

# Calendar No. 431

118TH CONGRESS  
2D SESSION

# S. 4036

[Report No. 118–186]

To establish a Government Spending Oversight Committee within the Council of the Inspectors General on Integrity and Efficiency, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MARCH 21, 2024

Mr. PETERS (for himself, Mr. ROMNEY, Mr. LANKFORD, and Ms. ROSEN) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

JULY 8, 2024

Reported by Mr. PETERS, with an amendment

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

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## A BILL

To establish a Government Spending Oversight Committee within the Council of the Inspectors General on Integrity and Efficiency, 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 “Government Spending  
5 Oversight Act of 2024”.

1 **SEC. 2. GOVERNMENT SPENDING OVERSIGHT COMMITTEE.**

2 (a) **IN GENERAL.**—Section 424 of title 5, United  
3 States Code, is amended by adding at the end the fol-  
4 lowing:

5 “(f) **GOVERNMENT SPENDING OVERSIGHT COM-**  
6 **MITTEE.**—

7 “(1) **DEFINITIONS.**—In this subsection:

8 “(A) **AGENCY.**—The term ‘agency’ has the  
9 meaning given the term in section 551 of this  
10 title.

11 “(B) **APPROPRIATE CONGRESSIONAL COM-**  
12 **MITTEES.**—The term ‘appropriate congressional  
13 committees’ means—

14 “(i) the Committees on Appropria-  
15 tions of the Senate and the House of Rep-  
16 resentatives;

17 “(ii) the Committee on Homeland Se-  
18 curity and Governmental Affairs of the  
19 Senate;

20 “(iii) the Committee on Oversight and  
21 Accountability of the House of Representa-  
22 tives; and

23 “(iv) any other relevant congressional  
24 committee of jurisdiction.

1           “(C) CHAIRPERSON.—The term ‘Chair-  
2           person’ means the Chairperson of the Com-  
3           mittee.

4           “(D) COMMITTEE.—The term ‘Committee’  
5           means the Government Spending Oversight  
6           Committee established under paragraph (2).

7           “(E) COVERED FUNDS.—The term ‘cov-  
8           ered funds’ means any funds, including loans,  
9           that are made available in any form to any non-  
10          Federal entity or individual, under—

11           “(i) division A or B of the CARES  
12          Act (Public Law 116–136);

13           “(ii) the Coronavirus Preparedness  
14          and Response Supplemental Appropria-  
15          tions Act, 2020 (Public Law 116–123);

16           “(iii) the Families First Coronavirus  
17          Response Act (Public Law 116–127);

18           “(iv) the Paycheck Protection Pro-  
19          gram and Health Care Enhancement Act  
20          (Public Law 116–139);

21           “(v) division M or N of the Consoli-  
22          dated Appropriations Act, 2021 (Public  
23          Law 116–260);

24           “(vi) the American Rescue Plan Act  
25          of 2021 (Public Law 117–2);

1           “(vii) any loan guaranteed or made by  
2           the Small Business Administration, includ-  
3           ing any direct loan or guarantee of a trust  
4           certificate, under the Small Business Act  
5           (15 U.S.C. 631 et seq.); the Small Busi-  
6           ness Investment Act of 1958 (15 U.S.C.  
7           661 et seq.); or any other provision of law;

8           “(viii) unemployment compensation,  
9           as defined in section 85 of the Internal  
10          Revenue Code of 1986;

11          “(ix) the Infrastructure Investment  
12          and Jobs Act (Public Law 117–58);

13          “(x) the Inflation Reduction Act  
14          (Public Law 117–169);

15          “(xi) the Honoring our PACT Act of  
16          2022 (Public Law 117–168); or

17          “(xii) the CHIPS Act of 2022 (divi-  
18          sion A of Public Law 117–167) (commonly  
19          known as the ‘CHIPS and Science Act of  
20          2022’).

21          “(2) ESTABLISHMENT.—There is established  
22          within the Council the Government Spending Over-  
23          sight Committee to promote transparency and con-  
24          duct and support oversight of covered funds to—

1           “(A) prevent and detect fraud, waste,  
2           abuse, and mismanagement; and

3           “(B) mitigate major risks that cut across  
4           program and agency boundaries.

5           “(3) CHAIRPERSON.—The Chairperson of the  
6           Committee—

7           “(A) shall be selected by the Chairperson  
8           of the Council from among Inspectors General  
9           appointed by the President and confirmed by  
10          the Senate; and

11          “(B) should have with experience man-  
12          aging oversight of large organizations and ex-  
13          penditures.

14          “(4) MEMBERSHIP.—The members of the Com-  
15          mittee shall include—

16                 “(A) the Chairperson;

17                 “(B) the Inspector General of the Depart-  
18                 ment of the Labor;

19                 “(C) the Inspector General of the Depart-  
20                 ment of Health and Human Services;

21                 “(D) the Inspector General of the Small  
22                 Business Administration;

23                 “(E) the Inspector General of the Depart-  
24                 ment of the Treasury;

1           “(F) the Inspector General of the Depart-  
2           ment of Transportation;

3           “(G) the Treasury Inspector General for  
4           Tax Administration;

5           “(H) the Inspector General of the Depart-  
6           ment of Veterans Affairs;

7           “(I) the Inspector General of the Depart-  
8           ment of Commerce;

9           “(J) the Inspector General of the Depart-  
10          ment of Justice;

11          “(K) the Inspector General of the Depart-  
12          ment of Defense;

13          “(L) the Inspector General of the Depart-  
14          ment of Education;

15          “(M) the Inspector General of the Depart-  
16          ment of Homeland Security; and

17          “(N) any other Inspector General, as des-  
18          ignated by the Chairperson, from any agency  
19          that expends or obligates covered funds.

