) Section 2(6) of the Negotiated Rulemaking Act of 1990 (Public Law 101–648, 5 U.S.C. 561 note) is amended by striking ''the Federal Advisory

Committee Act (5 U.S.C. App.).'' and inserting ''chapter 10 of title 5, United States Code.''.

(5) Section 562(7) of title 5, United States Code, is amended by striking ''the Federal Advisory Committee Act'' and inserting ''chapter 10 of this title''.

(6) Section 11(e)(1) of the Administrative Dispute Resolution Act of 1996 (Public Law 104–320, 5 U.S.C. 563 note) is amended by striking ''section 9 of the Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''section 1008 of title 5, United States Code,''.

(7) Section 565(a)(1) of title 5, United States Code, is amended by striking ''the Federal Advisory Committee Act'' and inserting ''chapter 10 of this title''.

(8) Section 566 of title 5, United State Code, is amended—

(A) in subsection (c), by striking ''section 10(e) of the Federal Advisory Committee Act,'' and inserting ''section 1009(e) of this title,'';

(B) in subsection (d)(3), by striking ''section 10(b) and (c) of the Federal Advisory Committee Act,'' and inserting ''section 1009(b) and (c) of this title,''; and

(C) in subsection (g), by striking ''section 10(b) and (c) of the Federal Advisory Committee Act.'' and inserting ''section 1009(b) and (c) of this title.''.

(9) Section 568(c) (matter before paragraph (1)) of title 5, United States Code, is amended by striking ''section 7(d) of the Federal Advisory Committee Act,'' and inserting ''section 1006(d) of this title,''.

(10) Section 8473(f) of title 5, United States Code, is amended by striking ''Section 14(a)(2) of the Federal Advisory Committee Act'' and inserting ''Section 1013(a) of this title''.

(11) Section 606 of the Intelligence Authorization Act for Fiscal Year 2003 (Public Law 107–306, 6 U.S.C. 101 note) is amended—

(A) in the section heading, by striking ''FEDERAL ADVISORY COMMITTEE ACT'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in subsection (a), by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(12) Section 210D(h) of the Homeland Security Act of 2002 (6 U.S.C. 124k(h)) is amended—

(A) in the subsection heading, by striking ''THE FEDERAL ADVISORY COMMITTEE ACT'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in section text, by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(13) Section 232(b)(2) of the Homeland Security Act of 2002 (6 U.S.C. 162(b)(2)) is amended by striking ''the Federal Advisory Committee Act (5 U.S.C. App.))'' and inserting ''chapter 10 of title 5, United States Code)''.

(14) Section 311(i) of the Homeland Security Act of 2002 (6 U.S.C. 191(i)) is amended—

(A) in the subsection heading, by striking ''FEDERAL ADVISORY COMMITTEE ACT EXEMPTION'' and inserting ''EXEMPTION FROM CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''Section 14 of the Federal Advisory Committee Act'' and inserting ''Section 1013 of title 5, United States Code,''.

(15) Section 508(e) of the Homeland Security Act of 2002 (6 U.S.C. 318(e)) is amended—

(A) in the subsection heading, by striking ''FEDERAL ADVISORY COMMITTEE ACT'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE'';

(B) in paragraph (1), by striking ''the Federal Advisory Committee Act (5 U.S.C. App.), including subsections (a), (b), and (d) of section 10 of such Act,'' and inserting ''chapter 10 of title 5, United States Code, including subsections (a), (b), and (d) of section 1009 of title 5, United States Code,''; and

(C) in paragraph (2), by striking ''Section 14(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Section 1013(a)(2) of title 5, United States Code,''.

(16) Section 871(a) of the Homeland Security Act of 2002 (6 U.S.C. 451(a)) is amended by striking ''Public Law 92–463,'' and inserting ''chapter 10 of title 5, United States Code,''.

(17) Section 1016(g)(4) of the National Security Intelligence Reform Act of 2004 (6 U.S.C. 485(g)(4)) is amended—

(A) in the paragraph heading, by striking ''FEDERAL ADVISORY COMMITTEE ACT'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''the Federal Advisory Committee Act (5 U.S.C. App.).'' and inserting ''chapter 10 of title 5, United States Code.''.

(18) Section 2224(b) of the Homeland Security Act of 2002 (6 U.S.C. 673(b)) is amended by striking ''the Federal Advisory Committee Act (5 U.S.C. App. 2).'' and inserting ''chapter 10 of title 5, United States Code.''.

(19) Section 2(a)(15)(E) of the Commodity Exchange Act (7 U.S.C. 2(a)(15)(E)) is amended—

(A) in the subparagraph heading, by striking ''FACA'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''the Federal Advisory Committee Act (5 U.S.C. App.).'' and inserting ''chapter 10 of title 5, United States Code.''.

(20) Section 21(b) of the United States Grain Standards Act (7 U.S.C. 87j(b)) is amended by striking ''the Federal Advisory Committee Act (5

U.S.C. App. 2).'' and inserting ''chapter 10 of title 5, United States Code.''.

(21) Section 3(c)(11)(F) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a(c)(11)(F)) is amended—

(A) in the subparagraph heading, by striking ''FEDERAL ADVISORY COMMITTEE ACT'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(22) Section 5 of the Research Facilities Act (7 U.S.C. 390c) is amended—

(A) in the section heading, by striking ''FEDERAL ADVISORY COMMITTEE ACT'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(23) Section 3a(c)(2) of the Act of March 3, 1927 (7 U.S.C. 473a(c)(2)) is amended by striking

"The Federal Advisory Committee Act (5 U.S.C. App.)" and inserting "Chapter 10 of title 5, United States Code,".

(24) Section 5 of the Act of August 23, 1935 (7 U.S.C. 511d) is amended by striking "the Federal Advisory Committee Act," and inserting "chapter 10 of title 5, United States Code,".

(25) Section 2(b)(3)(B) of the Mandatory Price Reporting Act of 2010 (Public Law 111–239, 7 U.S.C. 1635k note) is amended—

(A) in the subparagraph heading, by striking "FEDERAL ADVISORY COMMITTEE ACT" and inserting "CHAPTER 10 OF TITLE 5, UNITED STATES CODE"; and

(B) in text, by striking "the Federal Advisory Committee Act (5 U.S.C. App.)." and inserting "chapter 10 of title 5, United States Code.".

(26) Section 205(e) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1725(e)) is amended—

(A) in the subsection heading, by striking "ADVISORY COMMITTEE ACT" and inserting "CHAPTER 10 OF TITLE 5, UNITED STATES CODE"; and

(B) in text, by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(27) Section 11(o)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2020(o)(1)) is amended by striking ''the Federal Advisory Committee Act,'' and inserting ''chapter 10 of title 5, United States Code,''.

(28) Section 607(b)(3) of the Rural Development Act of 1972 (7 U.S.C. 2204b(b)(3)) is amended by striking ''the Federal Advisory Committee Act.'' and inserting ''chapter 10 of title 5, United States Code.''.

(29) Section 921(g)(1) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 2279b(g)(1)) is amended by striking ''the Federal Advisory Committee Act (5 U.S.C. App.);'' and inserting ''chapter 10 of title 5, United States Code;''.

(30) Section 1806(2) of the Food and Agriculture Act of 1977 (7 U.S.C. 2286(2)) is amended by striking ''the Federal Advisory Committee Act'' and inserting ''chapter 10 of title 5, United States Code,''.

(31) Section 1408(f) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3123(f)) is amended—

(A) in the subsection heading, by striking ''FEDERAL ADVISORY COMMITTEE ACT'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''section 9(c) of the Federal Advisory Committee Act (5 U.S.C. App.).'' and inserting ''section 1008(c) of title 5, United States Code.''.

(32) Section 1408A(a)(2)(E) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3123a(a)(2)(E)) is amended—

(A) in the subparagraph heading, by striking ''FEDERAL ADVISORY COMMITTEE ACT'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''section 9(c) of the Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''section 1008(c) of title 5, United States Code,''.

(33) Section 1409A(e) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3124a(e)) is amended—

(A) in the subsection heading, by striking ''FEDERAL ADVISORY COMMITTEE ACT'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in paragraph (2), by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(34) Section 1413B of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3129a) is amended—

(A) in the section heading, by striking ''FEDERAL ADVISORY COMMITTEE ACT EXEMPTION'' and inserting ''EXEMPTION FROM CHAPTER 10 OF TITLE 5, UNITED STATES CODE,''; and

(B) in text, by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(35) Section 1417(k) of the National Agricultural Research, Extension, and Teaching Policy Act

of 1977 (7 U.S.C. 3152(k)) is amended by striking ''The Federal Advisory Committee Act (5 U.S.C. App. 2)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(36) Section 2(j) of Public Law 89–106 (7 U.S.C. 3157(j)) is amended by striking ''The Federal Advisory Committee Act (5 U.S.C. App. 2)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(37) Section 1434(f) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3196(f)) is amended—

(A) in the subsection heading, by striking ''FEDERAL ADVISORY COMMITTEE ACT'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(38) Section 1634(l) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5843(l)) is amended—

(A) in the subsection heading, by striking ''ADVISORY COMMITTEE ACT'' and inserting

"CHAPTER 10 OF TITLE 5, UNITED STATES CODE"; and

(B) in text, by striking "Section 14(a) of the Federal Advisory Committee Act (5 U.S.C. App.)" and inserting "Section 1013(a) of title 5, United States Code,".

(39) Section 2119(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 6518(a)) is amended by striking "(in accordance with the Federal Advisory Committee Act (5 U.S.C. App. 2 et seq.)) (hereafter referred to in this section as the 'Board')" and inserting "(hereafter referred to in this section as the 'Board') in accordance with chapter 10 of title 5, United States Code,".

(40) Section 420(b)(3) of the Plant Protection Act (7 U.S.C. 7721(b)(3)) is amended—

(A) in the paragraph heading, by striking "FEDERAL ADVISORY COMMITTEE ACT" and inserting "CHAPTER 10 OF TITLE 5, UNITED STATES CODE"; and

(B) in text, by striking "The Federal Advisory Committee Act (5 U.S.C. App.)" and inserting "Chapter 10 of title 5, United States Code,".

(41) Section 1308(c)(5) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7958(c)(5)) is amended—

(A) in the paragraph heading, by striking ''FEDERAL ADVISORY COMMITTEE ACT'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(42) Section 1210(d)(3)(B) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8740(d)(3)(B)) is amended—

(A) in the subparagraph heading, by striking ''FEDERAL ADVISORY COMMITTEE ACT'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(43) Section 1210(d)(3)(B) of the Agricultural Act of 2014 (7 U.S.C. 9040(d)(3)(B)) is amended—

(A) in the subparagraph heading, by striking ''FEDERAL ADVISORY COMMITTEE ACT'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(44) Section 286(k) of the Immigration and Nationality Act (8 U.S.C. 1356(k)) is amended by striking ''the Federal Advisory Committee Act,'' and inserting ''chapter 10 of title 5, United States Code,''.

(45) Section 343(e)(9) of title 10, United States Code, is amended by striking ''The Federal Advisory Committee Act (5 U.S.C. App.), other than section 14''and inserting ''Chapter 10 of title 5, other than section 1013 of title 5''.

(46) Section 946(j) of title 10, United States Code, is amended—

(A) in the subsection heading, by striking ''FEDERAL ADVISORY COMMITTEE ACT'' and inserting ''CHAPTER 10 OF TITLE 5''; and

(B) in text, by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5''.

(47) Section 723(d)(6) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65, 10 U.S.C. 1071 note) is amended by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(48) Section 722(e) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484, 10 U.S.C. 1073 note) is amended—

(A) in the subsection heading, by striking ''ADVISORY COMMITTEE ACT'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''the Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''chapter 10 of title 5, United States Code,''.

(49) Section 718(g)(2) of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 108–375, 10 U.S.C. 1092 note) is amended by striking ''The Federal Ad-

visory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(50) Section 1783 of title 10, United States Code, is amended by striking ''section 3(2) of the Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''section 1001(2) of title 5''.

(51) Section 2012(h)(3) of title 10, United States Code, is amended by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5''.

(52) Section 2164(d)(6) of title 10, United States Code, is amended by striking ''the Federal Advisory Committee Act (5 U.S.C. App.), but may close meetings in accordance with such Act.'' and inserting ''chapter 10 of title 5, but may close meetings in accordance with chapter 10 of title 5.''.

(53) Section 2705(d)(2)(C) of title 10, United States Code, is amended by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5''.

(54) Section 202(b) of the National Housing Act (12 U.S.C. 1708(b)) is amended—

(A) in the matter before paragraph (1), by striking ''the Federal Advisory Committee Act.''

and inserting ''chapter 10 of title 5, United States Code.''; and

(B) in paragraph (10), by striking ''Section 7 of the Federal Advisory Committee Act,'' and inserting ''section 1006 of title 5, United States Code,''.

(55) Section 1205(f) of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (Public Law 101–73, 12 U.S.C. 1818 note) is amended—

(A) in the subsection heading, by striking ''FEDERAL ADVISORY COMMITTEE ACT'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE,''; and

(B) in text, by striking ''The Federal Advisory Committee Act'' and inserting ''Chapter 10 of title 5, United States Code,''.

(56) Section 5.12 of the Farm Credit Act of 1971 (12 U.S.C. 2246) is amended by striking ''the Federal Advisory Committee Act'' and inserting ''chapter 10 of title 5, United States Code,''.

(57) Section 104(d) of the Community Development Banking and Financial Institutions Act of 1994 (12 U.S.C. 4703(d)) is amended—

(A) in paragraph (1), by striking ''the Federal Advisory Committee Act, except that section 14 of that Act'' and inserting ''chapter 10 of title 5, United States Code, except that section 1013 of title 5, United States Code,''; and

(B) in paragraph (7), by striking ''the Federal Advisory Committee Act.'' and inserting ''chapter 10 of title 5, United States Code.''.

(58) Section 111(g) of the Financial Stability Act of 2010 (12 U.S.C. 5321(g)) is amended—

(A) in the subsection heading, by striking ''FACA'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(59) Section 1013(h) of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5493(h)) is amended—

(A) in the subsection heading, by striking ''FACA'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''the Federal Advisory Committee Act (5 U.S.C. App.), such Act'' and inserting ''chapter 10 of title 5, United States Code, such chapter''.

(60) Section 2925(a)(3) of title 14, United States Code, is amended—

(A) in the paragraph heading, by striking ''FACA'' and inserting ''CHAPTER 10 OF TITLE 5''; and

(B) in text, by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5''.

(61) Section 2944 of title 14, United States Code, is amended by striking ''the Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''chapter 10 of title 5''.

(62) Section 11A(a)(3)(A) of the Securities Exchange Act of 1934 (15 U.S.C. 78k–1(a)(3)(A)) is amended by striking ''the Federal Advisory Committee Act (which shall be in addition to the National Market Advisory Board established pursuant to subsection (d) of this section)'' and inserting ''chapter 10 of title 5, United States Code (which shall be in addition to the National Market Advisory

Board established pursuant to subsection (d) of this section),''.

(63) Section 17A(f)(4) of the Securities Exchange Act of 1934 (15 U.S.C. 78q–1(f)(4)) is amended—

(A) in subparagraph (A), by striking ''the Federal Advisory Committee Act (5 U.S.C. App.).'' and inserting ''chapter 10 of title 5, United States Code.'';

(B) in subparagraph (B)(i), by striking ''the Federal Advisory Committee Act;'' and inserting ''chapter 10 of title 5, United States Code;''; and

(C) in subparagraph (C), by striking ''the Federal Advisory Committee Act.'' and inserting ''chapter 10 of title 5, United States Code.''.

(64) Section 39(i) of the Securities Exchange Act of 1934 (15 U.S.C. 78pp(i)) is amended—

(A) in the subsection heading, by striking ''FEDERAL ADVISORY COMMITTEE ACT'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and in-

serting "Chapter 10 of title 5, United States Code,".

(65) Section 25(m)(4) of the National Institute of Standards and Technology Act (15 U.S.C. 278k(m)(4)) is amended—

(A) in the paragraph heading, by striking "FACA APPLICABILITY" and inserting "APPLICABILITY OF CHAPTER 10 OF TITLE 5, UNITED STATES CODE,";

(B) in subparagraph (A), by striking "the Federal Advisory Committee Act (5 U.S.C. App.)." and inserting "chapter 10 of title 5, United States Code."; and

(C) in subparagraph (B), by striking "Section 14 of the Federal Advisory Committee Act" and inserting "Section 1013 of title 5, United States Code,".

(66) Section 7(b) of the Small Business Computer Security and Education Act of 1984 (Public Law 98–362, 15 U.S.C. 633 note) is amended by striking "the Federal Advisory Committee Act." and inserting "chapter 10 of title 5, United States Code.".

(67) Section 31(b)(2)(D) of the Consumer Product Safety Act (15 U.S.C. 2080(b)(2)(D)) is

amended by striking ''The Federal Advisory Committee Act'' and inserting ''Chapter 10 of title 5, United States Code,''.

(68) Section 33 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229) is amended—

(A) in subsection (f)(2) —

(i) in the paragraph heading, by striking ''FEDERAL ADVISORY COMMITTEE ACT'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(ii) in text, by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5, United States Code,'';

(B) in subsection (l)(3)—

(i) in the paragraph heading, by striking ''FEDERAL ADVISORY COMMITTEE ACT'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(ii) in text, by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(69) Section 26(b)(4)(E) of the Toxic Substances Control Act (15 U.S.C. 2625(b)(4)(E)) is amended by striking ''the Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''chapter 10 of title 5, United States Code,''.

(70) Section 604(a)(3)(B)(iii) of the America COMPETES Reauthorization Act of 2010 (Public Law 111–358, 15 U.S.C. 3701 note) is amended—

(A) in the clause heading, by striking ''FACA'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(71) Section 24(k)(4) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3719(k)(4)) is amended—

(A) in the paragraph heading, by striking ''FACA'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(72) Section 273(i) of the National Defense Authorization Act for Fiscal Years 1988 and 1989 (15 U.S.C. 4603(i)) is amended—

(A) in the subsection heading, by striking ''FEDERAL ADVISORY COMMITTEE ACT'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''Section 14 of the Federal Advisory Committee Act (5 U.S.C. App. 2)'' and inserting ''Section 1013 of title 5, United States Code,''.

(73) Section 5203 of the Competitiveness Policy Council Act (15 U.S.C. 4802) is amended by striking ''the Federal Advisory Committee Act (5 U.S.C. App.).'' and inserting ''chapter 10 of title 5, United States Code.''.

(74) Section 5207 of the Competitiveness Policy Council Act (15 U.S.C. 4806) is amended—

(A) in subsection (g)(6), by striking ''the Federal Advisory Committee Act,'' and inserting ''chapter 10 of title 5, United States Code,''; and

(B) in subsection (h)—

(i) in the subsection heading, by striking ''ADVISORY COMMITTEE ACT'' and in-

serting "CHAPTER 10 OF TITLE 5, UNITED STATES CODE"; and

(ii) in text, by striking "subsections (e) and (f) of section 10, of the Federal Advisory Committee Act" and inserting "subsections (e) and (f) of section 1009 of title 5, United States Code,".

