

authority of section 1301(b) of Pub. L. 113-235, div. H, title I, Dec. 16, 2014, 128 Stat. 2537, set out as a note preceding section 301 of this title.

**§ 3901. Purpose and establishment of the Office of Inspector General**

In order to create an independent and objective office—

(1) to conduct and supervise audits and investigations relating to the Government Publishing Office;

(2) to provide leadership and coordination and recommend policies to promote economy, efficiency, and effectiveness; and

(3) to provide a means of keeping the Director of the Government Publishing Office and the Congress fully and currently informed about problems and deficiencies relating to the administration and operations of the Government Publishing Office;

there is hereby established an Office of Inspector General in the Government Publishing Office.

(Added Pub. L. 100-504, title II, § 202, Oct. 18, 1988, 102 Stat. 2530; amended Pub. L. 113-235, div. H, title I, § 1301(b), (c)(1), Dec. 16, 2014, 128 Stat. 2537.)

AMENDMENTS

2014—Par. (3). Pub. L. 113-235, § 1301(c)(1), substituted “Director of the Government Publishing Office” for “Public Printer”.

CHANGE OF NAME

“Government Publishing Office” substituted for “Government Printing Office” in pars. (1) and (3) and concluding provisions on authority of section 1301(b) of Pub. L. 113-235, set out as a note preceding section 301 of this title.

EFFECTIVE DATE

Pub. L. 100-504, title II, § 206, Oct. 18, 1988, 102 Stat. 2532, provided that: “The provisions of this title and the amendments made by this title [enacting this chapter and provisions set out as notes under sections 101 and 3901 of this title] shall take effect 180 days after the date of the enactment of this title [Oct. 18, 1988].”

SHORT TITLE

For short title of title II of Pub. L. 100-504, which enacted this chapter, as the “Government Printing Office Inspector General Act of 1988”, see section 201 of Pub. L. 100-504, set out as a Short Title of 1988 Amendment note under section 101 of this title.

TRANSFER OF OFFICE

Pub. L. 100-504, title II, § 203, Oct. 18, 1988, 102 Stat. 2531 transferred the office of the Government Printing Office referred to as the “Office of Inspector General”, and the functions, powers, duties, and certain personnel of that office, to the Office of Inspector General in the Government Printing Office.

PAYMENT AUTHORITY SUBJECT TO APPROPRIATIONS

Pub. L. 100-504, title II, § 205, Oct. 18, 1988, 102 Stat. 2531, provided that: “Any authority to make payments under this title [enacting this chapter and provisions set out as notes under sections 101 and 3901 of this title] shall be effective only to such extent as provided in appropriations Acts.”

**§ 3902. Appointment of Inspector General; supervision; removal; pay; limits on bonuses; counsel**

(a) There shall be at the head of the Office of Inspector General, an Inspector General who

shall be appointed by the Director of the Government Publishing Office 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. The Inspector General shall report to, and be under the general supervision of, the Director of the Government Publishing Office. The Director of the Government Publishing Office shall have no authority to 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)(1) The Inspector General may be removed from office, or transferred to another position within, or another location of, the Government Publishing Office, by the Director of the Government Publishing Office.

(2) Not later than 30 days before the Director removes or transfers the Inspector General under paragraph (1), the Director shall communicate in writing the reason for the removal or transfer to—

(A) the Committee on House Administration and the Committee on Appropriations of the House of Representatives; and

(B) the Committee on Rules and Administration and the Committee on Appropriations of the Senate.

(3) Nothing in this subsection shall prohibit a personnel action (except for removal or transfer) that is otherwise authorized by law.

(c)(1) The position of Inspector General shall be—

(A) classified as a position as a senior level employee, in accordance with this title; and

(B) have a rate of basic pay that is not less than the average rate of basic pay of all other senior level employees of the Government Publishing Office calculated on an annual basis.

(2) The Director of the Government Publishing Office shall establish the amount of the annual adjustment in the rate of basic pay for the Inspector General in an amount equal to the average of the annual adjustments in the rate of basic pay provided to all other senior level employees of the Government Publishing Office, consistent with this title.

(d) The Inspector General may not receive any cash award or cash bonus, including a cash award under chapter 45 of title 5.

(e) The Inspector General shall, in accordance with applicable laws and regulations governing selections, appointments, and employment at the Government Publishing Office, obtain legal advice from a counsel reporting directly to the Inspector General or another Inspector General.