20          “(5) EXECUTIVE DIRECTOR.—

21                 “(A) IN GENERAL.—There shall be an Ex-  
22                 ecutive Director of the Committee.

23                 “(B) APPOINTMENT; QUALIFICATIONS.—  
24                 The Executive Director of the Committee  
25                 shall—

1           “(i) be appointed by the Chairperson  
2 of the Committee, in consultation with the  
3 majority leader of the Senate, the Speaker  
4 of the House of Representatives, the mi-  
5 nority leader of the Senate, and the minor-  
6 ity leader of the House of Representatives;

7           “(ii) have demonstrated ability in ac-  
8 counting, auditing, financial analysis, law,  
9 management analysis, public administra-  
10 tion, or investigations;

11           “(iii) have experience managing over-  
12 sight of large organizations and expendi-  
13 tures; and

14           “(iv) be full-time employees of the  
15 Committee.

16           “(C) DUTIES.—The Executive Director of  
17 the Committee shall—

18           “(i) report directly to the Chair-  
19 person;

20           “(ii) appoint staff of the Committee,  
21 subject to the approval of the Chairperson,  
22 consistent with this subsection;

23           “(iii) supervise and coordinate Com-  
24 mittee functions and staff; and

1                   “(iv) perform any other duties as-  
2                   signed to the Executive Director by the  
3                   Committee.

4                   “(6) PROHIBITION ON ADDITIONAL COMPENSA-  
5                   TION.—Members of the Committee may not receive  
6                   additional compensation for services performed.

7                   “(7) DUTIES OF THE COMMITTEE.—

8                   “(A) IN GENERAL.—The Committee shall  
9                   conduct oversight of covered funds and support  
10                  Inspectors General in the oversight of covered  
11                  funds in order to—

12                   “(i) detect and prevent fraud, waste,  
13                   abuse, and mismanagement; and

14                   “(ii) identify major risks that cut  
15                   across programs and agency boundaries.

16                   “(B) GENERAL FUNCTIONS.—The Com-  
17                   mittee, in coordination with relevant Inspectors  
18                   General, may—

19                   “(i) provide support to, and collabo-  
20                   rate with, relevant Inspectors General in  
21                   conducting investigations, audits, and re-  
22                   views relating to covered funds, including  
23                   through—

24                   “(I) data analytics;

1                   “(II) the sharing of data, tools,  
2                   and services;

3                   “(III) the development and en-  
4                   hancement of data practices, analysis,  
5                   and visualization; and

6                   “(IV) any other appropriate  
7                   means as determined by the Com-  
8                   mittee;

9                   “(ii) provide analytical products to  
10                  agencies, in coordination with Inspectors  
11                  General, to promote program integrity,  
12                  prevent improper payments, and facilitate  
13                  verification efforts to ensure proper ex-  
14                  penditure and utilization of covered funds;

15                  “(iii) review the economy, efficiency,  
16                  and effectiveness in the administration of,  
17                  and the detection of fraud, waste, abuse,  
18                  and mismanagement in, programs and op-  
19                  erations using covered funds;

20                  “(iv) review whether there are appro-  
21                  priate mechanisms for interagency collabo-  
22                  ration relating to the oversight of covered  
23                  funds, including coordinating and collabo-  
24                  rating to the extent practicable with State  
25                  and local government entities; and

1           “(v) expeditiously report to the Attor-  
2           ney General any instance in which the  
3           Committee has reasonable grounds to be-  
4           lieve there has been a violation of Federal  
5           criminal law.

6           “(C) **ADDITIONAL FUNCTIONS.**—The Com-  
7           mittee may provide investigative support to  
8           prosecutive and enforcement authorities to pro-  
9           tect program integrity and prevent, detect, and  
10          prosecute fraud of covered funds.

11          “(D) **REPORTING.**—

12           “(i) **ALERTS.**—The Committee shall  
13           submit to the President and Congress, in-  
14           cluding the appropriate congressional com-  
15           mittees, management alerts on potential  
16           management, risk, and funding problems  
17           that require immediate attention.

18           “(ii) **REPORTS AND UPDATES.**—The  
19           Committee shall submit to Congress such  
20           other reports or provide such periodic up-  
21           dates on the work of the Committee as the  
22           Committee considers appropriate on the  
23           use of covered funds.

24           “(iii) **BIENNIAL REPORTS.**—The  
25           Committee shall submit biannual reports

1 to the President and Congress, including  
2 the appropriate congressional committees,  
3 and may submit additional reports as ap-  
4 propriate summarizing the findings of the  
5 Committee and any recommended changes  
6 to the scope of covered funds.

7 “(iv) PUBLIC AVAILABILITY.—All re-  
8 ports submitted under this subparagraph  
9 shall be made publicly available and posted  
10 on the website established under paragraph  
11 (16).

12 “(v) REDACTIONS.—Any portion of a  
13 report submitted under this paragraph  
14 may be redacted when made publicly avail-  
15 able, if that portion would disclose infor-  
16 mation that is not subject to disclosure  
17 under sections 552 and 552a of this title,  
18 or is otherwise prohibited from disclosure  
19 by law.

20 “(E) RECOMMENDATIONS.—

21 “(i) IN GENERAL.—The Committee  
22 shall make recommendations to agencies  
23 on measures to prevent or address fraud,  
24 waste, abuse and mismanagement, and to  
25 mitigate risks that cut across programs

1 and agency boundaries, relating to covered  
2 funds.

