117TH CONGRESS 1ST SESSION

H. R. ______

To amend the Homeland Security Act of 2002 to enhance transparency regarding reports conducted by the Inspector General of the Department of Homeland Security, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

M. ______ introduced the following bill; which was referred to the Committee on ______________________

A BILL

To amend the Homeland Security Act of 2002 to enhance transparency regarding reports conducted by the Inspector General of the Department of Homeland Security, and for other purposes.

1  Be it enacted by the Senate and House of Representa-
2  tives of the United States of America in Congress assembled,
3  SECTION 1. SHORT TITLE.
4  This Act may be cited as the “Department of Home-
5  land Security Inspector General Transparency Act”.

(Original Signature of Member)
SEC. 2. OFFICE OF INSPECTOR GENERAL OF THE DEPARTMENT OF HOMELAND SECURITY.

(a) In General.—Subtitle B of title VIII of the Homeland Security Act of 2002 is amended by inserting before section 812 the following new section:

“SEC. 811. OFFICE OF INSPECTOR GENERAL.

“(a) Publication of Reports.—

“(1) In General.—Beginning not later than 30 days after the date of the enactment of this section, the Inspector General of the Department shall submit to the appropriate congressional committees any report finalized on and after such date that substantiates—

“(A) a violation of paragraph (8) or (9) of section 2302(b) of title 5, United States Code, section 1034 of title 10, United States Code, or Presidential Personnel Directive–19; or

“(B) an allegation of misconduct, waste, fraud, abuse, or violation of policy within the Department involving a member of the Senior Executive Service or politically appointed official of the Department.

“(2) Public Availability.—

“(A) In General.—Concurrent with the submission to the appropriate congressional committees of reports pursuant to paragraph
(1), the Inspector General shall, consistent with privacy, civil rights, and civil liberties protec-
tions, publish on a publicly available website of the Inspector General each such report.

“(B) EXCEPTION.—The requirement pursuant to subparagraph (A) to publish reports does not apply if section (5)(e)(1) of the Inspector General Act of 1978 applies to any such re-
port.

“(3) REQUIREMENT.—

“(A) IN GENERAL.—The Inspector General of the Department may not redact any portion of a report submitted pursuant to paragraph (1).

“(B) EXCEPTION.—The requirement under subparagraph (A) shall not apply with respect to the name or any other identifying information of a whistleblower complainant who does not consent to the inclusion of such in a report of the Inspector General.

“(b) SEMIANNUAL REPORTING.—Beginning with the first semiannual report transmitted to the appropriate committees or subcommittees of the Congress pursuant to section 5(b) of the Inspector General Act of 1978 that is transmitted after the date of the enactment of this such,
each such report shall be accompanied by a list of ongoing audits, inspections, and evaluations of the Department, together with a narrative description relating to each such audit, inspection, or evaluation that identifies the scope of such audit, inspection, or evaluation, as the case may be, as well as the subject office, component, or directorate of the Department. For each such ongoing audit, inspection, or evaluation such narrative description shall include the following:

“(1) Information relating to the source of each such audit, inspection, or evaluation.

“(2) Information regarding whether each such audit, inspection, or evaluation is being conducted independently, jointly, concurrently, or in some other manner.

“(3) In the event each such audit, inspection, or evaluation was initiated due to a referral, the date on which the Inspector General notified the originator of a referral of the Inspector General’s intention to carry out such audit, inspection, or evaluation.

“(4) Information relating to the dates on which—

“(A) each such audit, inspection, or evaluation was initiated;
“(B) a draft report relating to each such audit, inspection, or evaluation is scheduled to be submitted to the Secretary for review; and

“(C) a final report relating to each such audit, inspection, or evaluation is scheduled to be submitted to the appropriate congressional committees and published on the website of the Inspector General in accordance with paragraphs (1) and (2), respectively, of subsection (a).

“(5) An explanation for—

“(A) any significant changes to the narrative description of each such audit, inspection, or evaluation, including the identification of the subject office, component, or directorate of the Department; or

“(B) a delay of more than 30 days in the scheduled date for submitting to the Secretary a draft report for review or publishing on the website of the Inspector General of the Department the final report relating to each such audit, inspection, or evaluation.

“(e) DEFINITION.—In this section, the term ‘appropriate congressional committees’ means the Committee on Homeland Security of the House of Representatives, the
Committee on Homeland Security and Governmental Affairs of the Senate, and any committee of the House of Representatives or the Senate, respectively, having legislative or oversight jurisdiction under the Rules of the House of Representatives or the Senate, respectively, over the matter concerned.”.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting before the item relating to section 812 the following new item:

“Sec. 811. Office of Inspector General.”.