(75) Section 101(b)(3) of the High-Performance Computing Act of 1991 (15 U.S.C. 5511(b)(3)) is amended by striking "Section 14 of the Federal Advisory Committee Act" and inserting "Section 1013 of title 5, United States Code,".

(76) Section 214(c) of the Protecting Children in the 21st Century Act (15 U.S.C. 6554(c)) is amended—

(A) in the subsection heading, by striking "FACA" and inserting "CHAPTER 10 OF TITLE 5, UNITED STATES CODE,"; and

(B) in text, by striking "The Federal Advisory Committee Act (5 U.S.C. App.)" and inserting "Chapter 10 of title 5, United States Code,".

(77) Section 11(c) of the National Construction Safety Team Act (15 U.S.C. 7310(c)) is amended by striking "Section 14 of the Federal Advisory Com-

mittee Act'' and inserting ''Section 1013 of title 5, United States Code,''.

(78) Section 4(f) of the 21st Century Nanotechnology Research and Development Act (15 U.S.C. 7503(f)) is amended by striking ''Section 14 of the Federal Advisory Committee Act'' and inserting ''Section 1013 of title 5, United States Code,''.

(79) Section 5 of the San Francisco Maritime National Historical Park Act of 1988 (16 U.S.C. 410nn–3) is amended—

(A) in subsection (d), by striking ''the Federal Advisory Committee Act,'' and inserting ''chapter 10 of title 5, United States Code,''; and

(B) in subsection (e), by striking ''section 14(b) of the Federal Advisory Committee Act (Act of October 6, 1972; 86 Stat. 776),'' and inserting ''section 1013(b) of title 5, United States Code,''.

(80) Section 6(e) of Public Law 100–479 (16 U.S.C. 410oo–5(e)) is amended by striking ''section 14(b) of the Federal Advisory Committee Act (Act of October 6, 1972; 86 Stat. 776),'' and inserting ''section 1013(b) of title 5, United States Code,''.

(81) Section 3(g)(4) of Public Law 100–571 (16 U.S.C. 410qq–2(g)(4)) is amended by striking ''section 14(b) of the Federal Advisory Committee Act (Act of October 6, 1972; 86 Stat. 776),'' and inserting ''section 1013(b) of title 5, United States Code,''.

(82) Section 106(h) of the Omnibus Insular Areas Act of 1992 (16 U.S.C. 410tt–4(h)) is amended—

(A) in the subsection heading, by striking ''FEDERAL ADVISORY COMMITTEE ACT'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''section 14(b) of the Federal Advisory Committee Act, and except as otherwise provided in this title, the provisions of the Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''section 1013(b) of title 5, United States Code, and except as otherwise provided in this title, the provisions of chapter 10 of title 5, United States Code,''.

(83) Section 201(i) of the Dayton Aviation Heritage Preservation Act of 1992 (16 U.S.C. 410ww–21(i)) is amended—

(A) in the subsection heading, by striking "FACA" and inserting "CHAPTER 10 OF TITLE 5, UNITED STATES CODE"; and

(B) in text, by striking "Section 14(b) of the Federal Advisory Committee Act (5 U.S.C. App.)" and inserting "Section 1013(b) of title 5, United States Code,".

(84) Section 307(c) of the California Desert Protection Act of 1994 (16 U.S.C. 410aaa–6(c)) is amended by striking "The Federal Advisory Committee Act" and inserting "Chapter 10 of title 5, United States Code,".

(85) Section 407(c) of the California Desert Protection Act of 1994 (16 U.S.C. 410aaa–27(c)) is amended by striking "The Federal Advisory Committee Act" and inserting "Chapter 10 of title 5, United States Code,".

(86) Section 518(c) of the California Desert Protection Act of 1994 (16 U.S.C. 410aaa–58(c)) is amended by striking "The Federal Advisory Committee Act" and inserting "Chapter 10 of title 5, United States Code,".

(87) Section 10(d) of the Great Sand Dunes National Park and Preserve Act of 2000 (16 U.S.C. 410hhh–8(d)) is amended by striking "the Federal

Advisory Committee Act (5 U.S.C. App.)'' and inserting ''chapter 10 of title 5, United States Code,''.

(88) Section 7001(e)(9) of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 410lll(e)(9)) is amended—

(A) in the paragraph heading, by striking ''FACA NONAPPLICABILITY'' and inserting ''NONAPPLICABILITY OF CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''Section 14(b) of the Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Section 1013(b) of title 5, United States Code,''.

(89) Section 3032(k)(9) of the Military Construction Authorization Act for Fiscal Year 2015 (16 U.S.C. 410qqq(k)(9)) is amended—

(A) in the paragraph heading, by striking ''FACA NONAPPLICABILITY'' and inserting ''NONAPPLICABILITY OF CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''Section 14(b) of the Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Section 1013(b) of title 5, United States Code,''.

(90) Section 5(e) of Public Law 101–377 (16 U.S.C. 430g–8(e)) is amended by striking ''section 14 of the Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''section 1013 of title 5, United States Code,''.

(91) Section 14 of the Winding Stair Mountain National Recreation and Wilderness Area Act (16 U.S.C. 460vv–12) is amended by striking ''the Federal Advisory Committee Act (Public Law 92–463),'' and inserting ''chapter 10 of title 5, United States Code,''.

(92) Section 206(e) of the West Virginia National Interest River Conservation Act of 1987 (16 U.S.C. 460ww–5(e)) is amended by striking ''the Federal Advisory Committee Act (Act of October 6, 1972; 86 Stat. 776). The provisions of section 14(b) of such Act (relating to the charter of the Committee)'' and inserting ''chapter 10 of title 5, United States Code. The provisions of section 1013(b) of title 5, United States Code (relating to the charter of the Committee),''.

(93) Section 1029(g)(4) of the Omnibus Parks and Public Lands Management Act of 1996 (16 U.S.C. 460kkk(g)(4)) is amended—

(A) in the paragraph heading, by striking "FACA" and inserting "CHAPTER 10 OF TITLE 5, UNITED STATES CODE"; and

(B) in text, by striking "section 14 of the Federal Advisory Committee Act (5 U.S.C. App.)," and inserting "section 1013 of title 5, United States Code,".

(94) Section 522(h) of the Land Between the Lakes Protection Act of 1998 (16 U.S.C. 460lll–22(h)) is amended by striking "Section 14(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App.)" and inserting "Section 1013(a) of title 5, United States Code,".

(95) Section 8(c)(1) of the McInnis Canyons National Conservation Area and Black Ridge Canyons Wilderness Act of 2000 (16 U.S.C. 460mmm–6(c)(1)) is amended by striking "the Federal Advisory Committee Act (5 U.S.C. App.);" and inserting "chapter 10 of title 5, United States Code;".

(96) Section 131(h) of the Steens Mountain Cooperative Management and Protection Act of 2000 (16 U.S.C. 460nnn–51(h)) is amended by striking "the Federal Advisory Committee Act (5 U.S.C. App.)." and inserting "chapter 10 of title 5, United States Code.".

(97) Section 2407(c)(1) of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 460zzz–6(c)(1)) is amended by striking ''the Federal Advisory Committee Act (5 U.S.C. App.);'' and inserting ''chapter 10 of title 5, United States Code;''.

(98) Section 8(a) of Public Law 93–535 (16 U.S.C. 541g(a)) is amended by striking ''the Federal Advisory Committee Act (86 Stat. 770),'' and inserting ''chapter 10 of title 5, United States Code,''.

(99) Section 4(o) of the National Wildlife Refuge System Administration Act of 1966 (16 U.S.C. 668dd(o)) is amended by striking ''the Federal Advisory Committee Act (5 U.S.C. App.).'' and inserting ''chapter 10 of title 5, United States Code.''.

(100) Section 1(a)(2) [title IX, §902(f)] of Public Law 106–553 (16 U.S.C. 669 note) is amended—

(A) in the subsection heading, by striking ''FACA'' and inserting ''INAPPLICABILITY OF CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''the Federal Advisory Committee Act (5 U.S.C. App.).'' and in-

serting "chapter 10 of title 5, United States Code.".

(101) Section 11(e) of the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669h–2(e)) is amended—

(A) in the subsection heading, by striking "FEDERAL ADVISORY COMMITTEE ACT" and inserting "CHAPTER 10 OF TITLE 5, UNITED STATS CODE"; and

(B) in text, by striking "The Federal Advisory Committee Act (5 U.S.C. App.)" and inserting "Chapter 10 of title 5, United States Code,".

(102) Section 1007 of the Omnibus Parks and Public Lands Management Act of 1996 (16 U.S.C. 698u–5) is amended—

(A) in subsection (f), by striking "the Federal Advisory Committee Act (5 U.S.C. App.)," and inserting "chapter 10 of title 5, United States Code,"; and

(B) in subsection (i), by striking "section 14(b) of the Federal Advisory Committee Act (15 U.S.C. App.)" and inserting "section 1013(b) of title 5, United States Code,".

(103) Section 14(f) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777m(f)) is amended—

(A) in the subsection heading, by striking ''FEDERAL ADVISORY COMMITTEE ACT'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(104) Section 4(h)(10)(D)(iii) of the Pacific Northwest Electric Power Planning and Conservation Act (16 U.S.C. 839b(h)(10)(D)(iii)), as added to the ''Northwest Power Planning and Conservation Act'' (meaning the Pacific Northwest Electric Power Planning and Conservation Act), is amended by striking ''the Federal Advisory Committee Act.'' and inserting ''chapter 10 of title 5, United States Code.''.

(105) Section 4(a)(1)(E) of the Tuna Conventions Act of 1950 (16 U.S.C. 953(a)(1)(E)) is amended by striking ''the Federal Advisory Committee Act (5 U.S.C. App.).'' and inserting ''chapter 10 of title 5, United States Code.''.

(106) Section 4(b)(6) of the Atlantic Tunas Convention Act of 1975 (16 U.S.C. 971b(b)(6)) is amended by striking ''the Federal Advisory Committee Act (5 U.S.C. App.).'' and inserting ''chapter 10 of title 5, United States Code.''.

(107) Section 3(a)(67)(B)(vii) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)(67)(B)(vii)) is amended by striking ''section 14(b) of the Federal Advisory Committee Act (Act of October 6, 1972; 86 Stat. 776),'' and inserting ''section 1013(b) of title 5, United States Code,''.

(108) Section 117(d)(2) of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1386(d)(2)) is amended by striking ''the Federal Advisory Committee Act (5 App. U.S.C.).'' and inserting ''chapter 10 of title 5, United States Code.''.

(109) Section 118(f)(6)(D) of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1387(f)(6)(D)) is amended by striking ''the Federal Advisory Committee Act (5 App. U.S.C.).'' and inserting ''chapter 10 of title 5, United States Code.''.

(110) Section 120(i)(1)(B) of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1389(i)(1)(B)) is amended by striking ''the Federal

Advisory Committee Act (5 App. U.S.C.).'' and inserting ''chapter 10 of title 5, United States Code.''.

(111) Section 404(a)(1)(B) of the Marine Mammal Protection Act of 1972 (16 U.S.C. 1421c(a)(1)(B)) is amended by striking ''The Federal Advisory Committee Act (5 App. U.S.C.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(112) Section 315(a) of the National Marine Sanctuaries Act (16 U.S.C. 1445a(a)) is amended by striking ''the Federal Advisory Committee Act.'' and inserting ''chapter 10 of title 5, United States Code.''.

(113) Section 4(f)(2) of the Endangered Species Act of 1973 (16 U.S.C. 1533(f)(2)) is amended by striking ''the Federal Advisory Committee Act.'' and inserting ''chapter 10 of title 5, United States Code.''.

(114) Section 14(b) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1612(b)) is amended by striking ''the Federal Advisory Committee Act (86 Stat. 770)'' and inserting ''chapter 10 of title 5, United States Code,''.

(115) Section 5(d) of Public Law 100–629 (16 U.S.C. 1823 note) is amended—

(A) in the subsection heading, by striking ''FEDERAL ADVISORY COMMITTEE ACT'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''The Federal Advisory Committee Act (5 U.S.C. App. 1 et seq.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(116) Section 302(i)(1) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852(i)(1)) is amended by striking ''The Federal Advisory Committee Act (5 U.S.C. App. 1)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(117) Section 303(d) of the Atlantic Salmon Convention Act of 1982 (16 U.S.C. 3602(d)) is amended by striking ''The Federal Advisory Committee Act (5 U.S.C. App. 1 et seq.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(118) Section 3(i) of the Pacific Salmon Treaty Act of 1985 (16 U.S.C. 3632(i)) is amended by striking ''The Federal Advisory Committee Act (5

U.S.C. App. 1 et seq.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(119) Section 1262(d) of the Food Security Act of 1985 (16 U.S.C. 3862(d)), as generally amended by Public Law 110–246 as the ''Farm Security Act of 1985'' (meaning the Food Security Act of 1985), is amended—

(A) in the subsection heading, by striking ''FACA REQUIREMENTS'' and inserting ''REQUIREMENTS OF CHAPTER 10 OF TITLE 5, UNITED STATES CODE'';

(B) in paragraph (1), by striking ''the Federal Advisory Committee Act (5 U.S.C. App.).'' and inserting ''chapter 10 of title 5, United States Code.''; and

(C) in paragraph (2), by striking ''the Federal Advisory Committee Act (5 U.S.C. App.),'' and inserting ''chapter 10 of title 5, United States Code,''.

(120) Section 2104(c) of the African Elephant Conservation Act (16 U.S.C. 4214(c)) is amended—

(A) in the subsection heading, by striking ''FEDERAL ADVISORY COMMITTEE ACT'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(121) Section 7(c) of the Asian Elephant Conservation Act of 1997 (16 U.S.C. 4265a(c)) is amended—

(A) in the subsection heading, by striking ''FEDERAL ADVISORY COMMITTEE ACT'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(122) Section 4(a)(1) of the North American Wetlands Conservation Act (16 U.S.C. 4403(a)(1)) is amended by striking ''Public Law 92–463, as amended,'' and inserting ''chapter 10 of title 5, United States Code,''.

(123) Section 9(c) of the Rhinoceros and Tiger Conservation Act of 1994 (16 U.S.C. 5305c(c)) is amended—

(A) in the subsection heading, by striking ''FEDERAL ADVISORY COMMITTEE ACT'' and

inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(124) Section 202(f)(2) of the Northwest Atlantic Fisheries Convention Act of 1995 (16 U.S.C. 5601(f)(2)) is amended by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(125) Section 208(d) of the Northwest Atlantic Fisheries Convention Act of 1995 (16 U.S.C. 5607(d)) is amended by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(126) Section 706 of the Yukon River Salmon Act of 1995 (16 U.S.C. 5705) is amended by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(127) Section 204 of the Yukon River Salmon Act of 2000 (16 U.S.C. 5723) is amended by striking ''The Federal Advisory Committee Act (5 U.S.C.

App.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(128) Section 7(b)(3) of the Neotropical Migratory Bird Conservation Act (16 U.S.C. 6106(b)(3)) is amended—

(A) in the paragraph heading, by striking ''FEDERAL ADVISORY COMMITTEE ACT'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(129) Section 4(i)(5) of the Great Ape Conservation Act of 2000 (16 U.S.C. 6303(i)(5)) is amended—

(A) in the paragraph heading, by striking ''FACA'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''The Federal Advisory Committee Act (5 App. U.S.C.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(130) Section 103(b)(2) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6513(b)(2)) is

amended by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(131) Section 6(c) of the Marine Turtle Conservation Act of 2004 (16 U.S.C. 6605(c)) is amended—

(A) in the subsection heading, by striking ''Federal Advisory Committee Act'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(132) Section 804(d)(12) of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6803(d)(12)) is amended—

(A) in the paragraph heading, by striking ''FEDERAL ADVISORY COMMITTEE ACT'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''the Federal Advisory Committee Act (5 U.S.C. App.).'' and inserting ''chapter 10 of title 5, United States Code.''.

(133) Section 503(d)(1)(C) of the Western and Central Pacific Fisheries Convention Implementation Act (16 U.S.C. 6902(d)(1)(C)) is amended by striking ''the Federal Advisory Committee Act (5 U.S.C. App.).'' and inserting ''chapter 10 of title 5, United States Code.''.

(134) Section 208(b)(3) of title 18, United States Code, is amended by striking ''the Federal Advisory Committee Act'' and inserting ''chapter 10 of title 5''.

(135) Section 3056(a)(7) of title 18, United States Code, is amended by striking ''the Federal Advisory Committee Act (5 U.S.C. App. 2).'' and inserting ''chapter 10 of title 5.''.

(136) Section 105 of the USA PATRIOT Act (Public Law 107–56, 18 U.S.C. 3056 note) is amended by striking ''the Federal Advisory Committee Act (5 U.S.C. App. 2).'' and inserting ''chapter 10 of title 5, United States Code.''.

(137) Section 13031(k) of the Trade Adjustment Assistance Reform and Extension Act of 1986 (19 U.S.C. 58c(k)) is amended by striking ''section 14 of the Federal Advisory Committee Act.'' and inserting ''section 1013 of title 5, United States Code.''.

(138) Section 135(f) of the Trade Act of 1974 (19 U.S.C. 2155(f)) is amended—

(A) in the subsection heading, by striking ''FEDERAL ADVISORY COMMITTEE ACT'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE'';

(B) in the matter before paragraph (1), by striking ''the Federal Advisory Committee Act'' and inserting ''chapter 10 of title 5, United States Code,'';

(C) in paragraph (2)(A), by striking ''subsections (a) and (b) of sections 10 and 11 of the Federal Advisory Committee Act'' and inserting ''subsections (a) and (b) of sections 1009 and 1010 of title 5, United States Code''; and

(D) in paragraph (2)(B), by striking ''subsection (a)(2) of section 14 of the Federal Advisory Committee Act,'' and inserting ''subsection (a) of section 1013 of title 5, United States Code,''.

(139) Section 127(j) of the Trade Deficit Review Commission Act (Public Law 105–277, 19 U.S.C. 2213 note) is amended—

(A) in the subsection heading, by striking ''FEDERAL ADVISORY COMMITTEE ACT'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''the Federal Advisory Committee Act (Public Law 92–463; 5 U.S.C. App.)'' and inserting ''chapter 10 of title 5, United States Code,''.

(140) Section 306(h) of the Convention on Cultural Property Implementation Act (19 U.S.C. 2605(h)) is amended—

(A) in the subsection heading, by striking ''FEDERAL ADVISORY COMMITTEE ACT'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''the Federal Advisory Committee Act (Public Law 92–463; 5 U.S.C. Appendix I) shall apply to the Committee except that the requirements of subsections (a) and (b) of section 10 and section 11 of such Act'' and inserting ''chapter 10 of title 5, United States Code, shall apply to the Committee, except that the requirements of subsections (a) and (b) of section 1009 and section 1010 of title 5, United States Code''.