3 “(ii) REPORT.—Not later than 30  
4 days after receipt of a recommendation  
5 under clause (i), an agency shall submit a  
6 report to the President and the appro-  
7 priate congressional committees on—

8 “(I) whether the agency agrees  
9 or disagrees with the recommenda-  
10 tions; and

11 “(II) any actions the agency will  
12 take to implement the recommenda-  
13 tions, which shall also be included in  
14 the report required under section 2(b)  
15 of the GAO-IG Act (31 U.S.C. 1105  
16 note; Public Law 115-414).

17 “(8) AUTHORITIES.—

18 “(A) IN GENERAL.—In carrying out the  
19 duties and functions under this subsection with  
20 respect to the oversight of covered funds, the  
21 Committee shall—

22 “(i) carry out those duties and func-  
23 tions in accordance with section 404(b)(1)  
24 of this title;

1           “(ii) in coordination with relevant In-  
2           spectors General, have the authorities pro-  
3           vided under and be subject to paragraphs  
4           (1) through (4) of subsection (a) and sub-  
5           sections (h), (j), and (k) of section 406;

6           “(iii) be considered to be conducting  
7           civil or criminal law enforcement activity  
8           for the purposes of section 552a(b)(7) of  
9           this title; and

10          “(iv) for the purposes of sections 552  
11          and 552a of this title, be considered to be  
12          a component which performs as its prin-  
13          cipal function an activity pertaining to the  
14          enforcement of criminal laws, and its  
15          records may constitute investigatory mate-  
16          rial compiled for law enforcement pur-  
17          poses.

18          “(B) LIMITATION ON SUBPOENA AUTHOR-  
19          ITY.—When carrying out subpoena authority  
20          under section 406(a)(4) of this title, the fol-  
21          lowing limitations shall apply to the Committee:

22               “(i) Any subpoena issued under this  
23               subsection shall be signed by the Chair-  
24               person of the Committee, and this power is  
25               non-delegable.

1           “(ii) On a quarterly basis, the Com-  
2           mittee shall notify the Committee on  
3           Homeland Security and Governmental Af-  
4           fairs of the Senate and the Committee on  
5           Oversight and Accountability of the House  
6           of Representatives of any subpoenas issued  
7           during the preceding quarter.

8           “(iii) The authority to issue a sub-  
9           poena under this subsection shall termi-  
10          nate on the date that is 5 years after the  
11          date of enactment of this subsection.

12          “(9) REFUSAL OF INFORMATION OR ASSIST-  
13          ANCE.—Whenever information or assistance re-  
14          quested by the Committee or an Inspector General  
15          is unreasonably refused or not provided, the Com-  
16          mittee shall immediately report the circumstances to  
17          the appropriate congressional committees.

18          “(10) USE OF EXISTING RESOURCES.—The  
19          Committee shall leverage existing information tech-  
20          nology resources within the Council, such as over-  
21          sight.gov and those developed by the Pandemic Re-  
22          sponse Accountability Committee established under  
23          section 15010 of the CARES Act (Public Law 116-  
24          136; 135 Stat. 533), to carry out the duties of the  
25          Committee.

1           “(11) **CONTRACTS.**—The Committee may enter  
2 into contracts to enable the Committee to discharge  
3 its duties, including contracts and other arrange-  
4 ments for audits, studies, analyses, and other serv-  
5 ices with public agencies and with private persons,  
6 and make such payments as may be necessary to  
7 carry out the duties of the Committee.

8           “(12) **SUBCOMMITTEES.**—The Committee may  
9 establish subcommittees to facilitate the ability of  
10 the Committee to discharge its duties.

11           “(13) **TRANSFER OF FUNDS, ASSETS, AND OB-**  
12 **LIGATIONS.**—

13           “(A) **FUNDS.**—The Committee may trans-  
14 fer funds appropriated to the Committee—

15           “(i) for expenses to support adminis-  
16 trative support services and audits, re-  
17 views, or other activities related to over-  
18 sight by the Committee of covered funds to  
19 any Office of the Inspector General or the  
20 General Services Administration; and

21           “(ii) to reimburse for services pro-  
22 vided by the Council.

23           “(B) **ASSETS AND OBLIGATIONS.**—

24           “(i) **ASSETS DEFINED.**—In this sub-  
25 paragraph, the term ‘assets’ includes con-

1 tracts, agreements, facilities, property,  
2 data, records, unobligated or unexpended  
3 balances of appropriations, and other  
4 funds or resources (other than personnel).

5 “(ii) TRANSFER.—Upon the effective  
6 date of this subsection, the assets and obli-  
7 gations held by or available in connection  
8 with the Pandemic Response Account-  
9 ability Committee established under 15010  
10 of the CARES Act (Public Law 116–136;  
11 135 Stat. 540) shall be transferred to the  
12 Committee.

13 “(14) ADDITIONAL STAFF.—

14 “(A) IN GENERAL.—Subject to subpara-  
15 graph (B), the Committee may exercise the au-  
16 thorities of subsections (b) through (i) of sec-  
17 tion 3161 of this title (without regard to sub-  
18 section (a) of that section) to meet temporary  
19 or urgent needs of the Committee under this  
20 subsection, as certified by the Chairperson to  
21 the appropriate congressional committees that  
22 such temporary or urgent needs exist, as if the  
23 Committee were a temporary organization.

24 “(B) HEAD OF ORGANIZATION.—For pur-  
25 poses of exercising the authorities described in

1           subparagraph (A), the term ‘Chairperson’ shall  
2           be substituted for the term ‘head of a tem-  
3           porary organization’.