(Added Pub. L. 100-504, title II, § 202, Oct. 18, 1988, 102 Stat. 2530; amended Pub. L. 113-235, div. H, title I, § 1301(c)(1), Dec. 16, 2014, 128 Stat. 2537; Pub. L. 116-94, div. P, title XVI, § 1602(c)(1), Dec. 20, 2019, 133 Stat. 3211.)

AMENDMENTS

2019—Pub. L. 116-94, § 1602(c)(1)(A), inserted “; pay; limits on bonuses; counsel” after “removal” in section catchline.

Subsec. (b). Pub. L. 116-94, §1602(c)(1)(B), added subsec. (b) and struck out former subsec. (b) which read as follows: "The Inspector General may be removed from office by the Director of the Government Publishing Office. The Director of the Government Publishing Office shall, promptly upon such removal, communicate in writing the reasons for any such removal to each House of the Congress."

Subsecs. (c) to (e). Pub. L. 116-94, §1602(c)(1)(C), added subsecs. (c) to (e).

2014—Pub. L. 113-235 substituted "Director of the Government Publishing Office" for "Public Printer" wherever appearing.

#### EFFECTIVE DATE

Section effective 180 days after Oct. 18, 1988, see section 206 of 100-504, set out as a note under section 3901 of this title.

### § 3903. Duties, responsibilities, authority, and reports

(a) 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) shall apply to the Inspector General of the Government Publishing Office and the Office of such Inspector General and such sections shall be applied to the Government Publishing Office and the Director of the Government Publishing Office by substituting—

(1) "Government Publishing Office" for "establishment"; and

(2) "Director of the Government Publishing Office" for "head of the establishment".

(b)(1) The Inspector General, in carrying out the provisions of this chapter, is authorized, without the supervision or approval of any other employee, office, or other entity within the Government Publishing Office, 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 subject to the provisions of this title governing selections, appointments, and employment in the Government Publishing Office (and any regulations thereunder).

(2) Appointments under the authority under paragraph (1) shall be made consistent with personnel security and suitability requirements.

(3) Any appointment of a consultant under the authority under paragraph (1) shall be made consistent with section 6(a)(8) of the Inspector General Act of 1978 (5 U.S.C. App.).

(c)(1) Subject to paragraph (2), any supervisory special agent under the Inspector General and any special agent supervised by such a supervisory special agent is authorized to—

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

(B) 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; and

(C) carry a firearm while engaged in official duties as authorized under this chapter or any other statute.

(2)(A)(i) In order to exercise the authority under paragraph (1), a supervisory special agent or a special agent supervised by such a supervisory special agent shall certify that he or she—

(I) is a citizen of the United States;

(II) has successfully completed a basic law enforcement training program or military or other equivalent; and

(III) is not prohibited from receiving a firearm under Federal law, including under section 922(g)(9) of title 18, United States Code, because of a conviction of a misdemeanor crime of domestic violence.

(ii) After providing notice to the appropriate committees of Congress, the Inspector General may add requirements to the certification required under clause (i), as determined appropriate by the Inspector General.

(B) The Inspector General shall maintain firearms-related requirements (including quarterly firearms qualifications) and use of force training requirements that, except to the extent the Inspector General determines necessary to effectively carry out the duties of the Office of the Inspector General, are in accordance with the Council of the Inspectors General on Integrity and Efficiency use of force policies, which incorporate Department of Justice guidelines.

(C)(i) The Inspector General shall—

(I) determine whether an individual meets the requirements under this subsection; and

(II) revoke any authority granted to an individual under paragraph (1) if the individual is not in compliance with the requirements of this subsection.

(ii) The Inspector General may reauthorize an individual to exercise the authority granted under paragraph (1) if the Inspector General determines the individual has achieved compliance with the requirements under this subsection.

(iii) A revocation of the authority granted under paragraph (1) shall not be subject to administrative, judicial, or other review, unless the revocation results in an adverse action. Such an adverse action may, at the election of the applicable individual, be reviewed in accordance with the otherwise applicable procedures.

(3)(A) Before the first grant of authority under paragraph (1), and semiannually thereafter as part of the report under section 5 of the Inspector General Act of 1978 (5 U.S.C. App.), the Inspector General shall submit to the appropriate committees of Congress a written certification that adequate internal safeguards and management procedures exist that, except to the extent the Inspector General determines necessary to effectively carry out the duties of the Office of the Inspector General, are in compliance with standards established by the Council of the Inspectors General on Integrity and Efficiency, which incorporate Department of Justice guidelines, to ensure proper exercise of the powers authorized under this subsection.

(B) The authority granted under this subsection (including any grant of authority to an individual under paragraph (1), without regard