

(2) One member who is an agency Chief Privacy Officer.

(3) One member who is an agency Chief Performance Officer.

(4) Three members who are agency Chief Data Officers.

(5) Three members who are agency Evaluation Officers.

(6) Three members who are members of the Interagency Council for Statistical Policy¹ established under section 3504(e)(8) of title 44.

(7) At least 10 members who are representatives of State and local governments and non-governmental stakeholders with expertise in government data policy, privacy, technology, transparency policy, evaluation and research methodologies, and other relevant subjects, of whom—

(A) at least one shall have expertise in transparency policy;

(B) at least one shall have expertise in privacy policy;

(C) at least one shall have expertise in statistical data use;

(D) at least one shall have expertise in information management;

(E) at least one shall have expertise in information technology; and

(F) at least one shall be from the research and evaluation community.

(c) TERM OF SERVICE.—

(1) IN GENERAL.—Each member of the Advisory Committee shall serve for a term of 2 years.

(2) VACANCY.—Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term. A vacancy in the Commission shall be filled in the manner in which the original appointment was made.

(d) COMPENSATION.—Members of the Advisory Committee shall serve without compensation.

(e) DUTIES.—The Advisory Committee shall—

(1) assist the Director in carrying out the duties of the Director under part D of subchapter III of chapter 35 of title 44;

(2) evaluate and provide recommendations to the Director on how to facilitate data sharing, enable data linkage, and develop privacy enhancing techniques; and

(3) review the coordination of data sharing or availability for evidence building across all agencies.

(f) REPORTS.—The Advisory Committee shall submit to the Director and make publicly available an annual report on the activities and findings of the Advisory Committee.

(g) TERMINATION.—The Advisory Committee shall terminate not later than two years after the date of the first meeting.

(Added Pub. L. 115-435, title I, §101(a)(2), Jan. 14, 2019, 132 Stat. 5531.)

¹ So in original. Probably should be "Interagency Council on Statistical Policy".

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE

Section effective 180 days after Jan. 14, 2019, see section 403 of Pub. L. 115-435, set out as an Effective Date of 2019 Amendment note under section 306 of this title.

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 Services 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 Co-chairpersons 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.

(Pub. L. 117–286, §3(b), Dec. 27, 2022, 136 Stat. 4207.)

AMENDMENTS NOT SHOWN IN TEXT

This section was derived from section 12 of the Inspector General Act of 1978, Pub. L. 95–452, which was set out in the former Appendix to this title, and as it existed as of Oct. 19, 2021. Section 12 of Pub. L. 95–452 was amended by Pub. L. 117–263, div. E, title LII, §§5202(b), 5272(10), Dec. 23, 2022, 136 Stat. 3227, 3241, prior to being repealed and reenacted as this section by Pub. L. 117–286, §§3(b), 7, Dec. 27, 2022, 136 Stat. 4207, 4361. For applicability of those amendments to this section, see section 5(b) of Pub. L. 117–286, set out in a Transitional and Savings Provisions note preceding section 101 of this title. Section 12 of Pub. L. 95–452 was amended as follows:

(1) in paragraph (3) [enacted by Pub. L. 117–286 as paragraph (4) of this section] by inserting “except as otherwise expressly provided,” before “the term”; and

(2) by striking “and” at the end of paragraph (4), by substituting “; and” for the period at

the end of paragraph (5), and by adding at the end the following:

“(6) the term ‘appropriate congressional committees’ means—

“(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

“(B) the Committee on Oversight and Reform of the House of Representatives; and

“(C) any other relevant congressional committee or subcommittee of jurisdiction.”

Section 12 of Pub. L. 95–452 began with “the term” in paragraphs (1) to (5) and ended with semicolons in paragraphs (1) to (3), “; and” in paragraph (4), and a period in paragraph (5). As restated by Pub. L. 117–286, the text of paragraphs (1) to (5) began with “The term” and all ended with periods.