4           “(C) CONSULTATION.—In exercising the  
5           authorities described in subparagraph (A), the  
6           Chairperson shall consult with members of the  
7           Committee.

8           “(D) ADDITIONAL DETAILEES.—In addi-  
9           tion to the authority provided by section  
10          3161(e) of this title, upon the request of an In-  
11          spector General, the Committee may detail, on  
12          a nonreimbursable basis, any personnel of the  
13          Committee to that Inspector General to assist  
14          in carrying out any audit, review, or investiga-  
15          tion pertaining to the oversight of covered  
16          funds.

17          “(E) LIMITATIONS.—In exercising the em-  
18          ployment authorities under section 3161(b) of  
19          this title, as provided under subparagraph (A)  
20          of this paragraph—

21                  “(i) section 3161(b)(2) of this title  
22                  (relating to periods of appointments) shall  
23                  not apply; and

1           “(ii) no period of appointment may  
2           exceed the date on which the Committee  
3           terminates.

4           “(F) COMPETITIVE SERVICE.—A person  
5           employed by the Committee shall acquire com-  
6           petitive status and conditional tenure for ap-  
7           pointment to any position in the competitive  
8           service for which the employee possesses the re-  
9           quired qualifications upon the completion of 2  
10          years of continuous service as an employee  
11          under this subsection.

12          “(G) ANNUITANTS.—

13           “(i) IN GENERAL.—The Committee  
14           may employ annuitants covered by section  
15           9902(g) of this title for purposes of the  
16           oversight of covered funds.

17           “(ii) TREATMENT OF ANNUITANTS.—  
18           The employment of annuitants under this  
19           paragraph shall be subject to the provi-  
20           sions of section 9902(g) of this title, as if  
21           the Committee was the Department of De-  
22           fense.

23          “(15) PROVISION OF INFORMATION.—

24           “(A) REQUESTS.—Upon request of the  
25           Committee for information or assistance from

1 any agency or other entity of the Federal Gov-  
2 ernment, the head of such entity shall, insofar  
3 as is practicable and not in contravention of  
4 any existing law, and consistent with section  
5 406 of this title, furnish such information or as-  
6 sistance to the Committee, or an authorized  
7 designee, including an Inspector General des-  
8 ignated by the Chairperson.

9 “(B) INSPECTORS GENERAL.—Any Inspec-  
10 tor General responsible for conducting oversight  
11 related to covered funds may, consistent with  
12 the duties, responsibilities, policies, and proce-  
13 dures of the Inspector General, provide infor-  
14 mation requested by the Committee or an In-  
15 spector General on the Committee relating to  
16 the responsibilities of the Committee.

17 “(16) WEBSITE.—

18 “(A) IN GENERAL.—Not later than 30  
19 days after the date of enactment of this sub-  
20 section, the Committee shall establish and  
21 maintain a user-friendly, public-facing  
22 website—

23 “(i) to foster greater accountability  
24 and transparency in the use of covered  
25 funds, which shall have a uniform resource

1 locator that is descriptive and memorable;  
2 and

3 “(ii) that shall be a portal or gateway  
4 to key information relating to the oversight  
5 of covered funds and provide connections  
6 to other Government websites with related  
7 information.

8 “(17) COORDINATION.—The Committee shall  
9 coordinate its oversight activities with the Comp-  
10 troller General of the United States and State audi-  
11 tors.

12 “(18) RULES OF CONSTRUCTION.—Nothing in  
13 this subsection shall be construed to—

14 “(A) affect the independent authority of an  
15 Inspector General to determine whether to con-  
16 duct an audit or investigation of covered funds;  
17 or

18 “(B) require the Council or any Inspector  
19 General to provide funding to support the ac-  
20 tivities of the Committee.

21 “(19) AUTHORIZATION OF APPROPRIATIONS.—  
22 For the purposes of carrying out the mission of the  
23 Committee under this subsection, there are author-  
24 ized to be appropriated such sums as may be nec-

1       essary to carry out the duties and functions of the  
2       Committee.”.

3       (b) ~~EFFECTIVE DATE.~~—This Act and the amend-  
4       ments made by this Act shall take effect on September  
5       30, 2025.

6       **SECTION 1. SHORT TITLE.**

7       *This Act may be cited as the “Government Spending  
8       Oversight Act of 2024”.*

9       **SEC. 2. GOVERNMENT SPENDING OVERSIGHT COMMITTEE.**

10       (a) *IN GENERAL.*—Section 424 of title 5, United  
11       States Code, is amended by adding at the end the following:

12       “(f) *GOVERNMENT SPENDING OVERSIGHT COM-*  
13       *MITTEE.*—

14               “(1) *DEFINITIONS.*— *In this subsection:*

15                       “(A) *AGENCY.*—*The term ‘agency’ has the*  
16                       *meaning given the term in section 551 of this*  
17                       *title.*

18                       “(B) *APPROPRIATE CONGRESSIONAL COM-*  
19                       *MITTEES.*—*The term ‘appropriate congressional*  
20                       *committees’ means—*

21                               “(i) *the Committees on Appropriations*  
22                               *of the Senate and the House of Representa-*  
23                               *tives;*

1           “(ii) the Committee on Homeland Se-  
2           curity and Governmental Affairs of the Sen-  
3           ate;

4           “(iii) the Committee on Oversight and  
5           Accountability of the House of Representa-  
6           tives; and

7           “(iv) any other relevant congressional  
8           committee of jurisdiction.

9           “(C) CHAIRPERSON.—The term ‘Chair-  
10          person’ means the Chairperson of the Committee.