(141) Section 102(b)(1) of the North American Free Trade Agreement Implementation Act (19 U.S.C. 3312(b)(1)) is amended (matter at end) by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(142) Section 102(b)(1)(B) of the Uruguay Round Agreements Act (19 U.S.C. 3512(b)(1)(B)) is amended (matter at end) by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(143) Section 109 of the Trade Facilitation and Trade Enforcement Act of 2015 (19 U.S.C. 4316) is amended—

(A) in subsection (d), by striking ''section 10(f) of the Federal Advisory Committee Act (5 U.S.C. App.),'' and inserting ''section 1009(f) of title 5, United States Code,''; and

(B) in subsection (f), by striking ''Section 14(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App.; relating to the termination of advisory committees)'' and inserting ''Section 1013(a) of title 5, United States Code,''.

(144) Section 702(g) of the Trade Facilitation and Trade Enforcement Act of 2015 (19 U.S.C. 4422(g)) is amended—

(A) in the subsection heading, by striking ''THE FEDERAL ADVISORY COMMITTEE ACT'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE'';

(B) in paragraph (1), by striking ''the Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''chapter 10 of title 5, United States Code,''; and

(C) in paragraph (2), by striking ''section 10 and section 11 of the Federal Advisory Committee Act'' and inserting ''section 1009 and section 1010 of title 5, United States Code''.

(145) Section 12(g) of the National Museum of the American Indian Act (20 U.S.C. 80q–10(g)) is amended—

(A) in the subsection heading, by striking ''THE FEDERAL ADVISORY COMMITTEE ACT'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and in-

serting "Chapter 10 of title 5, United States Code,".

(146) Section 114(d)(4) of the Higher Education Act of 1965 (20 U.S.C. 1011c(d)(4)) is amended—

(A) in the paragraph heading, by striking "FEDERAL ADVISORY COMMITTEE ACT" and inserting "CHAPTER 10 OF TITLE 5, UNITED STATES CODE"; and

(B) in text, by striking "The Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Committee, except that section 14 of such Act" and inserting "Chapter 10 of title 5, United States Code, shall apply to the Committee, except that section 1013 of title 5, United States Code,".

(147) Section 491(k) of the Higher Education Act of 1965 (20 U.S.C. 1098(k)) is amended by striking "the Federal Advisory Committee Act (5 U.S.C. App. I)" and inserting "chapter 10 of title 5, United States Code,".

(148) Section 492(c) of the Higher Education Act of 1965 (20 U.S.C. 1098a(c)) is amended—

(A) in the subsection heading, by striking "FEDERAL ADVISORY COMMITTEE ACT" and

inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''The Federal Advisory Committee Act'' and inserting ''Chapter 10 of title 5, United States Code,''.

(149) Section 114(d)(1)(D) of the Vocational Education Act of 1963 (20 U.S.C. 2324(d)(1)(D)) is amended—

(A) in the subparagraph heading, by striking ''FACA'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(150) Section 9(b)(6) of the National Environmental Education Act (20 U.S.C. 5508(b)(6)) is amended by striking ''Section 14(a) of the Federal Advisory Committee Act'' and inserting ''Section 1013(a) of title 5, United States Code,''.

(151) Section 11(f) of the Morris K. Udall and Stewart L. Udall Foundation Act (20 U.S.C. 5607b(f)) is amended by striking ''the Federal Advisory Committee Act (5 U.S.C. App.).'' and inserting ''chapter 10 of title 5, United States Code.''.

(152) Section 1601(b)(4)(A) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6571(b)(4)(A)) is amended by striking ''the Federal Advisory Committee Act (5 U.S.C. App.);'' and inserting ''chapter 10 of title 5, United States Code;''.

(153) Section 114(g) of the Education Sciences Reform Act of 2002 (20 U.S.C. 9514(g)) is amended by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(154) Section 302(h) of the National Assessment of Educational Progress Authorization Act (20 U.S.C. 9621(h)) is amended by striking ''The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply with respect to the Assessment Board, other than sections 10, 11, and 12 of such Act.'' and inserting ''Chapter 10 of title 5, United States Code, shall not apply with respect to the Assessment Board, other than sections 1009, 1010, and 1011 of title 5, United States Code.''.

(155) Section 513(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360c(b)) is amended—

(A) in paragraph (1), by striking ''Section 14 of the Federal Advisory Committee Act'' and

inserting ''Section 1013 of title 5, United States Code,''; and

(B) in paragraph (8), by striking the ''Federal Advisory Committee Act.'' and inserting ''chapter 10 of title 5, United States Code.''.

(156) Section 520(f)(3) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360j(f)(3)) is amended (matter at end) by striking ''Section 14 of the Federal Advisory Committee Act'' and inserting ''Section 1013 of title 5, United States Code,''.

(157) Section 567(a)(4) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb–6(a)(4)) is amended by striking ''Section 14 of the Federal Advisory Committee Act'' and inserting ''Section 1013 of title 5, United States Code,''.

(158) Section 572(d)(3)(C) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360ccc–1(d)(3)(C)) is amended by striking ''the Federal Advisory Committee Act, 5 U.S.C. App. 2.'' and inserting ''chapter 10 of title 5, United States Code.''.

(159) Section 712(a)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379d–1(a)(1)) is amended by striking ''the Federal Advisory Com-

mittee Act'' and inserting ''chapter 10 of title 5, United States Code,''.

(160) Section 917(d) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 387q(d)) is amended—

(A) in the subsection heading, by striking ''FACA'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE'';

(B) in paragraph (3)—

(i) in the paragraph heading, by striking ''FACA'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(ii) in text, by striking ''Section 14 of the Federal Advisory Committee Act'' and inserting ''Section 1013 of title 5, United States Code,''.

(161) Section 410(h) of the Federal Meat Inspection Act (21 U.S.C. 679a(h)) is amended by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(162) Section 810(i)(1) of the Foreign Narcotics Kingpin Designation Act (21 U.S.C. 1908(i)(1)) is amended by striking ''the Federal Ad-

visory Committee Act (5 U.S.C. App.)'' and inserting ''chapter 10 of title 5, United States Code,''.

(163) Section 543(b) of the North American Free Trade Agreement Implementation Act (22 U.S.C. 290m–2(b)) is amended—

(A) in paragraph (1), by striking ''the Federal Advisory Committee Act.'' and inserting ''chapter 10 of title 5, United States Code.''; and

(B) in paragraph (4)(D), by striking ''the Federal Advisory Committee Act.'' and inserting ''chapter 10 of title 5, United States Code.''.

(164) Section 8(a) of the U.S. Holocaust Assets Commission Act of 1998 (Public Law 105–186, 22 U.S.C. 1621 note) is amended—

(A) in the subsection heading, by striking ''FACA'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(165) Section 301(h) of the International Travel Act of 1961 (22 U.S.C. 2124(h)) is amended by

striking ''the Federal Advisory Committee Act'' and inserting ''chapter 10 of title 5, United States Code,''.

(166) Section 234A(b)(4) of the Foreign Assistance Act of 1961 (22 U.S.C. 2194b(b)(4)) is amended—

(A) in the paragraph heading, by striking ''FEDERAL ADVISORY COMMITTEE ACT'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''the Federal Advisory Committee Act (5 U.S.C. App.).'' and inserting ''chapter 10 of title 5, United States Code.''.

(167) Section 637(g) of the HELP Commission Act (22 U.S.C. 2394b(g)) is amended by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(168) Section 8D(f) of the Peace Corps Act (22 U.S.C. 2507d(f)) is amended—

(A) in the subsection heading, by striking ''FACA'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(169) Section 406(f)(3) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 4356(f)(3)) is amended by striking ''The Federal Advisory Committee Act shall not apply to the Advisory Committee to the extent that the provisions of this title are inconsistent with that Act.'' and inserting ''Chapter 10 of title 5, United States Code, shall not apply to the Advisory Committee to the extent that the provisions of this title are inconsistent with that chapter.''.

(170) Section 303(d) of the Diplomatic Security Act (22 U.S.C. 4833(d)) is amended by striking ''the Federal Advisory Committee Act (5 U.S.C. App. 1 et seq.)'' and inserting ''chapter 10 of title 5, United States Code,''.

(171) Section 202(e) of the Support for East European Democracy (SEED) Act of 1989 (22 U.S.C. 5422(e)) is amended by striking ''the Federal Advisory Committee Act (5 U.S.C. App.).'' and inserting ''chapter 10 of title 5, United States Code.''.

(172) Section 206 of the International Religious Freedom Act of 1998 (22 U.S.C. 6434) is amended by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(173) Section 1238(g) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002(g)) is amended—

(A) in the subsection heading, by striking ''FACA'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''the Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''chapter 10 of title 5, United States Code,''.

(174) Section 5204(h)(2) of the Intelligent Transportation Systems Act of 1998 (Public Law 105–178, 23 U.S.C. 502 note) is amended—

(A) in the paragraph heading, by striking ''FEDERAL ADVISORY COMMITTEE ACT'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''the Federal Advisory Committee Act (5 U.S.C. App.).'' and in-

serting "chapter 10 of title 5, United States Code.".

(175) Section 6011(i) of the Intermodal Surface Transportation Efficiency Act of 1991 (Public Law 102–240, 23 U.S.C. 502 note) is amended by striking "Section 14 of the Federal Advisory Committee Act" and inserting "Section 1013 of title 5, United States Code,".

(176) Section 5305(h)(5) of SAFETEA–LU (Public Law 109–59, 23 U.S.C. 512 note) is amended—

(A) in the paragraph heading, by striking "FEDERAL ADVISORY COMMITTEE ACT" and inserting "CHAPTER 10 OF TITLE 5, UNITED STATES CODE"; and

(B) in text, by striking "the Federal Advisory Committee Act (5 U.S.C. App.)." and inserting "chapter 10 of title 5, United States Code.".

(177) Section 5307(a)(4)(B) of SAFETEA–LU (Public Law 109–59, 23 U.S.C. 512 note) is amended—

(A) in the subparagraph heading, by striking "ADVISORY COMMITTEE ACT" and inserting

"CHAPTER 10 OF TITLE 5, UNITED STATES CODE"; and

(B) in text, by striking "the Federal Advisory Committee Act (5 U.S.C. App.)." and inserting "chapter 10 of title 5, United States Code.".

(178) Section 515(h)(5) of title 23, United States Code, is amended—

(A) in the paragraph heading, by striking "FEDERAL ADVISORY COMMITTEE ACT" and inserting "CHAPTER 10 OF TITLE 5, UNITED STATES CODE"; and

(B) in text, by striking "the Federal Advisory Committee Act (5 U.S.C. App.)." and inserting "chapter 10 of title 5, United States Code.".

(179) Section 4(d)(2) of the Saint Elizabeths Hospital and District of Columbia Mental Health Services Act (24 U.S.C. 225b(d)(2)) is amended by striking "the Federal Advisory Committee Act." and inserting "chapter 10 of title 5, United States Code.".

(180) Section 19 of Public Law 103–435 (25 U.S.C. 166) is amended—

(A) in the section heading, by striking "FEDERAL ADVISORY COMMITTEE ACT" and inserting "CHAPTER 10 OF TITLE 5, UNITED STATES CODE"; and

(B) in text, by striking "the Federal Advisory Committee Act (5 U.S.C. App.)." and inserting "chapter 10 of title 5, United States Code.".

(181) Section 3307(j) of the Youth Drug and Mental Health Services Act (Public Law 106–310, 25 U.S.C. 1671 note) is amended by striking "Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.)" and inserting "Section 1013 of title 5, United States Code,".

(182) Section 1138(b) of the Education Amendments of 1978 (25 U.S.C. 2018(b)) is amended—

(A) in paragraph (3)(E), by striking "the Federal Advisory Committee Act (5 U.S.C. App.)." and inserting "chapter 10 of title 5, United States Code."; and

(B) in paragraph (4), by striking "section 7(d) of the Federal Advisory Committee Act," and inserting "section 1006(d) of title 5, United States Code,".

(183) Section 15(m) of the Indian Law Enforcement Reform Act (25 U.S.C. 2812(m)) is amended—

(A) in the subsection heading, by striking ''FACA'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(184) Section 306(c) of the American Indian Trust Fund Management Reform Act of 1994 (25 U.S.C. 4046(c)) is amended—

(A) in the subsection heading, by striking ''FACA'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''the Federal Advisory Committee Act.'' and inserting ''chapter 10 of title 5, United States Code.''.

(185) Section 9 of the Indian Tribal Regulatory Reform and Business Development Act of 2000 (Public Law 106–447, 25 U.S.C. 4301 note) is amended—

(A) in the section heading, by striking ''FEDERAL ADVISORY COMMITTEE ACT''

and inserting "CHAPTER 10 OF TITLE, UNITED STATES CODE"; and

(B) in text, by striking "the Federal Advisory Committee Act (5 U.S.C. App.)." and inserting "chapter 10 of title 5, United States Code.".

(186) Section 15(d)(2)(F) of the Wagner-Peyser Act (29 U.S.C. 49l–2(d)(2)(F)) is amended by striking "Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.)" and inserting "Section 1013 of title 5, United States Code,".

(187) Section 205(i) of the Rehabilitation Act of 1973 (29 U.S.C. 765(i)) is amended by striking "Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.)" and inserting "Section 1013 of title 5, United States Code,".

(188) Section 904(a)(6) of the Food and Drug Administration Safety and Innovation Act (Public Law 112–144, 29 U.S.C. 792 note) is amended—

(A) in the paragraph heading, by striking "FACA WAIVER" and inserting "WAIVER OF CHAPTER 10 OF TITLE 5, UNITED STATES CODE"; and

(B) in text, by striking "The Federal Advisory Committee Act (5 U.S.C. App.)" and in-

serting "Chapter 10 of title 5, United States Code,".

(189) Section 512(e) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1142(e)) is amended by striking "Section 14(a) of the Federal Advisory Committee Act (relating to termination)" and inserting "Section 1013(a) of title 5, United States Code (relating to termination),".

(190) Section 517(f)(3) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1147(f)(3)) is amended—

(A) in the paragraph heading, by striking "FACA" and inserting "CHAPTER 10 OF TITLE 5, UNITED STATES CODE"; and

(B) in text, by striking "the Federal Advisory Committee Act (5 U.S.C. App.)" and inserting "chapter 10 of title 5, United States Code,".

(191) Section 4002(h)(8) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1302(h)(8)) is amended by striking "The Federal Advisory Committee Act" and inserting "Chapter 10 of title 5, United States Code,".

(192) Section 166(i)(4)(G) of the Workforce Innovation and Opportunity Act (29 U.S.C.

3221(i)(4)(G)) is amended by striking ''Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Section 1013 of title 5, United States Code,''.

(193) Section 9(f) of the Mining and Mineral Resources Institutes Act (30 U.S.C. 1229(f)) is amended by striking ''Section 10 of the Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Section 1009 of title 5, United States Code,''.

(194) Section 624(d) of the Treasury and General Government Appropriations Act, 2001 (Public Law 106–554, 31 U.S.C. 1105 note) is amended by striking ''the Federal Advisory Committee Act (5 U.S.C. App.).'' and inserting ''chapter 10 of title 5, United States Code.''.

(195) Section 202(c)(2) of the Government Securities Act Amendments of 1993 (Public Law 103–202, 31 U.S.C. 3121 note) is amended by striking ''section 10(c) of the Federal Advisory Committee Act'' and inserting ''section 1009(c) of title 5, United States Code,''.

(196) Section 5135(h) of title 31, United States Code, is amended—

(A) in the subsection heading, by striking "FEDERAL ADVISORY COMMITTEE ACT" and inserting "CHAPTER 10 OF TITLE 5"; and

(B) in text, by striking "the Federal Advisory Committee Act" and inserting "chapter 10 of title 5".

(197) Section 1564(c) of the Annunzio-Wylie Anti-Money Laundering Act (Public Law 102–550, 31 U.S.C. 5311 note) is amended—

(A) in the subsection heading, by striking "FEDERAL ADVISORY COMMITTEE ACT" and inserting "CHAPTER 10 OF TITLE 5, UNITED STATES CODE"; and

(B) in text, by striking "The Federal Advisory Committee Act" and inserting "Chapter 10 of title 5, United States Code,".

(198) Section 8(f)(9) of the National Dam Safety Program Act (33 U.S.C. 467f(f)(9)) is amended—

(A) in the paragraph heading, by striking "FEDERAL ADVISORY COMMITTEE ACT" and inserting "CHAPTER 10 OF TITLE 5, UNITED STATES CODE"; and

(B) in text, by striking "The Federal Advisory Committee Act (5 U.S.C. App.)" and in-

serting "Chapter 10 of title 5, United States Code,".

(199) Section 8004(g)(2)(D) of the Water Resources Development Act of 2007 (Public Law 110–114, 33 U.S.C. 652 note) is amended—

(A) in the subparagraph heading, by striking "FEDERAL ADVISORY COMMITTEE ACT" and inserting "CHAPTER 10 OF TITLE 5, UNITED STATES CODE"; and

(B) in text, by striking "the Federal Advisory Committee Act (5 U.S.C. App.)." and inserting "chapter 10 of title 5, United States Code.".

(200) Section 3(a) of the Oceans Act of 2000 (Public Law 106–256, 33 U.S.C. 857–19 note) is amended by striking "The Federal Advisory Committee Act (5 U.S.C. App.), except for sections 3, 7, and 12," and inserting "Chapter 10 of title 5, United States Code, except for sections 1001, 1006, and 1011,".

(201) Section 311(t)(2)(C)(viii) of the Federal Water Pollution Control Act (33 U.S.C. 1321(t)(2)(C)(viii)) is amended—

(A) in the clause heading, by striking "FEDERAL ADVISORY COMMITTEE ACT" and in-

serting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''the Federal Advisory Committee Act (5 U.S.C. App.).'' and inserting ''chapter 10 of title 5, United States Code.''.

(202) Section 302(f) of the Water Resources Development Act of 1986 (33 U.S.C. 2251(f)) is amended—

(A) in paragraph (1) by striking ''the Federal Advisory Committee Act (5 U.S.C. App.), other than section 14,'' and inserting ''chapter 10 of title 5, United States Code, other than section 1013,''; and

(B) in paragraph (2), by striking ''the Federal Advisory Committee Act (5 U.S.C. App.),'' and inserting ''chapter 10 of title 5, United States Code,''.

(203) Section 2034(j) of the Water Resources Development Act of 2007 (33 U.S.C. 2343(j)) is amended—

(A) in the subsection heading, by striking ''FACA'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(204) Section 2035(g) of the Water Resources Development Act of 2007 (33 U.S.C. 2344(g)) is amended—

(A) in the subsection heading, by striking ''FACA'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(205) Section 5008(c) of the Oil Pollution Act of 1990 (33 U.S.C. 2738(c)) is amended by striking ''The Federal Advisory Committee Act (5 U.S.C. App. 2)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(206) Section 903(b) of the Oceans and Human Health Act (33 U.S.C. 3102(b)) is amended by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(207) Section 9003(h) of the National Levee Safety Act of 2007 (33 U.S.C. 3302(h)) is amended—

(A) in the subsection heading, by striking ''FEDERAL ADVISORY COMMITTEE ACT'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(208) Section 12005(b) of the Omnibus Public Land Management Act of 2009 (33 U.S.C. 3405(b)) is amended—

(A) in the subsection heading, by striking ''FEDERAL ADVISORY COMMITTEE ACT'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Section 1013 of title 5, United States Code,''.