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
401	5 U.S.C. App. (IGA §12)	Pub. L. 95–452, §12, formerly §11, Oct. 12, 1978, 92 Stat. 1109; Pub. L. 96–88, title V, §508(n)(3), (4), Oct. 17, 1979, 93 Stat. 695; Pub. L. 97–113, title VII, §705(a)(2), Dec. 29, 1981, 95 Stat. 1544; Pub. L. 97–252, title XI, §1117(a)(4), (5), Sept. 8, 1982, 96 Stat. 751; Pub. L. 99–93, title I, §150(a)(2), Aug. 16, 1985, 99 Stat. 427; Pub. L. 99–399, title IV, §412(a)(2), Aug. 27, 1986, 100 Stat. 867; Pub. L. 100–504, title I, §102(c), Oct. 18, 1988, 102 Stat. 2515; Pub. L. 100–527, §13(h)(2), (3), Oct. 5, 1988, 102 Stat. 2643; Pub. L. 101–73, title V, §501(b)(1), Aug. 9, 1989, 103 Stat. 393; Pub. L. 102–233, title III, §315(a), Dec. 12, 1991, 105 Stat. 1772; Pub. L. 103–82, title II, §202(g)(4), Sept. 21, 1993, 107 Stat. 890; Pub. L. 103–204, §23(a)(1), Dec. 17, 1993, 107 Stat. 2407; Pub. L. 103–296, title I, §108(l)(2), Aug. 15, 1994, 108 Stat. 1489; Pub. L. 103–325, title I, §118(a), Sept. 23, 1994, 108 Stat. 2188; Pub. L. 104–106, div. D, title XLIII, §4322(b)(1), (3), Feb. 10, 1996, 110 Stat. 677; Pub. L. 105–277, div. G, subdiv. A, title XIII, §1314(b), Oct. 21, 1998, 112 Stat. 2681–776; Pub. L. 106–422, §1(b)(2), Nov. 1, 2000, 114 Stat. 1872; Pub. L. 107–189, §22(a), (d), June 14, 2002, 116 Stat. 707, 708; Pub. L. 107–296, title XVII, §1701, Nov. 25, 2002, 116 Stat. 2313; Pub. L. 108–271, §8(b), July 7, 2004, 118 Stat. 814; Pub. L. 109–295, title VI, §612(c), Oct. 4, 2006, 120 Stat. 1410; Pub. L. 110–234, title XIV, §14217(c), May 22, 2008, 122 Stat. 1482; Pub. L. 110–246, §4(a), title XIV, §14217(c), June 18, 2008, 122 Stat. 1664, 2244; Pub. L. 110–289, div. A, title I, §1105(c), July 30, 2008, 122 Stat. 2668; renumbered §12, Pub. L. 110–409, §7(a), Oct. 14, 2008, 122 Stat. 4305; Pub. L. 113–126, title IV, §§402(2), 412(2), July 7, 2014, 128 Stat. 1408, 1409; Pub. L. 115–141, div. P, title V, §501(a)(2), Mar. 23, 2018, 132 Stat. 1090.

In paragraph (1), the words “Veterans Affairs” are inserted in the list of Departments, and the words “Vet-

erans' Administration" are deleted from the list of Administrations, to update obsolete references in the law.

In paragraph (1), the words "the Resolution Trust Corporation" have been omitted as obsolete because section 21A(m)(1) of the Federal Home Loan Bank Act (12 U.S.C. 1441a(m)(1)) provided for termination of the Resolution Trust Corporation not later than December 31, 1995, and the authority and responsibilities of the Resolution Trust Corporation were transferred to the Federal Deposit Insurance Corporation under section 40(n)(4) of the Federal Deposit Insurance Act (12 U.S.C. 1831q(n)(4)).

In paragraphs (1) and (3), the words "of the United States" are inserted after "Export-Import Bank" to correct errors in the law.

In paragraph (3), the words "Veterans Affairs" are inserted in the list of Secretaries, and the words "Veterans Affairs" are deleted from the list of Administrators, to update obsolete references in the law.

In paragraph (3), the words "the Director of" are inserted before "the Office of Personnel Management" to correct an error in the law. The Office of Personnel Management is headed by a director (rather than an administrator) as provided in section 1102(a) of title 5, United States Code.

In paragraph (3), the words "the Chairperson of the Thrift Depositor Protection Oversight Board" are omitted because the Thrift Depositor Protection Oversight Board was abolished by section 14(a) through (d) of the Homeowners Protection Act of 1998 (Public Law 105-216, 112 Stat. 908).

In paragraph (3), the words "the chief executive officer of the Resolution Trust Corporation" are omitted because section 21A(m)(1) of the Federal Home Loan Bank Act (12 U.S.C. 1441a(m)(1)) provided for termination of the Resolution Trust Corporation not later than December 31, 1995, and the authority and responsibilities of the Resolution Trust Corporation were transferred to the Federal Deposit Insurance Corporation under section 40(n)(4) of the Federal Deposit Insurance Act (12 U.S.C. 1831q(n)(4)).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1978 ACT

Pub. L. 95-452, § 13, formerly § 12, Oct. 12, 1978, 92 Stat. 1109, renumbered § 13 by Pub. L. 110-409, § 7(a), Oct. 14, 2008, 122 Stat. 4305, provided that: "The provisions of this Act [see Tables for classification] and the amendments made by this Act [amending sections 5315 and 5316 of this title and section 3522 of Title 42, The Public Health and Welfare] shall take effect October 1, 1978."