11          “(D) COMMITTEE.—The term ‘Committee’  
12          means the Government Spending Oversight Com-  
13          mittee established under paragraph (2).

14          “(E) COVERED FUNDS.—The term ‘covered  
15          funds’ means—

16               “(i) any funds, including loans, that  
17               are made available in any form to any non-  
18               Federal entity or individual, under—

19                       “(I) division A or B of the  
20                       CARES Act (Public Law 116–136);

21                       “(II) the Coronavirus Prepared-  
22                       ness and Response Supplemental Ap-  
23                       propriations Act, 2020 (Public Law  
24                       116–123);

1                   “(III) *the Families First*  
2                   *Coronavirus Response Act (Public Law*  
3                   *116–127)*;

4                   “(IV) *the Paycheck Protection*  
5                   *Program and Health Care Enhance-*  
6                   *ment Act (Public Law 116–139)*;

7                   “(V) *division M or N of the Con-*  
8                   *solidated Appropriations Act, 2021*  
9                   *(Public Law 116–260)*;

10                  “(VI) *the American Rescue Plan*  
11                  *Act of 2021 (Public Law 117–2)*;

12                  “(VII) *any loan guaranteed or*  
13                  *made by the Small Business Adminis-*  
14                  *tration, including any direct loan or*  
15                  *guarantee of a trust certificate, under*  
16                  *the Small Business Act (15 U.S.C. 631*  
17                  *et seq.), the Small Business Investment*  
18                  *Act of 1958 (15 U.S.C. 661 et seq.), or*  
19                  *any other provision of law*;

20                  “(VIII) *unemployment compensa-*  
21                  *tion, as defined in section 85 of the In-*  
22                  *ternal Revenue Code of 1986*;

23                  “(IX) *the Infrastructure Invest-*  
24                  *ment and Jobs Act (Public Law 117–*  
25                  *58)*;

1                   “(X) *Public Law 117–169 (com-*  
 2                   *monly known as the ‘Inflation Reduc-*  
 3                   *tion Act’);*

4                   “(XI) *the Honoring our PACT*  
 5                   *Act of 2022 (Public Law 117–168); or*

6                   “(XII) *the CHIPS Act of 2022*  
 7                   *(division A of Public Law 117–167*  
 8                   *(commonly known as the ‘CHIPS and*  
 9                   *Science Act of 2022’));*

10                   “(ii) *any Federal grant of not less*  
 11                   *than \$50,000; and*

12                   “(iii) *any intramural payment made*  
 13                   *Government wide for research activity.*

14                   “(2) *ESTABLISHMENT.—There is established*  
 15                   *within the Council the Government Spending Over-*  
 16                   *sight Committee to promote transparency and con-*  
 17                   *duct and support oversight of covered funds to—*

18                   “(A) *prevent and detect fraud, waste, abuse,*  
 19                   *and mismanagement; and*

20                   “(B) *mitigate major risks that cut across*  
 21                   *programs and agency boundaries.*

22                   “(3) *CHAIRPERSON.—The Chairperson of the*  
 23                   *Committee—*

24                   “(A) *shall be selected by the Chairperson of*  
 25                   *the Council from among Inspectors General ap-*

1           *pointed by the President and confirmed by the*  
2           *Senate; and*

3                     *“(B) should have experience managing over-*  
4                     *sight of large organizations and expenditures.*

5                     *“(4) MEMBERSHIP.—The members of the Com-*  
6                     *mittee shall include—*

7                             *“(A) the Chairperson;*

8                             *“(B) the Inspector General of the Depart-*  
9                             *ment of Labor;*

10                            *“(C) the Inspector General of the Depart-*  
11                            *ment of Health and Human Services;*

12                            *“(D) the Inspector General of the Small*  
13                            *Business Administration;*

14                            *“(E) the Inspector General of the Depart-*  
15                            *ment of the Treasury;*

16                            *“(F) the Inspector General of the Depart-*  
17                            *ment of Transportation;*

18                            *“(G) the Treasury Inspector General for*  
19                            *Tax Administration;*

20                            *“(H) the Inspector General of the Depart-*  
21                            *ment of Veterans Affairs;*

22                            *“(I) the Inspector General of the Depart-*  
23                            *ment of Commerce;*

24                            *“(J) the Inspector General of the Depart-*  
25                            *ment of Justice;*

1           “(K) *the Inspector General of the Depart-*  
2 *ment of Defense;*

3           “(L) *the Inspector General of the Depart-*  
4 *ment of Education;*

5           “(M) *the Inspector General of the Depart-*  
6 *ment of Homeland Security; and*

7           “(N) *any other Inspector General, as des-*  
8 *ignated by the Chairperson, from any agency*  
9 *that expends or obligates covered funds.*

10          “(5) *EXECUTIVE DIRECTOR.—*

11           “(A) *IN GENERAL.—There shall be an Exec-*  
12 *utive Director of the Committee.*

13           “(B) *APPOINTMENT; QUALIFICATIONS.—The*  
14 *Executive Director of the Committee shall—*

15           “(i) *be appointed by the Chairperson,*  
16 *in consultation with the majority leader of*  
17 *the Senate, the Speaker of the House of Rep-*  
18 *resentatives, the minority leader of the Sen-*  
19 *ate, and the minority leader of the House of*  
20 *Representatives;*

21           “(ii) *have demonstrated ability in ac-*  
22 *counting, auditing, financial analysis, law,*  
23 *management analysis, public administra-*  
24 *tion, or investigations;*

1           “(iii) have experience managing over-  
2           sight of large organizations and expendi-  
3           tures; and

4           “(iv) be a full-time employee of the  
5           Committee.