(209) Section 12304(d)(4)(E) of the Integrated Coastal and Ocean Observation System Act of 2009 (33 U.S.C. 3603(d)(4)(E)) is amended by striking

"Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.)" and inserting "Section 1013 of title 5, United States Code,".

(210) Section 807(e) of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10226(e)) is amended by striking "the Federal Advisory Committee Act (5 U.S.C. App.)." and inserting "chapter 10 of title 5, United States Code.".

(211) Section 210303(b)(2) of the DNA Identification Act of 1994 (34 U.S.C. 12591(b)(2)) is amended by striking "Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.)" and inserting "Section 1013 of title 5, United States Code,".

(212) Section 7(n) of the Prison Rape Elimination Act of 2003 (34 U.S.C. 30306(n)) is amended by striking "the Federal Advisory Committee Act." and inserting "chapter 10 of title 5, United States Code.".

(213) Section 215(d) of the National Crime Prevention and Privacy Compact Act of 1998 (34 U.S.C. 40314(d)) is amended—

(A) in the subsection heading, by striking "FEDERAL ADVISORY COMMITTEE ACT" and inserting "CHAPTER 10 OF TITLE 5, UNITED STATES CODE"; and

(B) in text, by striking ''the Federal Advisory Committee Act (5 U.S.C. App.).'' and inserting ''chapter 10 of title 5, United States Code.''.

(214) Section 217 [Article VIII(a) of the National Crime Prevention and Privacy Compact] of the National Crime Prevention and Privacy Compact Act of 1998 (34 U.S.C. 40316) is amended by striking ''the Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''chapter 10 of title 5, United States Code,''.

(215) Section 5(h) of title 35, United States Code, is amended—

(A) in the subsection heading, by striking ''FEDERAL ADVISORY COMMITTEE ACT'' and inserting ''CHAPTER 10 OF TITLE 5''; and

(B) in text, by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5''.

(216) Section 8(b) of the World War I Centennial Commission Act (Public Law 112–272, 36 U.S.C. note prec. 101) is amended—

(A) in the subsection heading, by striking ''FEDERAL ADVISORY COMMITTEE ACT'' and

inserting "CHAPTER 10 OF TITLE 5, UNITED STATES CODE";

(B) in paragraph (1), by striking "the Federal Advisory Committee Act (5 U.S.C. App.)" and inserting "chapter 10 of title 5, United States Code,"; and

(C) in paragraph (2), by striking "Section 14(a)(2) of such Act" and inserting "Section 1013(a) of title 5, United States Code,".

(217) Section 545(d) of title 38, United States Code, is amended—

(A) in paragraph (1), by striking "the Federal Advisory Committee Act (5 U.S.C. App.)" and inserting "chapter 10 of title 5"; and

(B) in paragraph (2), by striking "Section 14 of such Act" and inserting "Section 1013 of title 5".

(218) Section 546(f) of title 38, United States Code, is amended—

(A) in the subsection heading, by striking "FEDERAL ADVISORY COMMITTEE ACT" and inserting "CHAPTER 10 OF TITLE 5";

(B) in paragraph (1), by striking "the Federal Advisory Committee Act (5 U.S.C.

App.)'' and inserting ''chapter 10 of title 5''; and

(C) in paragraph (2), by striking ''Section 14 of such Act'' and inserting ''Section 1013 of title 5''.

(219) Section 7314(d)(4) of title 38, United States Code, is amended by striking ''the Federal Advisory Committee Act.'' and inserting ''chapter 10 of title 5.''.

(220) Section 7320(e)(4) of title 38, United States Code, is amended by striking ''the Federal Advisory Committee Act (5 U.S.C. App.).'' and inserting ''chapter 10 of title 5.''.

(221) Section 2(b)(4) of the Department of Veterans Affairs Emergency Preparedness Act of 2002 (Public Law 107–287, 38 U.S.C. 7325 note) is amended by striking ''the Federal Advisory Committee Act (5 U.S.C. App.).'' and inserting ''chapter 10 of title 5, United States Code.''.

(222) Section 303(a) of the Veterans Health Programs Improvement Act of 2004 (Public Law 108–422, 38 U.S.C. 7328 note) is amended by striking ''the Federal Advisory Committee Act (5 U.S.C. App.).'' and inserting ''chapter 10 of title 5, United States Code.''.

(223) Section 7329(d)(4) of title 38, United States Code, is amended by striking ''the Federal Advisory Committee Act.'' and inserting ''chapter 10 of title 5.''.

(224) Section 7330(d)(4) of title 38, United States Code, is amended by striking ''the Federal Advisory Committee Act.'' and inserting ''chapter 10 of title 5.''.

(225) Section 7330A(c)(5) of title 38, United States Code, is amended by striking ''the Federal Advisory Committee Act.'' and inserting ''chapter 10 of title 5.''.

(226) Section 407(b)(3) of title 39, United States Code, is amended by striking ''the Federal Advisory Committee Act)'' and inserting ''chapter 10 of title 5)''.

(227) Section 217(d) of the Public Health Service Act (42 U.S.C. 218(d)) is amended by striking ''Section 14(a) of the Federal Advisory Committee Act'' and inserting ''Section 1013(a) of title 5, United States Code,''.

(228) Section 319L(e)(2) of the Public Health Service Act (42 U.S.C. 247d–7e(e)(2)) is amended by striking ''section 14 of the Federal Advisory

Committee Act,'' and inserting ''section 1013 of title 5, United States Code,''.

(229) Section 337(c) of the Public Health Service Act (42 U.S.C. 254j(c)) is amended by striking ''Section 14 of the Federal Advisory Committee Act'' and inserting ''Section 1013 of title 5, United States Code,''.

(230) Section 399U(e) of the Public Health Service Act (42 U.S.C. 280g–10(e)) is amended by striking ''Appendix 2 of title 5, United States Code.'' and inserting ''chapter 10 of title 5, United States Code.''.

(231) Section 402(b) (matter after last paragraph) of the Public Health Service Act (42 U.S.C. 282(b) (matter after last paragraph)) is amended by striking ''The Federal Advisory Committee Act'' and inserting ''Chapter 10 of title 5, United States Code,''.

(232) Section 405(c) (matter after paragraph (4)) of the Public Health Service Act (42 U.S.C. 284(c)) is amended by striking ''The Federal Advisory Committee Act'' and inserting ''Chapter 10 of title 5, United States Code,''.

(233) Section 14(d) of the Best Pharmaceuticals for Children Act (42 U.S.C. 284m–1(d)) is

amended by striking ''section 14 of the Federal Advisory Committee Act,'' and inserting ''section 1013 of title 5, United States Code,''.

(234) Section 452(c)(1) (matter after subparagraph (F)) of the Public Health Service Act (42 U.S.C. 285g–4(c)(1)) is amended by striking ''The Federal Advisory Committee Act'' and inserting ''Chapter 10 of title 5, United States Code,''.

(235) Section 3(d)(1) of the ICCVAM Authorization Act of 2000 (42 U.S.C. 285l–3(d)(1)) is amended by striking ''the Federal Advisory Committee Act.'' and inserting ''chapter 10 of title 5, United States Code.''.

(236) Section 501(h) of the Public Health Service Act (42 U.S.C. 290aa(h)) is amended by striking ''The Federal Advisory Committee Act'' and inserting ''Chapter 10 of title 5, United States Code,''.

(237) Section 749(g) of the Public Health Service Act (42 U.S.C. 293l(g)) is amended—

(A) in the subsection heading, by striking ''FACA'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''The Federal Advisory Committee Act shall apply to the Advisory Committee under this section only to the extent

that the provisions of such Act'' and inserting ''Chapter 10 of title 5, United States Code, shall apply to the Advisory Committee under this section only to the extent that the provisions of chapter 10 of title 5, United States Code,''.

(238) Section 757(g) of the Public Health Service Act (42 U.S.C. 294f(g)) is amended—

(A) in the subsection heading, by striking ''FACA'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''The Federal Advisory Committee Act shall apply to the Advisory Committee under this section only to the extent that the provisions of such Act'' and inserting ''Chapter 10 of title 5, United States Code, shall apply to the Advisory Committee under this section only to the extent that the provisions of chapter 10 of title 5, United States Code,''.

(239) Section 5101(c)(1) of the Patient Protection and Affordable Care Act (42 U.S.C. 294q(c)(1)) is amended by striking ''section 5 of the Federal Advisory Committee Act (5 U.S.C. App.).'' and inserting ''section 1004 of title 5, United States Code.''.

(240) Section 851(h) of the Public Health Service Act (42 U.S.C. 297t(h)) is amended—

(A) in the subsection heading, by striking ''FACA'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''The Federal Advisory Committee Act shall apply to the Advisory Committee under this section only to the extent that the provisions of such Act'' and inserting ''Chapter 10 of title 5, United States Code, shall apply to the Advisory Committee under this section only to the extent that the provisions of chapter 10 of title 5, United States Code,''.

(241) Section 915(a)(5) of the Public Health Service Act (42 U.S.C. 299b–4(a)(5)) is amended by striking ''Appendix 2 of title 5, United States Code.'' and inserting ''chapter 10 of title 5, United States Code.''.

(242) Section 942(j) of the Public Health Service Act (42 U.S.C. 299c(j)) is amended by striking ''section 14(a) of the Federal Advisory Committee Act,'' and inserting ''section 1013(a) of title 5, United States Code,''.

(243) Section 941(c)(3) of the Public Health Service Act (42 U.S.C. 299c–1(c)(3)) is amended by striking ''section 14(a) of the Federal Advisory Committee Act,'' and inserting ''section 1013(a) of title 5, United States Code,''.

(244) Section 1111(g) of the Public Health Service Act (42 U.S.C. 300b–10(g)) is amended—

(A) in paragraph (1), by striking ''section 14 of the Federal Advisory Committee Act,'' and inserting ''section 1013 of title 5, United States Code,''; and

(B) in paragraph (2), by striking ''the Federal Advisory Committee Act, an advisory committee established by the President or an officer of the Federal Government under section 9(a) of such Act.'' and inserting ''chapter 10 of title 5, United States Code, an advisory committed established by the President or an officer of the Federal Government under section 1008(a) of title 5, United States Code.''.

(245) Section 1446(d) of the Public Health Service Act (42 U.S.C. 300j–5(d)) is amended by striking ''Section 14(a) of the Federal Advisory Committee Act (relating to termination)'' and insert-

ing "Section 1013(a) of title 5, United States Code (relating to termination),".

(246) Section 3002(e) of the Public Health Service Act (42 U.S.C. 300jj–12(e)) is amended—

(A) in the subsection heading, by striking "FACA" and inserting "CHAPTER 10 OF TITLE 5, UNITED STATES CODE"; and

(B) in text, by striking "The Federal Advisory Committee Act (5 U.S.C. App.), other than section 14 of such Act," and inserting "Chapter 10 of title 5, United States Code, other than section 1013 of title 5, United States Code,".

(247) Section 3302(a)(6) of the Public Health Service Act (42 U.S.C. 300mm–1(a)(6)) is amended—

(A) in the paragraph heading, by striking "FACA" and inserting "CHAPTER 10 OF TITLE 5, UNITED STATES CODE"; and

(B) in text, by striking "the Federal Advisory Committee Act." and inserting "Chapter 10 of title 5, United States Code.".

(248) Section 3(b)(3) of the Social Security Disability Benefits Reform Act of 1984 (Public Law 98–460, 42 U.S.C. 423 note) is amended by striking

"the Federal Advisory Committee Act)" and inserting "Chapter 10 of title 5, United States Code)".

(249) Section 703(h) of the Social Security Act (42 U.S.C. 903(h)) is amended—

(A) in the subsection heading, by striking "FEDERAL ADVISORY COMMITTEE ACT" and inserting "CHAPTER 10 OF TITLE 5, UNITED STATES CODE"; and

(B) in text, by striking "the Federal Advisory Committee Act (5 U.S.C. App.)." and inserting "chapter 10 of title 5, United States Code.".

(250) Section 5006(e)(1) of the American Recovery and Reinvestment Act of 2009 (42 U.S.C. 1320b–24) is amended by striking "the Federal Advisory Committee Act (5 U.S.C. App.)" and inserting "chapter 10 of title 5, United States Code,".

(251) Section 1834A(f)(2) of the Social Security Act (42 U.S.C. 1395m–1(f)(2)) is amended—

(A) in the paragraph heading, by striking "FACA" and inserting "CHAPTER 10 OF TITLE 5, UNITED STATES CODE"; and

(B) in text, by striking "the Federal Advisory Committee Act (5 U.S.C. App.)." and in-

serting ''chapter 10 of title 5, United States Code.''.

(252) Section 1847(c)(4) of the Social Security Act (42 U.S.C. 1395w–3(c)(4)) is amended—

(A) in the paragraph heading, by striking ''FACA'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''the Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''chapter 10 of title 5, United States Code,''.

(253) Section 3134(b)(1)(A) of the Patient Protection and Affordable Care Act (Public Law 111–148, 42 U.S.C. 1395w–4 note) is amended by striking ''the Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''chapter 10 of title 5, United States Code,''.

(254) Section 4012(c) of the Balanced Budget Act of 1997 (Pub. L. 105–33, 42 U.S.C. 1395w–23 note) is amended by striking ''section 9(c) of the Federal Advisory Committee Act (5 U.S.C. App.),'' and inserting ''section 1008(c) of title 5, United States Code,''.

(255) Section 1868(c)(1)(G) of the Social Security Act (42 U.S.C. 1395ee(c)(1)(G)) is amended by

striking ''Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Section 1013 of title 5, United States Code,''.

(256) Section 2021(j) of the Social Security Act (42 U.S.C. 1397k(j)) is amended by striking ''Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Section 1013 of title 5, United States Code,''.

(257) Section 2022(j) of the Social Security Act (42 U.S.C. 1397k–1(j)) is amended by striking ''Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Section 1013 of title 5, United States Code,''.

(258) Section 23(j) of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n–9(j)) is amended by striking ''Section 14 of the Federal Advisory Committee Act'' and inserting ''Section 1013 of title 5, United States Code,''.

(259) Section 1061(l)(2) of the National Security Intelligence Reform Act of 2004 (42 U.S.C. 2000ee(l)(2)) is amended by striking ''section 3(2) of the Federal Advisory Committee Act (5 U.S.C. App.)).'' and inserting ''section 1001(2) of title 5, United States Code).''.

(260) Section 170(l) of the Atomic Energy Damages Act (42 U.S.C. 2210(l)) is amended—

(A) in paragraph (1), by striking ''the Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''chapter 10 of title 5, United States Code,''; and

(B) in paragraph (4)—

(i) in subparagraph (A), by striking ''the Federal Advisory Committee Act (5 U.S.C. App.) and title 5, United States Code.'' and inserting ''title 5, United States Code.''; and

(ii) in subparagraphs (E) and (F), by striking ''the Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''chapter 10 of title 5, United States Code,''.

(261) Section 308 of the Denali Commission Act of 1998 (Public Law 105–277, 42 U.S.C. 3121 note) is amended—

(A) in the section heading, by striking ''FEDERAL ADVISORY COMMITTEE ACT'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''The Federal Advisory Committee Act'' and inserting ''Chapter 10 of title 5, United States Code,''.

(262) Section 309(b)(5) of the Denali Commission Act of 1998 (Public Law 105–277, 42 U.S.C. 3121 note) is amended—

(A) in the paragraph heading, by striking ''FACA'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE,''; and

(B) in text by striking ''the Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''chapter 10 of title 5, United States Code,''.

(263) Section 1345(b) of the National Flood Insurance Act of 1968 (42 U.S.C. 4081(b)) is amended by striking ''the Federal Advisory Committee Act (5 U.S.C. App.).'' and inserting ''chapter 10 of title 5, United States Code.''.

(264) Section 106(g) of the Energy Reorganization Act of 1974 (42 U.S.C. 5816(g)) is amended by striking ''the Federal Advisory Committee Act (Public Law 92–463),'' and inserting ''chapter 10 of title 5, United States Code,''.

(265) Section 253(c)(1) of the Energy Policy and Conservation Act (42 U.S.C. 6273(c)(1)) is

amended by striking ''sections 10 and 11 of the Federal Advisory Committee Act,'' and inserting ''sections 1009 and 1010 of title 5, United States Code,''.

(266) Section 624 of the Department of Energy Organization Act (42 U.S.C. 7234) is amended by striking ''the Federal Advisory Committee Act'' and inserting ''chapter 10 of title 5, United States Code,''.

(267) Section 3112 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136, 42 U.S.C. 7234 note) is amended—

(A) in the section heading, by striking ''FEDERAL ADVISORY COMMITTEE ACT'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE,''; and

(B) in text, by striking ''section 3 of the Federal Advisory Committee Act (5 U.S.C. App.).'' and inserting ''section 1001 of title 5, United States Code.''.

(268) Section 3142(f) of the Department of Energy Facilities Safeguards, Security, and Counterintelligence Enhancement Act of 1999 (42 U.S.C. 7383(f)) is amended—

(A) in the subsection heading, by striking "FACA" and inserting "CHAPTER 10 OF TITLE 5, UNITED STATES CODE"; and

(B) in text, by striking "the Federal Advisory Committee Act (5 U.S.C. App.)" and inserting "chapter 10 of title 5, United States Code,".

(269) Section 169B(c)(4) of the Clean Air Act (42 U.S.C. 7492(c)(4)) is amended by striking "the Federal Advisory Committee Act (5 U.S.C. Appendix 2, Section 1)." and inserting "chapter 10 of title 5, United States Code.".

(270) Section 176A(b)(2) of the Clean Air Act (42 U.S.C. 7506a(b)(2)) is amended by striking "the Federal Advisory Committee Act (5 U.S.C. App.)." and inserting "chapter 10 of title 5, United States Code.".

(271) Section 5(a)(5)(D) of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7704(a)(5)(D)) is amended—

(A) in the subparagraph heading, by striking "FEDERAL ADVISORY COMMITTEE ACT APPLICATION" and inserting "APPLICATION OF CHAPTER 10 OF TITLE 5, UNITED STATES CODE"; and

(B) in text, by striking ''Section 14 of the Federal Advisory Committee Act (5 App. U.S.C. 14)'' and inserting ''Section 1013 of title 5, United States Code,''.

(272) Section 172(e) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10173b(e)) is amended—

(A) in the subsection heading, by striking ''FEDERAL ADVISORY COMMITTEE ACT'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''the Federal Advisory Committee Act'' and inserting ''chapter 10 of title 5, United States Code,''.

(273) Section 408(10) of the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10248(10)) is amended by striking ''the Federal Advisory Committee Act (5 U.S.C. App.).'' and inserting ''chapter 10 of title 5, United States Code.''.

(274) Section 163(c) of the National and Community Service Act of 1990 (42 U.S.C. 12623(c)) is amended by striking ''Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Section 1013 of title 5, United States Code,''.

(275) Section 192A(h) of the National and Community Service Act of 1990 (42 U.S.C. 12651b(h)) is amended by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(276) Section 103(h)(7) of the Energy Policy Act of 1992 (42 U.S.C. 13458(h)(7)) is amended by striking ''Section 14 of the Federal Advisory Committee Act'' and inserting ''Section 1013 of title 5, United States Code,''.

