

117TH CONGRESS  
1ST SESSION

# H. R. 23

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IN THE SENATE OF THE UNITED STATES

JANUARY 6, 2021

Received; read twice and referred to the Committee on Homeland Security and  
Governmental Affairs

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## AN ACT

To require congressional notification for certain changes in  
status of inspectors general, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Inspector General Pro-  
3 tection Act”.

4 **SEC. 2. CONGRESSIONAL NOTIFICATION OF CHANGE IN**  
5 **STATUS OF INSPECTOR GENERAL.**

6       (a) CHANGE IN STATUS OF INSPECTOR GENERAL OF  
7 OFFICES.—Section 3(b) of the Inspector General Act of  
8 1978 (5 U.S.C. App.) is amended—

9           (1) by inserting “, is placed on paid or unpaid  
10 non-duty status,” after “is removed from office”;

11           (2) by inserting “, change in status,” after  
12 “any such removal”; and

13           (3) by inserting “, change in status,” after “be-  
14 fore the removal”.

15       (b) CHANGE IN STATUS OF INSPECTOR GENERAL OF  
16 DESIGNATED FEDERAL ENTITIES.—Section 8G(e)(2) of  
17 the Inspector General Act of 1978 (5 U.S.C. App.) is  
18 amended—

19           (1) by inserting “, is placed on paid or unpaid  
20 non-duty status,” after “office”;

21           (2) by inserting “, change in status,” after  
22 “any such removal”; and

23           (3) by inserting “, change in status,” after “be-  
24 fore the removal”.

1 (c) EFFECTIVE DATE.—The amendments made by  
2 this section shall take effect 30 days after the date of the  
3 enactment of this Act.

4 **SEC. 3. PRESIDENTIAL EXPLANATION OF FAILURE TO**  
5 **NOMINATE AN INSPECTOR GENERAL.**

6 (a) IN GENERAL.—Subchapter III of chapter 33 of  
7 title 5, United States Code, is amended by inserting after  
8 section 3349d the following new section:

9 **“§ 3349e. Presidential explanation of failure to nomi-**  
10 **nate an Inspector General**

11 “If the President fails to make a formal nomination  
12 for a vacant Inspector General position that requires a for-  
13 mal nomination by the President to be filled within the  
14 period beginning on the date on which the vacancy oc-  
15 curred and ending on the day that is 210 days after that  
16 date, the President shall communicate, within 30 days  
17 after the end of such period, to Congress in writing—

18 “(1) the reasons why the President has not yet  
19 made a formal nomination; and

20 “(2) a target date for making a formal nomina-  
21 tion.”.

22 (b) CLERICAL AMENDMENT.—The table of sections  
23 for chapter 33 of title 5, United States Code, is amended  
24 by inserting after the item relating to 3349d the following  
25 new item:

“3349e. Presidential explanation of failure to nominate an Inspector General.”.

1 (c) EFFECTIVE DATE.—The amendment made by  
 2 subsection (a) shall take effect on the date of the enact-  
 3 ment of this Act and shall apply to any vacancy first oc-  
 4 ccurring on or after that date.

5 **SEC. 4. DETERMINATION OF BUDGETARY EFFECTS.**

6 The budgetary effects of this Act, for the purpose of  
 7 complying with the Statutory Pay-As-You-Go Act of 2010,  
 8 shall be determined by reference to the latest statement  
 9 titled “Budgetary Effects of PAYGO Legislation” for this  
 10 Act, submitted for printing in the Congressional Record  
 11 by the Chairman of the House Budget Committee, pro-  
 12 vided that such statement has been submitted prior to the  
 13 vote on passage.

Passed the House of Representatives January 5,  
 2021.

Attest: CHERYL L. JOHNSON,  
*Clerk.*