6           “(C) DUTIES.—The Executive Director of  
7           the Committee shall—

8           “(i) report directly to the Chairperson;

9           “(ii) appoint staff of the Committee,  
10          subject to the approval of the Chairperson,  
11          consistent with this subsection;

12          “(iii) supervise and coordinate Com-  
13          mittee functions and staff; and

14          “(iv) perform any other duties as-  
15          signed to the Executive Director by the  
16          Committee.

17          “(D) NOTICE.—The Chairperson shall pro-  
18          vide notice to the Committee on Homeland Secu-  
19          rity and Governmental Affairs of the Senate and  
20          the Committee on Oversight and Accountability  
21          of the House of Representatives when appointing  
22          or removing the Executive Director of the Com-  
23          mittee.

1           “(6) *PROHIBITION ON ADDITIONAL COMPENSA-*  
2           *TION.—Members of the Committee may not receive*  
3           *additional compensation for services performed.*

4           “(7) *DUTIES OF THE COMMITTEE.—*

5           “(A) *IN GENERAL.—The Committee shall*  
6           *conduct oversight of covered funds and support*  
7           *Inspectors General in the oversight of covered*  
8           *funds in order to—*

9                   “(i) *detect and prevent fraud, waste,*  
10                   *abuse, and mismanagement; and*

11                   “(ii) *identify major risks that cut*  
12                   *across programs and agency boundaries.*

13           “(B) *GENERAL FUNCTIONS.—The Com-*  
14           *mittee, in coordination with relevant Inspectors*  
15           *General, may—*

16                   “(i) *provide support to, and collaborate*  
17                   *with, relevant Inspectors General in con-*  
18                   *ducting investigations, audits, and reviews*  
19                   *relating to covered funds, including*  
20                   *through—*

21                           “(I) *data analytics;*

22                           “(II) *the sharing of data, tools,*  
23                           *and services;*

1                   “(III) the development and en-  
2                   hancement of data practices, analysis,  
3                   and visualization; and

4                   “(IV) any other appropriate  
5                   means as determined by the Com-  
6                   mittee;

7                   “(ii) provide analytical products to  
8                   agencies, in coordination with Inspectors  
9                   General, to promote program integrity, pre-  
10                  vent improper payments, and facilitate  
11                  verification efforts to ensure proper expendi-  
12                  ture and utilization of covered funds;

13                  “(iii) review the economy, efficiency,  
14                  and effectiveness in the administration of,  
15                  and the detection of fraud, waste, abuse,  
16                  and mismanagement in, programs and op-  
17                  erations using covered funds;

18                  “(iv) review whether there are appro-  
19                  priate mechanisms for interagency collabo-  
20                  ration relating to the oversight of covered  
21                  funds, including coordinating and collabo-  
22                  rating to the extent practicable with State  
23                  and local government entities; and

24                  “(v) expeditiously report to the Attor-  
25                  ney General any instance in which the

1           *Committee has reasonable grounds to believe*  
2           *there has been a violation of Federal crimi-*  
3           *nal law.*

4           “(C) *ADDITIONAL FUNCTIONS.*—*The Com-*  
5           *mittee may provide investigative support to*  
6           *prosecutive and enforcement authorities to pro-*  
7           *tect program integrity and prevent, detect, and*  
8           *prosecute fraud of covered funds.*

9           “(D) *REPORTING.*—

10           “(i) *ALERTS.*—*The Committee shall*  
11           *submit to the President and Congress, in-*  
12           *cluding the appropriate congressional com-*  
13           *mittees, management alerts on potential*  
14           *management, risk, and funding problems*  
15           *that require immediate attention.*

16           “(ii) *REPORTS AND UPDATES.*—*The*  
17           *Committee shall submit to Congress such*  
18           *other reports or provide such periodic up-*  
19           *dates on the work of the Committee as the*  
20           *Committee considers appropriate on the use*  
21           *of covered funds.*

22           “(iii) *BIANNUAL REPORTS.*—*The Com-*  
23           *mittee shall submit biannual reports to the*  
24           *President and Congress, including the ap-*  
25           *propriate congressional committees, and*

1           *may submit additional reports as appro-*  
2           *priate summarizing the findings of the*  
3           *Committee and any recommended changes*  
4           *to the scope of covered funds.*

5           “(iv) *PUBLIC AVAILABILITY.*—*All re-*  
6           *ports submitted under this subparagraph*  
7           *shall be made publicly available and posted*  
8           *on the website established under paragraph*  
9           *(16).*

10          “(v) *REDACTIONS.*—*Any portion of a*  
11          *report submitted under this paragraph may*  
12          *be redacted when made publicly available, if*  
13          *that portion would disclose information that*  
14          *is not subject to disclosure under sections*  
15          *552 and 552a of this title, or is otherwise*  
16          *prohibited from disclosure by law.*

17          “(E) *RECOMMENDATIONS.*—

18          “(i) *IN GENERAL.*—*The Committee*  
19          *shall make recommendations to agencies on*  
20          *measures to prevent or address fraud, waste,*  
21          *abuse, and mismanagement, and to mitigate*  
22          *major risks that cut across programs and*  
23          *agency boundaries, relating to covered*  
24          *funds.*

1           “(ii) *REPORT.*—Not later than 30 days  
2           after receipt of a recommendation under  
3           clause (i), an agency shall submit a report  
4           to the President and the appropriate con-  
5           gressional committees on—

6                   “(I) whether the agency agrees or  
7                   disagrees with the recommendations;  
8                   and

9                   “(II) any actions the agency will  
10                  take to implement the recommenda-  
11                  tions, which shall also be included in  
12                  the report required under section  
13                  2(b)(3) of the GAO–IG Act (31 U.S.C.  
14                  1105 note; Public Law 115–414).