(277) Section 205(e) of the National Windstorm Impact Reduction Act of 2004 (42 U.S.C. 15704(e)) is amended by striking ''section 14(b)(2) of the Federal Advisory Committee Act (5 U.S.C. App.), the Advisory Committee shall not be required to file a charter subsequent to its initial charter, filed under section 9(c) of such Act,'' and inserting ''section 1013(b)(2) of title 5, United States Code, the Advisory Committee shall not be required to file a charter subsequent to its initial charter, filed under section 1008(c) of title 5, United States Code,''.

(278) Section 990(b) of the Energy Research, Development, Demonstration, and Commercial Application Act of 2005 (42 U.S.C. 16354(b)) is

amended by striking ''the Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''chapter 10 of title 5, United States Code,''.

(279) Section 494(e) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17123(e)) is amended—

(A) in the subsection heading, by striking ''FACA EXEMPTION'' and inserting ''EXEMPTION FROM CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''section 14 of the Federal Advisory Committee Act (5 U.S.C. App.).'' and inserting ''section 1013 of title 5, United States Code.''.

(280) Section 641(e)(3)(B) of the United States Energy Storage Competitiveness Act of 2007 (42 U.S.C. 17231(e)(3)(B)) is amended—

(A) in the subparagraph heading, by striking ''FEDERAL ADVISORY COMMITTEE ACT'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(281) Section 1303(a)(3) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17383(a)(3)) is amended—

(A) in the paragraph heading, by striking ''FEDERAL ADVISORY COMMITTEE ACT'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(282) Section 1322(b)(4)(E) of the Patient Protection and Affordable Care Act (42 U.S.C. 18042(b)(4)(E)) is amended—

(A) in the subparagraph heading, by striking ''FACA'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''The Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the advisory board, except that section 14 of such Act'' and inserting ''Chapter 10 of title 5, United States Code, shall apply to the advisory board, except that section 1013 of title 5, United States Code,''.

(283) Section 205 of the Energy and Water Development Appropriations Act, 1993 (43 U.S.C. 1475a) is amended by striking ''the Federal Advisory Committee Act (5 U.S.C. Appendix (1988)):'' and inserting ''chapter 10 of title 5, United States Code:''.

(284) Section 4(b) of the Colorado River Floodway Protection Act (43 U.S.C. 1600b(b)) is amended by striking ''the Federal Advisory Committee Act (Public Law 92–463; 5 U.S.C. App. I)'' and inserting ''chapter 10 of title 5, United States Code,''.

(285) Section 309(a) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1739(a)) is amended by striking ''the Federal Advisory Committee Act (86 Stat. 770; 5 U.S.C. App. 1).'' and inserting ''chapter 10 of title 5, United States Code.''.

(286) Section 8(d)(2) of the President John F. Kennedy Assassination Records Collection Act of 1992 (Public Law 102–526, 44 U.S.C. 2107 note) is amended by striking ''the Federal Advisory Committee Act (5 U.S.C. App.).'' and inserting ''chapter 10 of title 5, United States Code.''.

(287) Section 2701(b) of title 44, United States Code, is amended by striking ''the Federal Advisory Committee Act (5 U.S.C. App.), except that the Committee shall be of permanent duration, notwithstanding any provision of section 14 of the Federal Advisory Committee Act.'' and inserting ''chapter 10 of title 5, except that the Committee shall be of permanent duration, notwithstanding any provision of section 1013 of title 5.''.

(288) Section 1168(a) of the Northeast Rail Service Act of 1981 (45 U.S.C. 1116(a)) is amended by striking ''the Federal Advisory Committee Act,'' and inserting ''chapter 10 of title 5, United States Code,''.

(289) Section 613(a) of the Alaska Railroad Transfer Act of 1982 (45 U.S.C. 1212(a)) is amended by striking ''the Federal Advisory Committee Act (5 U.S.C. App. 1 et seq.),'' and inserting ''chapter 10 of title 5, United States Code,''.

(290) Section 7510(c)(9) of title 46, United States Code, is amended—

(A) in the paragraph heading, by striking ''FACA'' and inserting ''CHAPTER 10 OF TITLE 5''; and

(B) in text, by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5''.

(291) Section 9307 of title 46, United States Code, is amended—

(A) in subsection (c)(2), by striking ''section 10(c) of the Federal Advisory Committee Act (5 U.S.C. App.).'' and inserting ''section 1009(c) of title 5.''; and

(B) in subsection (f)(1), by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5''.

(292) Section 51313(d) of title 46, United States Code, is amended by striking ''The Federal Advisory Committee Act (5 App. U.S.C.)'' and inserting ''Chapter 10 of title 5''.

(293) Section 109(a)(2) of the Maritime Transportation Security Act of 2002 (Public Law 107–295, 46 U.S.C. 70101 note) is amended by striking ''the Federal Advisory Committee Act (5 U.S.C. App.),'' and inserting ''chapter 10 of title 5, United States Code,''.

(294) Section 70112(b)(4)(B) of title 46, United States Code, is amended by striking ''section 10(c) of the Federal Advisory Committee Act (5

U.S.C. App.).'' and inserting ''section 1009(c) of title 5.''.

(295) Section 70112(b)(7) of title 46, United States Code, is amended—

(A) in the paragraph heading, by striking ''FACA'' and inserting ''CHAPTER 10 OF TITLE 5''; and

(B) in text, by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5''.

(296) Section 332(b)(4) of the Communications Act of 1934 (47 U.S.C. 332(b)(4)) is amended by striking ''the Federal Advisory Committee Act.'' and inserting ''chapter 10 of title 5, United States Code.''.

(297) Section 201(h) of the Twenty-First Century Communications and Video Accessibility Act of 2010 (Public Law 111–260, 47 U.S.C. 613 note) is amended—

(A) in the subsection heading, by striking ''FEDERAL ADVISORY COMMITTEE ACT'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and in-

serting "Chapter 10 of title 5, United States Code,".

(298) Section 106(f) of the Twenty-First Century Communications and Video Accessibility Act of 2010 (47 U.S.C. 615c(f)) is amended—

(A) in the subsection heading, by striking "FEDERAL ADVISORY COMMITTEE ACT" and inserting "CHAPTER 10 OF TITLE 5, UNITED STATES CODE"; and

(B) in text, by striking "The Federal Advisory Committee Act (5 U.S.C. App.)" and inserting "Chapter 10 of title 5, United States Code,".

(299) Section 113 of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 923) is amended—

(A) in subsection (h)(3)(E), by striking "The Federal Advisory Committee Act (5 U.S.C. App.)" and inserting "Chapter 10 of title 5, United States Code,"; and

(B) in subsection (i)(9), by striking "The Federal Advisory Committee Act (5 U.S.C. App.)" and inserting "Chapter 10 of title 5, United States Code,".

(300) Section 603(f) of the Warning, Alert, and Response Network Act (47 U.S.C. 1202(f)) is amended—

(A) in the subsection heading, by striking ''FEDERAL ADVISORY COMMITTEE ACT'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''the Federal Advisory Committee Act (5 U.S.C. App.) nor any rule, order, or regulation promulgated under that Act'' and inserting ''chapter 10 of title 5, United States Code, nor any rule, order, or regulation promulgated under that chapter''.

(301) Section 6203(e) of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1423(e)) is amended—

(A) in the subsection heading, by striking ''FACA'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in text, by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(302) Section 106(p)(5) of title 49, United States Code, is amended—

(A) in the paragraph heading, by striking ''FEDERAL ADVISORY COMMITTEE ACT'' and inserting ''CHAPTER 10 OF TITLE 5''; and

(B) in text, by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5''.

(303) Section 1325(a)(4) of title 49, United States Code, is amended by striking ''the Federal Advisory Committee Act.'' and inserting ''chapter 10 of title 5.''.

(304) Section 6305(e) of title 49, United States Code, is amended—

(A) in the subsection heading, by striking ''FEDERAL ADVISORY COMMITTEE ACT'' and inserting ''CHAPTER 10 OF TITLE 5''; and

(B) in text, by striking ''The Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the advisory council established under this section, except that section 14 of that Act'' and inserting ''Chapter 10 of title 5 shall apply to the advisory council established under this section, except that section 1013 of title 5''.

(305) Section 14504a(d)(9) of title 49, United States Code, is amended—

(A) in the paragraph heading, by striking ''FEDERAL ADVISORY COMMITTEE ACT'' and inserting ''CHAPTER 10 OF TITLE 5''; and

(B) in text, by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5''.

(306) Section 20133(d) of title 49, United States Code, is amended by striking ''the Federal Advisory Committee Act (5 U.S.C. App.),'' and inserting ''chapter 10 of title 5,''.

(307) Section 502(c)(5) of the Passenger Rail Investment and Improvement Act of 2008 (Public Law 110–432, 49 U.S.C. 26106 note) is amended by striking ''the Federal Advisory Committee Act (P.L. 92–463)'' and inserting ''chapter 10 of title 5, United States Code,''.

(308) Section 30306(i) of title 49, United States Code, is amended by striking ''sections 10(e) and (f) and 14 of the Federal Advisory Committee Act (5 App. U.S.C.).'' and inserting ''sections 1009(e) and (f) and 1013 of title 5.''.

(309) Section 4144(d) of the Motor Carrier Safety Reauthorization Act of 2005 (Public Law 109–59, 49 U.S.C. 31100 note) is amended by striking ''the Federal Advisory Committee Act (5 U.S.C.

App.),'' and inserting ''chapter 10 of title 5, United States Code,''.

(310) Section 5106(a)(5) of the FAST Act (Public Law 114–94, 49 U.S.C. 31102 note) is amended by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(311) Section 274(b)(5)(C) of the Air Traffic Management System Performance Improvement Act of 1996 (Public Law 104–264, 49 U.S.C. 40101 note) is amended—

(A) in the subparagraph heading, by striking ''FACA'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE,''; and

(B) in text, by striking ''the Federal Advisory Committee Act (5 U.S.C. App.).'' and inserting ''chapter 10 of title 5, United States Code.''.

(312) Section 805(d) of the National Parks Air Tour Management Act of 2000 (Public Law 106–181, 49 U.S.C. 40128 note) is amended—

(A) in the subsection heading, by striking ''FACA'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE''; and

(B) in paragraph (3)—

(i) in the paragraph heading, by striking "FACA" and inserting "CHAPTER 10 OF TITLE 5, UNITED STATES CODE"; and

(ii) in text, by striking "Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.)" and inserting "Section 1013 of title 5, United States Code,".

(313) Section 44508(d) of title 49, United States Code, is amended by striking "Section 14 of the Federal Advisory Committee Act (5 App. U.S.C.)" and inserting "Section 1013 of title 5".

(314) Section 44511(f)(2) of title 49, United States Code, is amended by striking "Section 14 of the Federal Advisory Committee Act" and inserting "Section 1013 of title 5".

(315) Section 204(f) of the Airline Safety and Federal Aviation Administration Extension Act of 2010 (Public Law 111–216, 49 U.S.C. 44701 note) is amended—

(A) in the subsection heading, by striking "FEDERAL ADVISORY COMMITTEE ACT" and inserting "CHAPTER 10 OF TITLE 5, UNITED STATES CODE"; and

(B) in text, by striking "The Federal Advisory Committee Act (5 U.S.C. App.)" and in-

serting "Chapter 10 of title 5, United States Code,".

(316) Section 44903(f) of title 49, United States Code, is amended by striking "the Federal Advisory Committee Act (5 U.S.C. App.)." and inserting "chapter 10 of title 5.".

(317) Section 44946(f) of title 49, United States Code, is amended—

(A) in the subsection heading, by striking "FACA" and inserting "CHAPTER 10 OF TITLE 5"; and

(B) in text, by striking "The Federal Advisory Committee Act (5 U.S.C. App.)" and inserting "Chapter 10 of title 5".

(318) Section 703(l) of the Public Interest Declassification Act of 2000 (Public Law 106–567, 50 U.S.C. 3161 note) is amended by striking "the Federal Advisory Committee Act (5 U.S.C. App.)" and inserting "chapter 10 of title 5, United States Code,".

(319) Section 410(b)(3) of the Intelligence Authorization Act for Fiscal Year 2010 (50 U.S.C. 3309(3)) is amended by striking "section 4(b)(3) of the Federal Advisory Committee Act (5 U.S.C. App.) that an advisory committee cannot comply

with the requirements of such Act.'' and inserting ''section 1003(b)(3) of title 5, United States Code, that an advisory committee cannot comply with the requirements of chapter 10 of title 5, United States Code.''.

(320) Section 19(c) of the National Security Agency Act of 1959 (50 U.S.C. 3617(c)) is amended by striking ''The Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Chapter 10 of title 5, United States Code,''.

(321) Section 708(d)(1) of the Defense Production Act of 1950 (50 U.S.C. 4558(d)(1)) is amended by striking ''the Federal Advisory Committee Act, whether or not such Act'' and inserting ''chapter 10 of title 5, United States Code, whether or not such chapter''.

(322) Section 708(n) of the Defense Production Act of 1950 (50 U.S.C. 4558(n)) is amended—

(A) in the subsection heading, by striking ''ADVISORY COMMITTEE ACT PROVISIONS'' and inserting ''CHAPTER 10 OF TITLE 5, UNITED STATES CODE,''; and

(B) in text, by striking ''the Federal Advisory Committee Act (5 U.S.C. App.)'' and in-

serting "chapter 10 of title 5, United States Code,".

(323) Section 722(e) of the Defense Production Act of 1950 (50 U.S.C. 4567(e)) is amended—

(A) in the subsection heading, by striking "FEDERAL ADVISORY COMMITTEE ACT" and inserting "CHAPTER 10 OF TITLE 5, UNITED STATES CODE"; and

(B) in text, by striking "the Federal Advisory Committee Act (5 U.S.C. App.)" and inserting "chapter 10 of title 5, United States Code,".

(324) Section 121(b) of the National Aeronautics and Space Administration Authorization Act, Fiscal Year 1991 (Public Law 101–611, 51 U.S.C. 20111 note) is amended by striking "section 14(a)(2) of the Federal Advisory Committee Act." and inserting "section 1013(a) of title 5, United States Code.".

(325) Section 40308(a) of title 51, United States Code, is amended by striking "the Federal Advisory Committee Act (5 App. U.S.C.)." and inserting "chapter 10 of title 5.".

(326) Section 60304(a) of title 51, United States Code, is amended by striking "section 14 of

the Federal Advisory Committee Act (5 App. U.S.C.),'' and inserting ''section 1013 of title 5,''.

(327) Section 70906(a) of title 51, United States Code, is amended by striking ''the Federal Advisory Committee Act'' and inserting ''chapter 10 of title 5''.

(328) Section 100906(b) of title 54, United States Code, is amended by striking ''Section 14(b) of the Federal Advisory Committee Act (5 U.S.C. App.)'' and inserting ''Section 1013(b) of title 5''.

(329) Section 101919(e) of title 54, United States Code, is amended by striking ''the Federal Advisory Committee Act (5 U.S.C. App.).'' and inserting ''chapter 10 of title 5.''.

(330) Section 102303(h) of title 54, United States Code, is amended—

(A) in the subsection heading, by striking ''FEDERAL ADVISORY COMMITTEE ACT'' and inserting ''CHAPTER 10 OF TITLE 5''; and

(B) in text, by striking ''The Federal Advisory Committee Act (5 U.S.C. App.), with the exception of section 14(b),'' and inserting ''Chapter 10 of title 5, with the exception of section 1013(b),''.

(331) Section 304105(i) of title 54, United States Code, is amended—

(A) in the subsection heading, by striking ''FEDERAL ADVISORY COMMITTEE ACT'' and inserting ''CHAPTER 10 OF TITLE 5''; and

(B) in text, by striking ''the Federal Advisory Committee Act (5 U.S.C. App.).'' and inserting ''chapter 10 of title 5.''.

(b) AMENDMENTS TO UPDATE REFERENCES TO INSPECTOR GENERAL ACT OF 1978.—

(1) Subsection (d)(1) of the Library of Congress Inspector General Act of 2005 (2 U.S.C. 185(d)(1)) is amended by striking ''Sections 4, 5 (other than subsections (a)(13)), 6(a) (other than paragraphs (7) and (8) thereof), and 7 of the Inspector General Act of 1978 (5 U.S.C. App.)'' and inserting ''Sections 404, 405 (other than subsection (b)(13)), 406(a) (other than paragraphs (7) and (8) thereof), and 407 of title 5, United States Code,''.

(2) Section 3(8)(B)(xvii) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1602(8)(B)(xvii)) is amended by striking ''the Inspector General Act of 1978,'' and inserting ''chapter 4 of title 5, United States Code,''.

(3) Subsection (d)(1) of the Architect of the Capitol Inspector General Act of 2007 (2 U.S.C. 1808(d)(1)) is amended by striking ''Sections 4, 5 (other than subsections (a)(13) and (e)(1)(B) thereof), 6 (other than subsection (a)(7) and (8) thereof), and 7 of the Inspector General Act of 1978 (5 U.S.C. App.)'' and inserting ''Sections 404, 405 (other than subsections (b)(13) and (f)(1)(B) thereof), 406 (other than subsection (a)(7) and (8) thereof), and 407 of title 5, United States Code,''.

(4) Section 1004 of the Legislative Branch Appropriations Act, 2006 (2 U.S.C. 1909) is amended—

(A) in subsection (c)(1), by striking ''section 4 of the Inspector General Act of 1978, (5 U.S.C. App. 4),'' and inserting ''section 404 of title 5, United States Code,'';

(B) in subsection (c)(2)—

(i) by striking ''section 5 (other than subsection (a)(13) thereof) of the Inspector General Act of 1978, (5 U.S.C. App. 5).'' and inserting ''section 405 (other than subsection (b)(13) thereof) of title 5, United States Code.'';

(ii) by striking ''section 5 of such Act'' and inserting ''section 405 of such title''; and

(iii) by striking ''section 5(b) of such Act.'' and inserting ''section 405(c) of such title.''; and

(C) in subsection (d)(1), by striking ''section 6(a) of the Inspector General Act of 1978, (5 U.S.C. App. 6(a)), other than paragraphs (7) and (8) of such section.'' and inserting ''section 406(a) of title 5, United States Code, other than paragraphs (7) and (8) of such section.''.

(5) Section 6(c) of the Inspector General Reform Act of 2008 (Public Law 110–409, 122 Stat. 4305) is amended by striking ''sections 3(g) and 8G(g) of the Inspector General Act of 1978 (5 U.S.C. App.) (as amended by this section).'' and inserting ''sections 403(g) and 415(g) of title 5, United States Code.''.

(6) Section 4(d) of the Inspector General Reform Act of 2008 (Public Law 110–409, 122 Stat. 4304) is amended—

(A) in paragraph (1), by striking ''section 12(2) of the Inspector General Act of 1978 (5

U.S.C. App.) (as amended by section 7(a) of this Act);'' and inserting ''section 401 of title 5, United States Code;'' and

(B) in paragraph (2), by striking ''section 8G(2) of the Inspector General Act of 1978 (5 U.S.C. App.);'' and inserting ''section 415(a) of title 5, United States Code;''.