SHORT TITLE OF 2022 AMENDMENT

Pub. L. 117-263, div. E, title LII, § 5201, Dec. 23, 2022, 136 Stat. 3222, provided that: "This subtitle [subtitle A (§§ 5201-5204) of title LII of div. E of Pub. L. 117-263, see Tables for classification] may be cited as the 'Securing Inspector General Independence Act of 2022'."

Pub. L. 117-263, div. E, title LII, § 5231, Dec. 23, 2022, 136 Stat. 3234, provided that: "This subtitle [subtitle C (§§ 5231-5237) of title LII of div. E of Pub. L. 117-263, see Tables for classification] may be cited as the 'Integrity Committee Transparency Act of 2022'."

SHORT TITLE OF 2018 ACT

Pub. L. 115-192, § 1, June 25, 2018, 132 Stat. 1502, provided that: "This Act [see Tables for classification] may be cited as the 'Whistleblower Protection Coordination Act'."

SHORT TITLE OF 2016 ACT

Pub. L. 114-317, § 1(a), Dec. 16, 2016, 130 Stat. 1595, provided that: "This Act [see Tables for classification] may be cited as the 'Inspector General Empowerment Act of 2016'."

SHORT TITLE OF 2008 ACT

Pub. L. 110-409, § 1, Oct. 14, 2008, 122 Stat. 4302, provided that: "This Act [see Tables for classification]

may be cited as the 'Inspector General Reform Act of 2008'."

SHORT TITLE OF 2006 ACT

Pub. L. 109-440, § 1, Dec. 20, 2006, 120 Stat. 3286, provided that: "This Act [see Tables for classification] may be cited as the 'Iraq Reconstruction Accountability Act of 2006'."

SHORT TITLE OF 1998 ACT

Pub. L. 105-272, title VII, § 701(a), Oct. 20, 1998, 112 Stat. 2413, provided that: "This title [see Tables for classification] may be cited as the 'Intelligence Community Whistleblower Protection Act of 1998'."

SHORT TITLE OF 1988 ACT

Pub. L. 100-504, title I, § 101, Oct. 18, 1988, 102 Stat. 2515, provided that: "This title [see Tables for classification] may be cited as the 'Inspector General Act Amendments of 1988'."

SHORT TITLE OF 1978 ACT

Pub. L. 95-452, § 1, Oct. 12, 1978, 92 Stat. 1101, provided: "That this Act [see Tables for classification] be cited as the 'Inspector General Act of 1978'."

MERGER OF OFFICE OF INSPECTOR GENERAL OF UNITED STATES INFORMATION AGENCY WITH OFFICE OF INSPECTOR GENERAL OF DEPARTMENT OF STATE; TRANSFER OF FUNCTIONS

Pub. L. 104-134, title I, § 101(a) [title IV], Apr. 26, 1996, 110 Stat. 1321, 1321-37; renumbered title I, Pub. L. 104-140, § 1(a), May 2, 1996, 110 Stat. 1327, provided: "That notwithstanding any other provision of law, (1) the Office of the Inspector General of the United States Information Agency is hereby merged with the Office of the Inspector General of the Department of State; (2) the functions exercised and assigned to the Office of the Inspector General of the United States Information Agency before the effective date of this Act [Apr. 26, 1996] (including all related functions) are transferred to the Office of the Inspector General of the Department of State; and (3) the Inspector General of the Department of State shall also serve as the Inspector General of the United States Information Agency."

[Pub. L. 104-208, div. A, title I, § 101(a) [title IV], Sept. 30, 1996, 110 Stat. 3009, 3009-47, provided in part: "That notwithstanding any other provision of law, the merger of the Office of Inspector General of the United States Information Agency with the Office of Inspector General of the Department of State provided for in the Departments of Commerce, Justice, and State, the Judiciary and Related Agencies Appropriations Act, 1996, contained in Public Law 104-134 [set out above], is effective hereafter."]

[For abolition of Office of Inspector General of the United States Information Agency and transfer of functions to Office of Inspector General of Department of State and Foreign Service, see section 6533 of Title 22, Foreign Relations and Intercourse.]

PAYMENT AUTHORITY SUBJECT TO APPROPRIATIONS

Pub. L. 100-504, title I, § 112, Oct. 18, 1988, 102 Stat. 2530, provided that: "Any authority to make payments under this title [see Tables for classification] shall be effective only to such extent as provided in appropriations Acts."

§ 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—