15           “(8) *AUTHORITIES.*—

16                   “(A) *IN GENERAL.*—In carrying out the du-  
17                   ties and functions under this subsection with re-  
18                   spect to the oversight of covered funds, the Com-  
19                   mittee shall—

20                   “(i) carry out those duties and func-  
21                   tions in accordance with section 404(b)(1)  
22                   of this title;

23                   “(ii) in coordination with relevant In-  
24                   spectors General, have the authorities pro-  
25                   vided under and be subject to paragraphs

1           (1) through (4) of subsection (a) and sub-  
2           sections (h), (j), and (k) of section 406;

3           “(iii) be considered to be conducting  
4           civil or criminal law enforcement activity  
5           for the purposes of section 552a(b)(7) of this  
6           title; and

7           “(iv) for the purposes of sections 552  
8           and 552a of this title, be considered to be a  
9           component which performs as its principal  
10          function an activity pertaining to the en-  
11          forcement of criminal laws, and its records  
12          may constitute investigatory material com-  
13          piled for law enforcement purposes.

14          “(B) *LIMITATION ON SUBPOENA AUTHOR-*  
15          *ITY.*—When carrying out subpoena authority  
16          under section 406(a)(4) of this title, the following  
17          limitations shall apply to the Committee:

18               “(i) Any subpoena issued under this  
19               subsection shall be signed by the Chair-  
20               person, and this power is non-delegable.

21               “(ii) On a quarterly basis, the Com-  
22               mittee shall notify the Committee on Home-  
23               land Security and Governmental Affairs of  
24               the Senate and the Committee on Oversight  
25               and Accountability of the House of Rep-

1                    *representatives of any subpoenas issued during*  
2                    *the preceding quarter.*

3                    *“(iii) The authority to issue a sub-*  
4                    *poena under this subsection shall terminate*  
5                    *on the date that is 5 years after the effective*  
6                    *date of this subsection.*

7                    *“(9) REFUSAL OF INFORMATION OR ASSIST-*  
8                    *ANCE.— Whenever information or assistance re-*  
9                    *quested by the Committee or an Inspector General on*  
10                   *the Committee is unreasonably refused or not pro-*  
11                   *vided, the Committee shall immediately report the cir-*  
12                   *cumstances to the appropriate congressional commit-*  
13                   *tees.*

14                   *“(10) USE OF EXISTING RESOURCES.—The Com-*  
15                   *mittee shall leverage existing information technology*  
16                   *resources within the Council, such as oversight.gov*  
17                   *and those developed by the Pandemic Response Ac-*  
18                   *countability Committee established under section*  
19                   *15010 of the CARES Act (Public Law 116–136; 134*  
20                   *Stat. 533), to carry out the duties of the Committee.*

21                   *“(11) CONTRACTS.—The Committee may enter*  
22                   *into contracts to enable the Committee to discharge its*  
23                   *duties, including contracts and other arrangements*  
24                   *for audits, studies, analyses, and other services with*  
25                   *public agencies and with private persons, and make*

1        *such payments as may be necessary to carry out the*  
 2        *duties of the Committee.*

3            “(12) *SUBCOMMITTEES.*—*The Committee may*  
 4        *establish subcommittees to facilitate the ability of the*  
 5        *Committee to discharge its duties.*

6            “(13) *TRANSFER OF FUNDS, ASSETS, AND OBLI-*  
 7        *GATIONS.*—

8            “(A) *FUNDS.*—*The Committee may transfer*  
 9        *funds appropriated to the Committee—*

10            “(i) *for expenses to support adminis-*  
 11        *trative support services and audits, reviews,*  
 12        *or other activities related to oversight by the*  
 13        *Committee of covered funds to any Office of*  
 14        *the Inspector General or the General Serv-*  
 15        *ices Administration; and*

16            “(ii) *to reimburse for services provided*  
 17        *by the Council.*

18            “(B) *ASSETS AND OBLIGATIONS.*—

19            “(i) *ASSETS DEFINED.*—*In this sub-*  
 20        *paragraph, the term ‘assets’ includes con-*  
 21        *tracts, agreements, facilities, property, data,*  
 22        *records, unobligated or unexpended balances*  
 23        *of appropriations, and other funds or re-*  
 24        *sources (other than personnel).*

1           “(i) *TRANSFER.*—Upon the effective  
2           date of this subsection, the assets and obli-  
3           gations held by or available in connection  
4           with the *Pandemic Response Accountability*  
5           *Committee established under 15010 of the*  
6           *CARES Act (Public Law 116–136; 134*  
7           *Stat. 533) shall be transferred to the Com-*  
8           *mittee.*

9           “(14) *ADDITIONAL STAFF.*—

10           “(A) *IN GENERAL.*—Subject to subpara-  
11           graph (B), the Committee may exercise the au-  
12           thorities of subsections (b) through (i) of section  
13           3161 of this title (without regard to subsection  
14           (a) of that section) to meet temporary or urgent  
15           needs of the Committee under this subsection, as  
16           certified by the Chairperson to the appropriate  
17           congressional committees that such temporary or  
18           urgent needs exist, as if the Committee were a  
19           temporary organization.

20           “(B) *HEAD OF ORGANIZATION.*—For pur-  
21           poses of exercising the authorities described in  
22           subparagraph (A), the term ‘Chairperson’ shall  
23           be substituted for the term ‘head of a temporary  
24           organization’.