(7) Section 101(d)(3) of title I of division C of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Public Law 105–277, 112 Stat. 2681–585), as amended by section 1000(a)(5) [title II, §239(a)] of Public Law 106–113 (113 Stat. 1536, 1501A–302), is amended by striking ''section 8D(j) of the Inspector General Act of 1978 (5 U.S.C. App.)'' and inserting ''section 412(j) of title 5, United States Code,''.

(8) Section 845(a)(1) of the Acquisition Improvement and Accountability Act of 2007 (Public Law 110–181, div. A, title VIII, 122 Stat. 240) is amended by striking ''the Inspector General Act of 1978'' and inserting ''chapter 4 of title 5, United States Code,''.

(9) Section 6009(b) of the Federal Acquisition Streamlining Act of 1994 (Public Law 103–355, 108 Stat. 3367), as amended by section 810 of the

National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106, 110 Stat. 394) is amended by striking ''section 5(a)(3) of the Inspector General Act of 1978 (5 U.S.C. App.)'' and inserting ''section 405(b)(3) of title 5, United States Code,''.

(10) Section 2 of Public Law 106–422 (114 Stat. 1873) is amended—

(A) in subsection (a)(1), by striking ''the Inspector General Act of 1978 (5 U.S.C. App.).'' and inserting ''chapter 4 of title 5, United States Code.'';

(B) in subsection (a)(2) (matter before subparagraph (A)), by striking ''section 11 of the Inspector General Act of 1978 (5 U.S.C. App.)'' and inserting ''section 401 of title 5, United States Code'';

(C) in subsection (a)(2)(B), by striking ''the Inspector General Act of 1978 (5 U.S.C. App.).'' and inserting ''chapter 4 of title 5, United States Code.'';

(D) in subsection (b)(1), by striking ''the Inspector General Act of 1978 (5 U.S.C. App.).'' and inserting ''chapter 4 of title 5, United States Code.'';

(E) in subsection (b)(2) (matter before subparagraph (A)), by striking ''section 11 of the Inspector General Act of 1978 (5 U.S.C. App.)'' and inserting ''section 401 of title 5, United States Code''; and

(F) in subsection (b)(2)(B), by striking ''the Inspector General Act of 1978 (5 U.S.C. App.).'' and inserting ''chapter 4 of title 5, United States Code.''.

(11) Section 403(c) of the Intelligence Authorization Act for Fiscal Year 2014 (Public Law 113–126, 128 Stat. 1409) is amended by striking ''section 3 of the Inspector General Act of 1978 (5 U.S.C. App.),'' and inserting ''section 403 of title 5, United States Code,''.

(12) Section 413(c) of the Intelligence Authorization Act for Fiscal Year 2014 (Public Law 113–126, 128 Stat. 1410) is amended by striking ''section 3 of the Inspector General Act of 1978 (5 U.S.C. App.),'' and inserting ''section 403 of title 5, United States Code,''.

(13) Section 11314(a)(1) of the Passenger Rail Reform and Investment Act of 2015 (Public Law 114–94, div. A, title XI, 129 Stat. 1674) is amended by striking ''the Inspector General Act of 1978 (5

U.S.C. App.),'' and inserting ''chapter 4 of title 5, United States Code,''.

(14) The matter under the headings ''RELATED AGENCIES'', ''COMMISSION ON CIVIL RIGHTS'', ''SALARIES AND EXPENSES'', and ''(INCLUDING TRANSFER OF FUNDS)'', in title IV of the Commerce, Justice, Science, and Related Agencies Appropriations Act, 2013 (Public Law 113–6, div. B, 127 Stat. 266) is amended—

(A) in the 4th proviso, by striking ''the Inspector General Act of 1978:'' and inserting ''chapter 4 of title 5, United States Code:''; and

(B) in the 7th proviso (which is not classified to the United States Code), by striking ''section 5 of the Inspector General Act of 1978)'' and inserting ''section 405 of title 5, United States Code)''.

(15) Section 1229 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) is amended—

(A) in subsection (c)(6), by striking ''section 3(b) of the Inspector General Act of 1978 (5 U.S.C. App.).'' and inserting ''section 403(b) of title 5, United States Code.'';

(B) in subsection (f)(3)—

(i) in the paragraph heading, by striking ''INSPECTOR GENERAL ACT OF 1978'' and inserting ''CHAPTER 4 OF TITLE 5, UNITED STATES CODE''; and

(ii) in text, by striking ''the Inspector General Act of 1978.'' and inserting ''chapter 4 of title 5, United States Code.''; and

(C) in subsection (g)—

(i) in paragraph (1)—

(I) in the paragraph heading, by striking ''INSPECTOR GENERAL ACT OF 1978'' and inserting ''CHAPTER 4 OF TITLE 5, UNITED STATES CODE''; and

(II) in text, by striking ''section 6 of the Inspector General Act of 1978,'' and inserting ''section 406 of title 5, United States Code,''; and

(ii) in paragraph (2), by striking ''section 4(b)(1) of the Inspector General Act of 1978.'' and inserting ''section 404(b)(1) of title 5, United States Code.''.

(16) The 2d proviso in the matter under the headings ''CHEMICAL SAFETY AND HAZARD INVES-

TIGATION BOARD'' and ''SALARIES AND EXPENSES'' in title III of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2002 (Public Law 107–73, 115 Stat. 679) is amended by striking ''the Inspector General Act of 1978, as amended:'' and inserting ''chapter 4 of title 5, United States Code:''.

(17) Section 3001 of the Emergency Supplemental Appropriations Act for Defense and for the Reconstruction of Iraq and Afghanistan, 2004 (Public Law 108–106) is amended—

(A) in subsection (c)(4), by striking ''section 3(b) of the Inspector General Act of 1978 (5 U.S.C. App.).'' and inserting ''section 403(b) of title 5, United States Code.'';

(B) in subsection (f)(3), by striking ''the Inspector General Act of 1978.'' and inserting ''chapter 4 of title 5, United States Code.'';

(C) in subsection (g)—

(i) in paragraph (1), by striking ''section 6 of the Inspector General Act of 1978,'' and inserting ''section 406 of title 5, United States Code,''; and

(ii) in paragraph (2), by striking ''section 4(b)(1) of the Inspector General Act of 1978.'' and inserting ''section 404(b)(1) of title 5, United States Code.''; and

(D) in subsection (i)(3), by striking ''section 5 of the Inspector General Act of 1978.'' and inserting ''section 405 of title 5, United States Code.''.

(18) Section 409(b) of the Amtrak Reform and Accountability Act of 1997 (Public Law 105–134, 111 Stat. 2587) is amended by striking ''the Inspector General Act of 1978.'' and inserting ''chapter 4 of title 5, United States Code.''.

(19) Section 102(e)(4) of the Inspector General Act Amendments of 1988 (Public Law 100–504, 102 Stat. 2517) is amended by striking ''section 3(b) of the Inspector General Act of 1978.'' and inserting ''section 403(b) of title 5, United States Code.''.

(20) Section 7 of the Special Inspector General for the Troubled Asset Relief Program Act of 2009 (Public Law 111–15, 123 Stat. 1605) is amended by striking ''section 11 of the Inspector General Act of 1978 (5 U.S.C. App.)'' and inserting ''section 424 of title 5, United States Code,''.

(21) Section 103(b) of the Homeland Security Act of 2002 (6 U.S.C. 113(b)) is amended by striking ''the Inspector General Act of 1978 (5 U.S.C. App.).'' and inserting ''chapter 4 of title 5, United States Code.''.

(22) Section 1413(a)(1)(A) of the National Transit Systems Security Act of 2007 (6 U.S.C. 1142(a)(1)(A)) is amended by striking ''the Inspector General Act of 1978 (5 U.S.C. App.; Public Law 95–452);'' and inserting ''chapter 4 of title 5, United States Code;''.

(23) Section 1337 (matter after paragraph (3)) of the Food Stamp and Commodity Distribution Amendments of 1981 (7 U.S.C. 2270 (matter after paragraph (3))) is amended by striking ''the authority provided in section 6, or described in section 9, of the Inspector General Act of 1978 (5 U.S.C. App. 6, 9).'' and inserting ''the authority provided in section 406 of title 5, United States Code, or described in section 9 of the Inspector General Act of 1978 (Public Law 95–452, 92 Stat. 1107).''.

(24) The proviso in the matter under the heading ''OFFICE OF THE INSPECTOR GENERAL (INCLUDING TRANSFERS OF FUNDS)'' in title I of the Agriculture, Rural Development, Food and Drug Admin-

istration, and Related Agencies Appropriations Act, 1999 (7 U.S.C. 2270a) is amended by striking ''the Inspector General Act of 1978,'' and inserting ''chapter 4 of title 5, United States Code,''.

(25) Section 22(c) of the Department of Justice Appropriation Authorization Act, Fiscal Year 1980 (Public Law 96–132, 8 U.S.C. 1551 note) is amended—

(A) in the matter before paragraph (1)—

(i) by striking ''the Inspector General Act of 1978 (Public Law 95–452)'' and inserting ''chapter 4 of title 5, United States Code,''; and

(ii) by striking ''such Act:'' and inserting ''such chapter:'';

(B) in paragraph (1), by striking ''Section 4'' and inserting ''Section 404'';

(C) in paragraph (2), by striking ''Section 5'' and inserting ''Section 405'';

(D) in paragraph (3), by striking ''Section 6'' and inserting ''Section 406''; and

(E) in paragraph (4), by striking ''Section 7'' and inserting ''Section 407''.

(26) Section 141 of title 10, United States Code, is amended—

(A) in subsection (a), by striking ''section 3 of the Inspector General Act of 1978 (Public Law 95–452; 5 U.S.C. App. 3).'' and inserting ''section 403 of title 5.''; and

(B) in subsection (b), by striking ''the Inspector General Act of 1978.'' and inserting ''chapter 4 of title 5.''.

(27) Section 1034(b)(1)(B)(ii) of title 10, United States Code, is amended by striking ''the Inspector General Act of 1978;'' and inserting ''chapter 4 of title 5;''.

(28) Section 2409(g)(5) of title 10, United States Code, is amended by striking ''the Inspector General Act of 1978'' and inserting ''chapter 4 of title 5''.

(29) Section 1601(b) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66, 10 U.S.C. 2533a note) is amended by striking ''section 8(f)(1) of the Inspector General Act of 1978 (5 U.S.C. App.).'' and inserting ''section 408(f)(1) of title 5, United States Code.''.

(30) Section 7020(d) of title 10, United States Code, is amended by striking ''the Inspector General Act of 1978 (5 U.S.C. App. 3)'' and inserting ''chapter 4 of title 5''.

(31) Section 8020(c) of title 10, United States Code, is amended by striking ''the Inspector General Act of 1978 (5 U.S.C. App. 3)'' and inserting ''chapter 4 of title 5''.

(32) Section 9020(d) of title 10, United States Code, is amended by striking ''the Inspector General Act of 1978 (5 U.S.C. App. 3)'' and inserting ''chapter 4 of title 5''.

(33) Section 216(j)(5)(A) of the Federal Credit Union Act (12 U.S.C. 1790d(j)(5)(A)) is amended by striking ''section 8L of the Inspector General Act of 1978 (5 U.S.C. App.)'' and inserting ''section 419 of title 5, United States Code,''.

(34) Section 1317(d) of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 (12 U.S.C. 4517(d)) is amended by striking ''section 3(a) of the Inspector General Act of 1978.'' and inserting ''section 403(a) of title 5, United States Code.''.

(35) Section 121 of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5231) is amended—

(A) in subsection (b)(4), by striking ''section 3(b) of the Inspector General Act of 1978

(5 U.S.C. App.).'' and inserting ''section 403(b) of title 5, United States Code.'';

(B) in subsection (b)(6), by striking ''section 3(e) of the Inspector General Act of 1978 (5 U.S.C. App.).'' and inserting ''section 403(e) of title 5, United States Code.'';

(C) in subsection (c)(3), by striking ''the Inspector General Act of 1978.'' and inserting ''chapter 4 of title 5, United States Code.'';

(D) in subsection (d)(1), by striking ''section 6 of the Inspector General Act of 1978.'' and inserting ''section 406 of title 5, United States Code.'';

(E) in subsection (d)(2), by striking ''section 4(b)(1) of the Inspector General Act of 1978.'' and inserting ''section 404(b)(1) of title 5, United States Code.'';

(F) in subsection (d)(3), by striking ''section 6(e)(3) of the Inspector General Act of 1978 (5 U.S.C. App.)'' and inserting ''section 406(f)(3) of title 5, United States Code,''; and

(G) in subsection (h), by striking ''section 11 of the Inspector General Act of 1978 (5 U.S.C. App.)'' and inserting ''section 424 of title 5, United States Code,''.

(36) Section 211 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (12 U.S.C. 5391) is amended—

(A) in subsection (d)(3), by striking ''section 5(a) of the Inspector General Act of 1978 (5 U.S.C. App.),'' and inserting ''section 405(b) of title 5, United States Code,''; and

(B) in subsection (e)(3), by striking ''section 5(a) of the Inspector General Act of 1978 (5 U.S.C. App.),'' and inserting ''section 405(b) of title 5, United States Code,''.

(37) Section 30(b)(2)(B) of the Small Business Act (15 U.S.C. 657(b)(2)(B)) is amended by striking ''section 7 of the Inspector General Act of 1978 (5 U.S.C. App.);'' and inserting ''section 407 of title 5, United States Code;''.

(38) Section 6(d) of the John F. Kennedy Center Act (20 U.S.C. 76l(d)) is amended—

(A) by striking ''the Inspector General Act of 1978 (5 U.S.C. App. 3).'' and inserting ''chapter 4 of title 5, United States Code.''; and

(B) by striking ''such Act'' and inserting ''such chapter''.

(39) Section 432(f)(2) of the Higher Education Act of 1965 (20 U.S.C. 1082(f)(2)) is amended—

(A) by striking ''section 6(a)(4) of the Inspector General Act of 1978,'' and inserting ''section 406(a)(4) of title 5, United States Code,''; and

(B) by striking ''that Act'' and inserting ''chapter 4 of title 5, United States Code,''.

(40) Section 202(c) of the Department of Education Organization Act (20 U.S.C. 3412(c)) is amended by striking ''the Inspector General Act of 1978 (as amended by section 508(n) of this Act).'' and inserting ''chapter 4 of title 5, United States Code.''.

(41) Section 211 of the Department of Education Organization Act (20 U.S.C. 3422) is amended by striking ''the Inspector General Act of 1978 (as amended by section 508(n) of this Act).'' and inserting ''chapter 4 of title 5, United States Code.''.

(42) Section 209(e)(1) of the Foreign Service Act of 1980 (22 U.S.C. 3929(e)(1)) is amended—

(A) by striking ''section 6 of the Inspector General Act of 1978'' and inserting ''section 406 of title 5, United States Code,'';

(B) by striking ''section 11(2) of such Act)'' and inserting ''section 401 of title 5, United States Code)'';

(C) by striking ''that Act,'' and inserting ''chapter 4 of title 5, United States Code,''; and

(D) by striking ''section 6(b) and (c) of such Act.'' and inserting ''section 406(c) and (d) of title 5, United States Code.''.

(43) Section 339(c)(2) of the Admiral James W. Nance and Meg Donovan Foreign Relations Authorization Act, Fiscal Years 2000 and 2001, as enacted by section 1000(a)(7) of Public Law 106–113 (22 U.S.C. 3929 note) is amended by striking ''section 7(b) of the Inspector General Act of 1978 (5 U.S.C. app.);'' and inserting ''section 407(b) of title 5, United States Code;''.

(44) Section 413(b) of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4861(b)) is amended by striking ''the Inspector General Act of 1978.'' and inserting ''chapter 4 of title 5, United States Code.''.

(45) Section 308(j)(3) of the United States International Broadcasting Act of 1994 (22 U.S.C. 6207(j)(3)) is amended by striking ''the Inspector General Act of 1978'' and inserting ''chapter 4 of title 5, United States Code,''.

(46) Section 7803(d) of the Internal Revenue Code of 1986 (26 U.S.C. 7803(d)) is amended—

(A) in paragraph (1) (matter before subparagraph (A)), by striking ''section 5 of the Inspector General Act of 1978'' and inserting ''section 405 of title 5, United States Code''; and

(B) in paragraph (2)(A) (matter before clause (i)), by striking ''section 5 of the Inspector General Act of 1978'' and inserting ''section 405 of title 5, United States Code''.

(47) Section 9(b)(2) of Wagner-Peyser Act (29 U.S.C. 49h(b)(2)) is amended by striking ''the Inspector General Act.'' and inserting ''chapter 4 of title 5, United States Code.''.

(48) Section 185(b)(3)(D) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3245(b)(3)(D)) is amended by striking ''the Inspector General Act of 1978 (5 U.S.C. App.)'' and inserting ''chapter 4 of title 5, United States Code,''.

(49) Section 902(b)(2) of title 31, United States Code, is amended by striking ''the Inspector General Act of 1978 (5 U.S.C. App.).'' and inserting ''chapter 4 of title 5.''.

(50) Section 1105(a)(25) of title 31, United States Code, is amended by striking ''section 11(2)

of the Inspector General Act of 1978.'' and inserting ''section 401 of title 5.''.

(51) Section 301(27) of the Community Renewal Tax Relief Act of 2000, as enacted by section 1(a)(7) of the Consolidated Appropriations Act, 2001 (Public Law 106–554, 31 U.S.C. 1113 note) is amended—

(A) in the matter before subparagraph (A), by striking ''the Inspector General Act of 1978 (Public Law 95–452):'' and inserting ''chapter 4 of title 5, United States Code:'';

(B) in subparagraph (A), by striking ''Section 5(b).'' and inserting ''Section 405(c).''; and

(C) in subparagraph (B), by striking ''Section 5(d).'' and inserting ''Section 405(e).''.

(52) Section 3003(a)(2)(A) of the Federal Reports Elimination and Sunset Act of 1995 (Public Law 104–66, 31 U.S.C. 1113 note) is amended by striking ''the Inspector General Act of 1978 (5 U.S.C. App.);'' and inserting ''chapter 4 of title 5, United States Code;''.

(53) Section 5(e)(1) of the Improper Payments Elimination and Recovery Improvement Act of 2012 (Public Law 112–248, 31 U.S.C. 3321 note) is amended by striking ''subparagraph (A), (B), or (I)

of section 11(b)(1) of the Inspector General Act of 1978 (5 U.S.C. App.)'' and inserting ''subparagraph (A), (B), or (I) of section 424(b)(1) of title 5, United States Code,''.

(54) Section 804(b) (matter before paragraph (1)) of the Federal Financial Management Improvement Act of 1996 (Public Law 104–208, div. A, §101(f) [title VIII], 31 U.S.C. 3512 note) is amended by striking ''section 5(a) of the Inspector General Act of 1978 (5 U.S.C. App.)'' and inserting ''section 405(b) of title 5, United States Code,''.

(55) Section 3521(e)(1) of title 31, United States Code, is amended by striking ''the Inspector General Act of 1978 (5 U.S.C. App.),'' and inserting ''chapter 4 of title 5,''.

(56) Section 3801(a) of title 31, United States Code, is amended—

(A) in paragraph (1)(C), by striking ''section 11(2) of the Inspector General Act of 1978)'' and inserting ''section 401 of title 5)'';

(B) in paragraph (1)(F), by striking ''section 8G(a)(2) of the Inspector General Act of 1978)'' and inserting ''section 415(a) of title 5)'';

(C) in paragraph (4)(A)(i), by striking ''the Inspector General Act of 1978'' and inserting ''chapter 4 of title 5''; and

(D) in paragraph (4)(A)(ii), by striking ''the Inspector General Act of 1978'' and inserting ''chapter 4 of title 5''.

(57) Section 3808(c) of title 31, United States Code, is amended by striking ''the Inspector General Act of 1978'' and inserting ''chapter 4 of title 5''.

(58) Section 9105(a)(1) of title 31, United States Code, is amended by striking ''the Inspector General Act of 1978 (5 U.S.C. App.),'' and inserting ''chapter 4 of title 5,''.

(59) Section 3703 of the Crime Control Act of 1990 (34 U.S.C. 11298) is amended—

(A) in subsection (a) (matter before paragraph (1)), by striking ''section 3 or 8G of the Inspector General Act of 1978 (5 U.S.C. App.)'' and inserting ''section 403 or 415 of title 5, United States Code,''; and

(B) in subsection (b)(1), by striking ''the Inspector General Act of 1978 (5 U.S.C. App.).'' and inserting ''chapter 4 of title 5, United States Code.''.

(60) Section 312 of title 38, United States Code, is amended—

(A) in subsection (a), by striking ''the Inspector General Act of 1978 (5 U.S.C. App.).'' and inserting ''chapter 4 of title 5.''; and

(B) in subsection (c)(1) (matter before subparagraph (A)), by striking ''the Inspector General Act of 1978 (5 U.S.C. App.),'' and inserting ''chapter 4 of title 5,''.

(61) Section 7366(a)(1)(B) of title 38, United States Code, is amended—

(A) by striking ''sections 4(a)(1) and 6(a)(1) of the Inspector General Act of 1978,'' and inserting ''sections 404(a)(1) and 406(a)(1) of title 5,''; and

(B) by striking ''such Act.'' and inserting ''chapter 4 of title 5.''.

(62) Section 202(e)(3) of title 39, United States Code, is amended by striking ''section 8G(e) of the Inspector General Act of 1978.'' and inserting ''section 415(e) of title 5.''.

(63) Section 410(b)(10) of title 39, United States Code, is amended by striking ''the Inspector General Act of 1978;'' and inserting ''chapter 4 of title 5;''.

(64) Section 504(h)(1) of title 39, United States Code, is amended by striking ''the Inspector General Act of 1978,'' and inserting ''chapter 4 of title 5,''.

(65) Section 1003 of title 39, United States Code, is amended—

(A) in subsection (a), by striking ''section 8G of the Inspector General Act of 1978,'' and inserting ''section 415 of title 5,''; and

(B) in subsection (b), by striking ''section 11(2) of the Inspector General Act of 1978.'' and inserting ''section 401(1) of title 5.''.

(66) Section 2003(e)(1) of title 39, United States Code, is amended by striking ''section 8G(f) of the Inspector General Act of 1978.'' and inserting ''section 415(f) of title 5.''.

(67) Section 2009 of title 39, United States Code, is amended by striking ''section 8G(f) of the Inspector General Act of 1978,'' and inserting ''section 415(f) of title 5,''.

(68) Section 4(b) of the Mail Order Consumer Protection Amendments of 1983 (Public Law 98–186, 39 U.S.C. 3005 note) is amended by striking ''section 5 of the Inspector General Act of 1978 (5

U.S.C. App.).'' and inserting ''section 405 of title 5, United States Code.''.

(69) Section 3013 (matter after paragraph (6)) of title 39, United States Code, is amended by striking ''section 5 of the Inspector General Act of 1978'' and inserting ''section 405 of title 5''.

(70) Section 15704(a) of title 40, United States Code, is amended by striking ''section 3(a) of the Inspector General Act of 1978 (5 U.S.C. App.).'' and inserting ''section 403(a) of title 5.''.

(71) Section 1505 of title 41, United States Code, is amended by striking ''the Inspector General Act of 1978 (5 U.S.C. App.),'' and inserting ''chapter 4 of title 5,''.

(72) Section 4705(a)(3) of title 41, United States Code, is amended by striking ''the Inspector General Act of 1978 (5 U.S.C. App.).'' and inserting ''chapter 4 of title 5.''.

(73) Section 4706(c)(1) of title 41, United States Code, is amended by striking ''section 3 or 8G of the Inspector General Act of 1978 (5 U.S.C. App.)'' and inserting ''section 403 or 415 of title 5''.

(74) Section 4712(g)(2) of title 41, United States Code, is amended by striking ''the Inspector

General Act of 1978'' and inserting ''chapter 4 of title 5''.

(75) Section 351A(i)(2) of the Public Health Service Act (42 U.S.C. 262a(i)(2)) is amended by striking ''section 6 of the Inspector General Act of 1978 (5 U.S.C. App.).'' and inserting ''section 406 of title 5, United States Code.''.

(76) Section 702(e) of the Social Security Act (42 U.S.C. 902(e)) is amended by striking ''section 3(a) of the Inspector General Act of 1978.'' and inserting ''section 403(a) of title 5, United States Code.''.

(77) Section 1128A(m)(2)(B) of the Social Security Act (42 U.S.C. 1320a–7a(m)(2)(B)) is amended by striking ''the Inspector General Act of 1978 (5 U.S.C. App.)'' and inserting ''chapter 4 of title 5, United States Code,''.

(78) Section 1128C(a) of the Social Security Act (42 U.S.C. 1320a–7c(a)) is amended—

(A) in paragraph (4), by striking ''paragraphs (3) through (9) of section 6 of the Inspector General Act of 1978 (5 U.S.C. App.)'' and inserting ''paragraphs (3) through (9) of section 406(a) of title 5, United States Code,''; and

(B) in paragraph (5), by striking ''the Inspector General Act of 1978 (5 U.S.C. App.).'' and inserting ''chapter 4 of title 5, United States Code.''.

(79) Section 1128D(a)(1)(C) of the Social Security Act (42 U.S.C. 1320a–7d(a)(1)(C)) is amended by striking ''section 5 of the Inspector General Act of 1978 (5 U.S.C. App.),'' and inserting ''section 405 of title 5, United States Code,''.

(80) Section 322(a) of the Atomic Energy Act of 1954 (42 U.S.C. 2286k(a)) is amended by striking ''the Inspector General Act of 1978 (5 U.S.C. App.).'' and inserting ''chapter 4 of title 5, United States Code.''.

(81) The last proviso in the matter under the heading ''NUCLEAR REGULATORY COMMISSION—OFFICE OF INSPECTOR GENERAL'' in title IV of the Energy and Water Development and Related Agencies Appropriations Act, 2015 (42 U.S.C. 2286l) is amended by striking ''the Inspector General Act of 1978 (5 U.S.C. App.)'' and inserting ''chapter 4 of title 5, United States Code,''.

(82) Section 160 of the Energy Policy Act of 1992 (42 U.S.C. 8262f) is amended—

(A) in subsection (a) (matter before paragraph (1))—

(i) by striking ''section 11(2) of the Inspector General Act of 1978 (5 U.S.C. App.),'' and inserting ''section 401(1) of title 5, United States Code,''; and

(ii) by striking ''section 8E(f)(1) as established by section 8E(a)(2) of the Inspector General Act Amendments of 1988 (Public Law 100–504)'' and inserting ''section 415(f) of title 5, United States Code,''; and

(B) in subsection (c), by striking ''section 2 of the Inspector General Act of 1978 (5 U.S.C. App.)'' and inserting ''section 402 of title 5, United States Code,''.

(83) Section 183(c)(2)(B) of the National and Community Service Act of 1990 (42 U.S.C. 12643(c)(2)(B)) is amended by striking ''the Inspector General Act of 1978 (5 U.S.C. App.).'' and inserting ''chapter 4 of title 5, United States Code.''.

(84) Section 204(b)(2) of the National and Community Service Trust Act of 1993 (Public Law 103–82, 42 U.S.C. 12651 note) is amended—

(A) in subparagraph (A), by striking ''the Inspector General Act of 1978 (5 U.S.C. App.);'' and inserting ''chapter 4 of title 5, United States Code;''; and

(B) in subparagraph (B) (matter before clause (i)), by striking ''the Inspector General Act of 1978,'' and inserting ''chapter 4 of title 5, United States Code,''.

(85) Section 192A(g)(6) of the National and Community Service Act of 1990 (42 U.S.C. 12651b(g)(6)) is amended by striking ''section 8E of the Inspector General Act of 1978;'' and inserting ''section 414 of title 5, United States Code;''.

(86) Section 193A(a) of the National and Community Service Act of 1990 (42 U.S.C. 12651d(a)) is amended by striking ''section 8E of the Inspector General Act of 1978.'' and inserting ''section 414 of title 5, United States Code.''.

(87) Section 194(b)(2) of the National and Community Service Act of 1990 (42 U.S.C. 12651e(b)(2)) is amended by striking ''the Inspector General Act of 1978.'' and inserting ''chapter 4 of title 5, United States Code.''.

(88) Section 195(a) of the National and Community Service Act of 1990 (42 U.S.C. 12651f(a))

is amended by striking ''section 8E of the Inspector General Act of 1978,'' and inserting ''section 414 of title 5, United States Code,''.

(89) Section 3555(b)(1) of title 44, United States Code, is amended by striking ''the Inspector General Act of 1978,'' and inserting ''chapter 4 of title 5,''.

(90) Section 3903(a) (matter before paragraph (1)) of title 44, United States Code, is amended by striking ''Sections 4, 5, 6 (other than subsection (a)(7) and (8) thereof), and 7 of the Inspector General Act of 1978 (Public Law 95–452; 5 U.S.C. App. 3)'' and inserting ''Sections 404, 405, 406 (other than subsection (a)(7) and (8) thereof), and 407 of title 5''.

(91) Section 9–A(b) of the Organic Act of Guam (48 U.S.C. 1422d(b)) is amended by striking ''the Inspector General Act of 1978 (92 Stat. 1101), as amended.'' and inserting ''chapter 4 of title 5, United States Code.''.

(92) Section 17(b) of the Revised Organic Act of the Virgin Islands (48 U.S.C. 1599(b)) is amended by striking ''the Inspector General Act of 1978 (92 Stat. 1101), as amended.'' and inserting ''chapter 4 of title 5, United States Code.''.

(93) Section 501(c) of Public Law 96–205 (48 U.S.C. 1668(c)) is amended by striking ''the Inspector General Act of 1978 (92 Stat. 1101), as amended.'' and inserting ''chapter 4 of title 5, United States Code.''.

(94) Section 4(b) of the Act of June 30, 1954 (48 U.S.C. 1681b(b)) is amended by striking ''the Inspector General Act of 1978 (92 Stat. 1101), as amended.'' and inserting ''chapter 4 of title 5, United States Code.''.

(95) Section 114(o) of title 49, United States Code, is amended by striking ''the Inspector General Act of 1978 (5 U.S.C. App.)'' and inserting ''chapter 4 of title 5''.

(96) Section 1137(c) of title 49, United States Code, is amended by striking ''subsections (a) and (b) of section 6 of the Inspector General Act of 1978 (5 U.S.C. App.).'' and inserting ''subsections (a) and (c) of section 406 of title 5.''.

(97) Section 1326(c) of title 49, United States Code, is amended by striking ''subsections (a) and (b) of section 6 of the Inspector General Act of 1978 (5 U.S.C. App.).'' and inserting ''subsections (a) and (c) of section 406 of title 5.''.

(98) Section 20109(a)(1)(A) of title 49, United States Code, is amended by striking ''the Inspector General Act of 1978 (5 U.S.C. App.; Public Law 95–452);'' and inserting ''chapter 4 of title 5;''.

(99) Section 103H(k)(5)(H) of the National Security Act of 1947 (50 U.S.C. 3033(k)(5)(H)) is amended by striking ''section 8H of the Inspector General Act of 1978 (5 U.S.C. App.).'' and inserting ''section 416 of title 5, United States Code.''.

(100) Section 507(a)(1) of the National Security Act of 1947 (50 U.S.C. 3106(a)(1)) is amended by striking ''section 8H(g) of the Inspector General Act of 1978.'' and inserting ''section 416(h) of title 5, United States Code.''.

(101) Section 3001(j)(1)(C)(i) of the Intelligence Reform and Terrorism Prevention Act of 2004 (50 U.S.C. 3341(j)(1)(C)(i)) is amended by striking ''subsections (a)(1), (d), and (h) of section 8H of the Inspector General Act of 1978 (5 U.S.C. App.);'' and inserting ''subsections (b)(1), (e), and (i) of section 416 of title 5, United States Code;''.

(c) AMENDMENTS TO UPDATE REFERENCES TO ETHICS IN GOVERNMENT ACT OF 1978.—

(1) Section 1201(c)(5) of the Legislative Branch Appropriations Act, 2008 (2 U.S.C.

612(c)(5)) is amended by striking ''the Ethics in Government Act of 1978 (5 U.S.C. App.);'' and inserting ''chapter 131 of title 5, United States Code;''.

(2) Section 301(k) of the Congressional Accountability Act of 1995 (2 U.S.C. 1381(k)) is amended by striking ''title I of the Ethics in Government Act of 1978'' and inserting ''subchapter I of chapter 131 of title 5, United States Code,''.

(3) Section 3(4)(D) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1602(4)(D)) is amended by striking ''section 109(13) of the Ethics in Government Act of 1978 (5 U.S.C. App.).'' and inserting ''section 13101(13) of title 5, United States Code.''.

(4) Section 304 of the Honest Leadership and Open Government Act of 2007 (2 U.S.C. 4712) is amended—

(A) in subsection (a)(2), by striking ''section 103(h)(1) of the Ethics in Government Act of 1978'' and inserting ''section 13105(h)(1) of title 5, United States Code,''; and

(B) in subsection (c), by striking ''section 103(h)(1) of the Ethics in Government Act of 1978,'' and inserting ''section 13105(h)(1) of title 5, United States Code,''.

(5) Section 901(a) of the Ethics Reform Act of 1989 (2 U.S.C. 4725(a)) is amended—

(A) in paragraph (2)(B), by striking ''section 102(a)(2)(A) of the Ethics in Government Act of 1978;'' and inserting ''section 13104(a)(2)(A) of title 5, United States Code;''; and

(B) in paragraph (3)(B), by striking ''section 107(2) of title I of the Ethics in Government Act of 1978 (Public Law 95–521).'' and inserting ''section 13101(16) of title 5, United States Code.''.

(6) Section 3374(c)(2) of title 5, United States Code, is amended by striking ''the Ethics in Government Act of 1978,'' and inserting ''chapter 131 of this title,''.

(7) Section 1110(e)(2)(E) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84, 5 U.S.C. 3702 note) is amended by striking ''the Ethics in Government Act of 1978;'' and inserting ''chapter 131 of title 5, United States Code;''.

(8) Section 3704(b)(2)(E) of title 5, United States Code, is amended by striking ''the Ethics in

Government Act of 1978;'' and inserting ''chapter 131 of this title;''.

(9) Section 7353(d)(1)(E) of title 5, United States Code, is amended by striking ''title I of the Ethics in Government Act of 1978 are transmitted under such title,'' and inserting ''subchapter I of chapter 131 of this title are transmitted under such subchapter,''.

(10) Section 2(a) of Public Law 110–402 (5 U.S.C. 7353 note) is amended—

(A) in paragraph (1), by striking ''section 109(5) of the Ethics in Government Act of 1978 (5 U.S.C. App.).'' and inserting ''section 13101(5) of title 5, United States Code.''; and

(B) in paragraph (2), by striking ''section 109(10) of the Ethics in Government Act of 1978 (5 U.S.C. App.).'' and inserting ''section 13101(10) of title 5, United States Code.''.

(11) Section 2 of the Stop Trading on Congressional Knowledge Act of 2012 (Public Law 112–105, 126 Stat. 291, 5 U.S.C. App. 101 note) is amended—

(A) in paragraph (2)(B), by striking ''section 109(11) of the Ethics in Government Act of 1978 (5 U.S.C. App. 109(11)).'' and insert-

ing "section 13101(11) of title 5, United States Code).";

(B) in paragraph (4), by striking "section 109(10) of the Ethics in Government Act of 1978 (U.S.C. App. 109(10))." and inserting "section 13101(10) of title 5, United States Code.";

(C) in paragraph (5), by striking "section 109(8) of the Ethics in Government Act of 1978 (5 U.S.C. App. 109(8))." and inserting "section 13101(9) of title 5, United States Code."; and

(D) in paragraph (6), by striking "section 109(18) of the Ethics in Government Act of 1978 (5 U.S.C. App. 109(18))." and inserting "section 13101(18) of title 5, United States Code.".

(12) Section 17(a) of the Stop Trading on Congressional Knowledge Act of 2012 (Public Law 112–105, 126 Stat. 303, 5 U.S.C. App. 101 note) is amended by striking "section 101 of the Ethics in Government Act of 1978 (5 U.S.C. App. 101)" and inserting "section 13103 of title 5, United States Code,".

(13) Section 22(c) of the Lobbying Disclosure Act of 1995 (Public Law 104–65, 109 Stat. 705, 5 U.S.C. App. 102 note) is amended by striking ''title I of the Ethics in Government Act of 1978'' and inserting ''subchapter I of chapter 131 of title 5, United States Code,''.

(14) Section 1003(b) of the Legislative Branch Appropriations Act, 2006 (Public Law 109–55, 119 Stat. 572, 5 U.S.C. App. 103 note) is amended by striking ''the Ethics in Government Act of 1978'' and inserting ''chapter 131 of title 5, United States Code,''.

(15) Section 8 of the Stop Trading on Congressional Knowledge Act of 2012 (Public Law 112–105, 126 Stat. 295, 5 U.S.C. App. 105 note) is amended—

(A) in subsection (a)—

(i) in paragraph (1), by striking ''title I of the Ethics in Government Act of 1978'' and inserting ''subchapter I of chapter 131 of title 5, United States Code,''; and

(ii) in paragraph (3), by striking ''section 103(l) of the Ethics in Government Act of 1978, as added by this Act,'' and

inserting "section 13105(l) of title 5, United States Code,"; and

(B) in subsection (b)—

(i) in paragraph (1)—

(I) in subparagraph (A), by striking "section 103(h)(1)(A) of title I of the Ethics in Government Act of 1978;" and inserting "section 13105(h)(1)(A) of title 5, United States Code;"; and

(II) in subparagraph (B)—

(aa) in clause (ii), by striking "section 103(l) of the Ethics in Government Act of 1978," and inserting "section 13105(l) of title 5, United States Code,"; and

(bb) in the matter following clause (iii), by striking "title I of the Ethics in Government Act of 1978 (5 U.S.C. App. 101 et seq.)," and inserting "subchapter I of chapter 131 of title 5, United States Code,";

(ii) in paragraph (2), by striking "section 105(b)(2) of the Ethics in Govern-

ment Act of 1978'' and inserting ''section 13107(b)(2) of title 5, United States Code,'';

(iii) in paragraph (3), by striking ''section 105(b)(1) of the Ethics in Government Act of 1978,'' and inserting ''section 13107(b)(1) of title 5, United States Code,''; and

(iv) in paragraph (4), by striking ''the Ethics in Government Act of 1978'' and inserting ''chapter 131 of title 5, United States Code,''.