1           “(C) *CONSULTATION.*—*In exercising the au-*  
2           *thorities described in subparagraph (A), the*  
3           *Chairperson shall consult with members of the*  
4           *Committee.*

5           “(D) *ADDITIONAL DETAILEES.*—*In addition*  
6           *to the authority provided by section 3161(c) of*  
7           *this title, upon the request of an Inspector Gen-*  
8           *eral, the Committee may detail, on a nonreim-*  
9           *bursable basis, any personnel of the Committee to*  
10           *that Inspector General to assist in carrying out*  
11           *any audit, review, or investigation pertaining to*  
12           *the oversight of covered funds.*

13           “(E) *LIMITATIONS.*—*In exercising the em-*  
14           *ployment authorities under section 3161(b) of*  
15           *this title, as provided under subparagraph (A) of*  
16           *this paragraph—*

17                   “(i) *section 3161(b)(2) of this title (re-*  
18                   *lating to periods of appointments) shall not*  
19                   *apply; and*

20                   “(ii) *no period of appointment may*  
21                   *exceed the date on which the Committee ter-*  
22                   *minates.*

23           “(F) *COMPETITIVE SERVICE.*—*A person em-*  
24           *ployed by the Committee shall acquire competi-*  
25           *tive status and conditional tenure for appoint-*

1           *ment to any position in the competitive service*  
2           *for which the employee possesses the required*  
3           *qualifications upon the completion of 2 years of*  
4           *continuous service as an employee under this*  
5           *subsection.*

6           “(G) *ANNUITANTS.*—

7           “(i) *IN GENERAL.*—*The Committee*  
8           *may employ annuitants covered by section*  
9           *9902(g) of this title for purposes of the over-*  
10           *sight of covered funds.*

11           “(ii) *TREATMENT OF ANNUITANTS.*—

12           *The employment of annuitants under this*  
13           *paragraph shall be subject to the provisions*  
14           *of section 9902(g) of this title, as if the*  
15           *Committee were the Department of Defense.*

16           “(15) *PROVISION OF INFORMATION.*—

17           “(A) *REQUESTS.*—*Upon request of the Com-*  
18           *mittee for information or assistance from any*  
19           *agency or other entity of the Federal Govern-*  
20           *ment, the head of such entity shall, insofar as is*  
21           *practicable and not in contravention of any ex-*  
22           *isting law, and consistent with section 406 of*  
23           *this title, furnish such information or assistance*  
24           *to the Committee, or an authorized designee, in-*

1           cluding an Inspector General designated by the  
2           Chairperson.

3           “(B) *INSPECTORS GENERAL.*—Any Inspec-  
4           tor General responsible for conducting oversight  
5           related to covered funds may, consistent with the  
6           duties, responsibilities, policies, and procedures  
7           of the Inspector General, provide information re-  
8           quested by the Committee or an Inspector Gen-  
9           eral on the Committee relating to the responsibil-  
10          ities of the Committee.

11          “(16) *WEBSITE.*—

12           “(A) *IN GENERAL.*—Not later than 30 days  
13           after the effective date of this subsection, the  
14           Committee shall establish and maintain a user-  
15           friendly, public-facing website—

16           “(i) to foster greater accountability  
17           and transparency in the use of covered  
18           funds, which shall have a uniform resource  
19           locator that is descriptive and memorable;  
20           and

21           “(ii) that shall be a portal or gateway  
22           to key information relating to the oversight  
23           of covered funds and provide connections to  
24           other Government websites with related in-  
25           formation.

1           “(17) *COORDINATION.*—*The Committee shall co-*  
2           *ordinate its oversight activities with the Comptroller*  
3           *General of the United States and State auditors.*

4           “(18) *NOTICE.*—*The Chairperson shall provide*  
5           *notice to the Committee on Homeland Security and*  
6           *Governmental Affairs of the Senate and the Com-*  
7           *mittee on Oversight and Accountability of the House*  
8           *of Representatives when designating or removing an*  
9           *Inspector General from the membership of the Com-*  
10          *mittee under paragraph (4).*

11          “(19) *RULES OF CONSTRUCTION.*—*Nothing in*  
12          *this subsection shall be construed to—*

13                 “(A) *affect the independent authority of an*  
14                 *Inspector General to determine whether to con-*  
15                 *duct an audit or investigation of covered funds;*  
16                 *or*

17                 “(B) *require the Council or any Inspector*  
18                 *General to provide funding to support the activi-*  
19                 *ties of the Committee.*

20          “(20) *AUTHORIZATION OF APPROPRIATIONS.*—

21                 “(A) *IN GENERAL.*—*For the purposes of*  
22                 *carrying out the mission of the Committee under*  
23                 *this subsection, there are authorized to be appro-*  
24                 *priated \$17,000,000 for each of fiscal years 2026*

1           *and 2027 to carry out the duties and functions*  
2           *of the Committee.*

3           “(B) *REPORT TO CONGRESS.—Not later*  
4           *than 1 year after the effective date of this sub-*  
5           *section, the Chairperson shall submit to the ap-*  
6           *propriate congressional committees a report that*  
7           *details the anticipated future budgetary needs of*  
8           *the Committee.”.*

9           *(b) EFFECTIVE DATE.—This Act and the amendments*  
10          *made by this Act shall take effect on September 30, 2025.*

Calendar No. 431

118<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**S. 4036**

[Report No. 118-186]

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**A BILL**

To establish a Government Spending Oversight Committee within the Council of the Inspectors General on Integrity and Efficiency, and for other purposes.

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JULY 8, 2024

Reported with an amendment