(16) Section 11 of the Stop Trading on Congressional Knowledge Act of 2012 (Public Law 112–105, 126 Stat. 298, 5 U.S.C. App. 105 note) is amended—

(A) in subsection (a)—

(i) in paragraph (1)—

(I) by striking ''title I of the Ethics in Government Act of 1978 (5 U.S.C. App. 101 et seq.),'' and inserting ''subchapter I of chapter 131 of title 5, United States Code,''; and

(II) by striking ''section 101 of that Act'' and inserting ''section

13103 of title 5, United States Code,''; and

(ii) in paragraph (3), by striking ''section 103(l) of the Ethics in Government Act of 1978, as added by this Act,'' and inserting ''section 13105(l) of title 5, United States Code,''; and

(B) in subsection (b)—

(i) in paragraph (1)—

(I) in subparagraph (A), by striking ''section 103 of the Ethics in Government Act of 1978 (5 U.S.C. App. 103),'' and inserting ''section 13105 of title 5, United States Code,'';

(II) in subparagraph (B)(ii), by striking ''section 103(l) of the Ethics in Government Act of 1978,'' and inserting ''section 13105(l) of title 5, United States Code,''; and

(III) in the matter following clause (iii) of subparagraph (B), by striking ''title I of the Ethics in Government Act of 1978 (5 U.S.C. App. 101 et seq.),'' and inserting ''sub-

chapter I of chapter 131 of title 5, United States Code,'';

(ii) in paragraph (2), by striking ''section 105(b)(2) of the Ethics in Government Act of 1978 (5 U.S.C. App. 105(b)(2))'' and inserting ''section 13107(b)(2) of title 5, United States Code,'';

(iii) in paragraph (3), by striking ''section 105(b)(1) of the Ethics in Government Act of 1978 (5 U.S.C. App. 105(b)(1)),'' and inserting ''section 13107(b)(1) of title 5, United States Code,''; and

(iv) in paragraph (4), by striking ''title I of the Ethics in Government Act of 1978'' and inserting ''subchapter I of chapter 131 of title 5, United States Code,''.

(17) Section 902(a) of the Ethics Reform Act of 1989 (Public Law 101–194, 103 Stat. 1780, 5 U.S.C. App. 111 note) is amended by striking ''title I of the Ethics in Government Act of 1978'' and inserting ''subchapter I of chapter 131 of title 5, United States Code,''.

(18) Section 7601(f)(4)(B)(ii) of the Agricultural Act of 2014 (7 U.S.C. 5939(f)(4)(B)(ii)) is amended by striking ''section 109 of the Ethics in Government Act of 1978 (5 U.S.C. App.))'' and inserting ''section 13101 of title 5, United States Code)''.

(19) Section 1110(g)(2)(E) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92, 10 U.S.C. 1701 note) is amended by striking ''the Ethics in Government Act of 1978 (5 U.S.C. App. 101 et seq.);'' and inserting ''chapter 131 of title 5, United States Code;''.

(20) Section 232(b)(3)(B)(v) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291, 10 U.S.C. 2358 note) is amended by striking ''The Ethics in Government Act of 1978 (5 U.S.C. App.).'' and inserting ''Chapter 131 of title 5, United States Code.''.

(21) Section 2904(h) of title 10, United States Code, is amended by striking ''title I of the Ethics in Government Act of 1978 (5 U.S.C. App.).'' and inserting ''subchapter I of chapter 131 of title 5.''.

(22) Section 3(k)(2)(C) of the Export-Import Bank Act of 1945 (12 U.S.C. 635a(k)(2)(C)) is

amended by striking ''the Ethics in Government Act of 1978 (5 U.S.C. App. 101 et seq.).'' and inserting ''chapter 131 of title 5, United States Code.''.

(23) Section 5.11(c)(2)(C)(i) of the Farm Credit Act of 1971 (12 U.S.C. 2245(c)(2)(C)(i)) is amended by striking ''the Ethics in Government Act of 1978;'' and inserting ''chapter 131 of title 5, United States Code;''.

(24) Section 21A of the Securities Exchange Act of 1934 (15 U.S.C. 78u–1) is amended—

(A) in subsection (g)(2)(B)(ii), by striking ''section 109(11) of the Ethics in Government Act of 1978 (5 U.S.C. App. 109(11))).'' and inserting ''section 13101(11) of title 5, United States Code).'';

(B) in subsection (h)(2)—

(i) in subparagraph (B), by striking ''section 109(8) of the Ethics in Government Act of 1978 (5 U.S.C. App. 109(8));'' and inserting ''section 13101(9) of title 5, United States Code;''; and

(ii) in subparagraph (C), by striking ''section 109(10) of the Ethics in Government Act of 1978 (5 U.S.C. App. 109(10)).'' and inserting ''section

13101(10) of title 5, United States Code.''; and

(C) in subsection (i), by striking ''section 101(f) of the Ethics in Government Act of 1978'' and inserting ''section 13103(f) of title 5, United States Code,''.

(25) Section 208(c)(2) of the Consumer Product Safety Improvement Act of 2008 (15 U.S.C. 2053a(c)(2)) is amended by striking ''the Ethics in Government Act (5 U.S.C. App.)'' and inserting ''chapter 131 of title 5, United States Code,''.

(26) Section 103(c)(5) of the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104–333, 16 U.S.C. 460bb note) is amended by striking ''the Ethics in Government Act,'' and inserting ''chapter 131 of title 5, United States Code,''.

(27) Section 208 of title 18, United States Code, is amended—

(A) in subsection (b)(3), by striking ''the Ethics in Government Act of 1978,'' and inserting ''chapter 131 of title 5,''; and

(B) in subsection (d)(1)—

(i) by striking ''section 105 of the Ethics in Government Act of 1978.'' and inserting ''section 13107 of title 5.''; and

(ii) by striking ''the Ethics in Government Act of 1978.'' and inserting ''chapter 131 of title 5.''.

(28) Section 116(c)(4)(D) of the Education Sciences Reform Act of 2002 (20 U.S.C. 9516(c)(4)(D)) is amended by striking ''the Ethics in Government Act of 1978.'' and inserting ''chapter 131 of title 5, United States Code.''.

(29) Section 712(c) (matter before paragraph (1)) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379d–1(c) (matter before paragraph (1))) is amended by striking ''section 107(a)(2) of the Ethics in Government Act of 1978,'' and inserting ''section 13109(a)(2) of title 5, United States Code,''.

(30) Section 1103(d)(1)(D) of the Panama Canal Act of 1979 (22 U.S.C. 3613(d)(1)(D)) is amended by striking ''sections 501(a) and 502(a)(4) of the Ethics in Government Act of 1978 (5 U.S.C. App.),'' and inserting ''sections 13143(a) and 13144(a)(4) of title 5, United States Code,''.

(31) Section 1112(b)(5) of the Panama Canal Act of 1979 (22 U.S.C. 3622(b)(5)) is amended by striking ''the Ethics in Government Act of 1978 (92 Stat. 1824), as amended;'' and inserting ''chapter 131 of title 5, United States Code;''.

(32) Section 3504(b) of the Panama Canal Commission Authorization Act for Fiscal Year 1994 (Public Law 103–160, div. C, title XXXV, 22 U.S.C. 3641 note) is amended by striking ''the Ethics in Government Act of 1978 (5 U.S.C. App.),'' and inserting ''chapter 131 of title 5, United States Code,''.

(33) Section 7701(k) (matter before paragraph (1)) of the Internal Revenue Code of 1986 (26 U.S.C. 7701(k) (matter before paragraph (1))) is amended by striking ''section 501(b) of the Ethics in Government Act of 1978,'' and inserting ''section 13143(b) of title 5, United States Code,''.

(34) Section 7802(b)(3)(A) of the Internal Revenue Code of 1986 (26 U.S.C. 7802(b)(3)(A)) is amended by striking ''section 101(f) of the Ethics in Government Act of 1978 for purposes of title I of such Act, except that section 101(d) of such Act'' and inserting ''section 13103(f) of title 5, United States Code, for purposes of subchapter I of chapter

131 of such title, except that section 13103(d) of such title''.

(35) Section 731(i)(5) of title 31, United States Code, is amended by striking ''the Ethics in Government Act of 1978 (5 U.S.C. App.);'' and inserting ''chapter 131 of title 5;''.

(36) Section 3730(e)(2)(B) of title 31, United States Code, is amended by striking ''section 101(f) of the Ethics in Government Act of 1978 (5 U.S.C. App.).'' and inserting ''section 13103(f) of title 5.''.

(37) Section 3(h)(4)(A) of the National Foundation on Fitness, Sports, and Nutrition Establishment Act (Public Law 111–332, 36 U.S.C. note prec. 20101) is amended by striking ''section 109(16) of the Ethics in Government Act, 1978)'' and inserting ''section 13101(16) of title 5, United States Code)''.

(38) Section 399G(h)(4)(A) of the Public Health Service Act (42 U.S.C. 280e–11(h)(4)(A)) is amended by striking ''the Ethics in Government Act,'' and inserting ''chapter 131 of title 5, United States Code,''.

(39) Section 499(j)(2) of the Public Health Service Act (42 U.S.C. 290b(j)(2)) is amended by striking ''section 109(16) of the Ethics in Govern-

ment Act of 1978)'' and inserting ''section 13101(16) of title 5, United States Code)''.

(40) Section 5101(c)(2)(D) of the Patient Protection and Affordable Care Act (42 U.S.C. 294q(c)(2)(D)) is amended by striking ''title I of the Ethics in Government Act of 1978.'' and inserting ''subchapter I of chapter 131 of title 5, United States Code.''.

(41) Section 1805(c)(2)(D) of the Social Security Act (42 U.S.C. 1395b–6(c)(2)(D)) is amended by striking ''title I of the Ethics in Government Act of 1978 (Public Law 95–521).'' and inserting ''subchapter I of chapter 131 of title 5, United States Code.''.

(42) Section 1868(c)(1)(B)(iv) of the Social Security Act (42 U.S.C. 1395ee(c)(1)(B)(iv)) is amended by striking ''title I of the Ethics in Government Act of 1978 (Public Law 95–521).'' and inserting ''subchapter I of chapter 131 of title 5, United States Code.''.

(43) Section 1900(c)(2)(D) of the Social Security Act (42 U.S.C. 1396(c)(2)(D)) is amended by striking ''title I of the Ethics in Government Act of 1978 (Public Law 95–521).'' and inserting ''sub-

chapter I of chapter 131 of title 5, United States Code.''.

(44) Section 204 of the National Science Foundation Authorization Act of 1998 (42 U.S.C. 1862m) is amended by striking ''the Ethics in Government Act of 1978 (5 U.S.C. App.)'' and inserting ''chapter 131 of title 5, United States Code,''.

(45) Section 109(b) of the Puerto Rico Oversight, Management, and Economic Stability Act (48 U.S.C. 2129(b)) is amended by striking ''section 102 of the Ethics in Government Act of 1978 (5 U.S.C. App.).'' and inserting ''section 13104 of title 5, United States Code.''.

(46) Section 106(p)(6)(I)(i) of title 49, United States Code, is amended by striking ''section 101(f) of the Ethics in Government Act of 1978 for purposes of title I of such Act; except that section 101(d) of such Act'' and inserting ''section 13103(f) of title 5 for purposes of subchapter I of chapter 131 of such title; except that section 13103(d) of such title''.

(47) Section 710(b)(5)(B) of the Defense Production Act of 1950 (50 U.S.C. 4560(b)(5)(B)) is amended—

(A) by striking "section 101 of the Ethics in Government Act of 1978," and inserting "section 13103 of title 5, United States Code,"; and

(B) by striking "section 107 of that Act" and inserting "section 13109 of title 5, United States Code,".

(d) AMENDMENTS TO UPDATE TABLES OF CONTENTS IN TITLE 5, UNITED STATES CODE.—

(1) TABLE OF CONTENTS OF TITLE.—The table of contents of title 5, United States Code, is amended by inserting after the item relating to part III the following:

"IV. Ethics Requirements ..... 13101".

(2) TABLE OF CONTENTS OF PART I.—The table of contents of part I of title 5, United States Code, is amended—

(A) by inserting after the item relating to chapter 3 the following:

"4. Inspectors General ..... 401";

and

(B) by inserting after the item relating to chapter 9 the following:

"10. Federal Advisory Committees ..... 1001".

(3) TABLE OF CONTENTS OF PART IV.—Part IV of title 5, United States Code, as inserted by sec-

tion 3(c), is amended by inserting after the heading of part IV the following:

"Chap. Sec.
"131. Ethics in Government ..... 13101".

SEC. 5. TRANSITIONAL AND SAVINGS PROVISIONS.

(a) DEFINITIONS.—In this section:

(1) RESTATED PROVISION.—The term "restated provision" means a provision of title 5, United States Code, that is enacted by section 3.

(2) SOURCE PROVISION.—The term "source provision" means a provision of law that is replaced by a restated provision.

(b) CUTOFF DATE.—The restated provisions replace certain provisions of law enacted on or before October 19, 2021. If a law enacted after that date amends or repeals a source provision, that law is deemed to amend or repeal, as the case may be, the corresponding restated provision. If a law enacted after that date is otherwise inconsistent with a restated provision or a provision of this Act, that law supersedes the restated provision or provision of this Act to the extent of the inconsistency.

(c) ORIGINAL DATE OF ENACTMENT UNCHANGED.—A restated provision is deemed to have been enacted on the date of enactment of the corresponding source provision.

(d) REFERENCES TO RESTATED PROVISIONS.—A reference to a restated provision is deemed to refer to the corresponding source provision.

(e) REFERENCES TO SOURCE PROVISIONS.—A reference to a source provision, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding restated provision.

(f) REGULATIONS, ORDERS, AND OTHER ADMINISTRATIVE ACTIONS.—A regulation, order, or other administrative action in effect under a source provision continues in effect under the corresponding restated provision.

(g) ACTIONS TAKEN AND OFFENSES COMMITTED.—An action taken or an offense committed under a source provision is deemed to have been taken or committed under the corresponding restated provision.

(h) LEGISLATIVE CONSTRUCTION.—An inference of legislative construction is not to be drawn by reason of a restated provision's location in the United States Code or by reason of the heading used for the restated provision.

SEC. 6. EFFECT OF REFERENCES TO TITLE 5 ON APPLICATION OF ETHICS PROVISIONS.

A Federal statute providing that title 5 of the United States Code as a whole is inapplicable, or providing that

1 an appointment may be made without regard to the provi-
2 sions of title 5 governing appointment in the competitive
3 service, shall not affect the application of any provision
4 of chapter 131 of title 5, United States Code.

5 **SEC. 7. REPEALS.**

6 The following provisions of law are repealed, except
7 with respect to rights and duties that matured, penalties
8 that were incurred, or proceedings that were begun before
9 the date of enactment of this Act:

Schedule of Laws Repealed

Act	Section	United States Code Former Classification
Pub. L. 92–463 (Federal Advisory Committee Act)	2	5 U.S.C. App. (FACA §2).
	3	5 U.S.C. App. (FACA §3).
	4	5 U.S.C. App. (FACA §4).
	5	5 U.S.C. App. (FACA §5).
	6	5 U.S.C. App. (FACA §6).
	7	5 U.S.C. App. (FACA §7).
	8	5 U.S.C. App. (FACA §8).
	9	5 U.S.C. App. (FACA §9).
	10	5 U.S.C. App. (FACA §10).
	11	5 U.S.C. App. (FACA §11).
	12	5 U.S.C. App. (FACA §12).
	13	5 U.S.C. App. (FACA §13).
	14	5 U.S.C. App. (FACA §14).
	15	5 U.S.C. App. (FACA §15).
Pub. L. 95–452 (Inspector General Act of 1978)	2	5 U.S.C. App. (IGA §2).
	3	5 U.S.C. App. (IGA §3).
	4	5 U.S.C. App. (IGA §4).
	5	5 U.S.C. App. (IGA §5).
	6	5 U.S.C. App. (IGA §6).
	7	5 U.S.C. App. (IGA §7).
	8	5 U.S.C. App. (IGA §8).
	8A(c) through (f)	5 U.S.C. App. (IGA §8A(c) through (f)).
	8B	5 U.S.C. App. (IGA §8B).
	8C	5 U.S.C. App. (IGA §8C).
	8D	5 U.S.C. App. (IGA §8D).
	8E	5 U.S.C. App. (IGA §8E).
	8F	5 U.S.C. App. (IGA §8F).
	8G	5 U.S.C. App. (IGA §8G).
	8H	5 U.S.C. App. (IGA §8H).
	8I	5 U.S.C. App. (IGA §8I).
	8J	5 U.S.C. App. (IGA §8J).
	8L	5 U.S.C. App. (IGA §8L).
	8M	5 U.S.C. App. (IGA §8M).
	8N	5 U.S.C. App. (IGA §8N).
	9	5 U.S.C. App. (IGA §9).
	11	5 U.S.C. App. (IGA §11).
	12	5 U.S.C. App. (IGA §12).
Pub. L. 95–521 (Ethics in Government Act of 1978)	101	5 U.S.C. App. (EGA §101).
	102	5 U.S.C. App. (EGA §102).
	103	5 U.S.C. App. (EGA §103).

Schedule of Laws Repealed—Continued

Act	Section	United States Code Former Classification
	104	5 U.S.C. App. (EGA §104).
	105	5 U.S.C. App. (EGA §105).
	106	5 U.S.C. App. (EGA §106).
	107	5 U.S.C. App. (EGA §107).
	108	5 U.S.C. App. (EGA §108).
	109	5 U.S.C. App. (EGA §109).
	110	5 U.S.C. App. (EGA §110).
	111	5 U.S.C. App. (EGA §111).
	401	5 U.S.C. App. (EGA §401).
	402	5 U.S.C. App. (EGA §402).
	403	5 U.S.C. App. (EGA §403).
	404	5 U.S.C. App. (EGA §404).
	405	5 U.S.C. App. (EGA §405).
	408	5 U.S.C. App. (EGA §408).
	501	5 U.S.C. App. (EGA §501).
	502	5 U.S.C. App. (EGA §502).
	503	5 U.S.C. App. (EGA §503).
	504	5 U.S.C. App. (EGA §504).
	505	5 U.S.C. App. (EGA §505).
Pub. L. 110–409 (Inspector General Reform Act of 2008)	4(a)(3)	5 U.S.C. App. (IGA §3) note.
	4(b)	5 U.S.C. App. (IGA §3) note.
	4(c)	5 U.S.C. App. (IGA §3) note.