



U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES
OFFICE OF INSPECTOR GENERAL

Sec. 5274. Submission of reports that specifically identify non-governmental organizations or business entities.

- (a) **IN GENERAL.**—Section 5(g) of the Inspector General Act of 1978 (5 U.S.C. App.), as so redesignated by section 5625 of this title, is amended by adding at the end the following:
- “(6)(A) Except as provided in subparagraph (B), if an audit, evaluation, inspection, or other non-investigative report prepared by an Inspector General specifically identifies a specific non-governmental organization or business entity, whether or not the non-governmental organization or business entity is the subject of that audit, evaluation, inspection, or non-investigative report—
- “(i) the Inspector General shall notify the non-governmental organization or business entity;
- “(ii) the non-governmental organization or business entity shall have—
- “(I) 30 days to review the audit, evaluation, inspection, or non-investigative report beginning on the date of publication of the audit, evaluation, inspection, or non-investigative report; and
- “(II) the opportunity to submit a written response for the purpose of clarifying or providing additional context as it directly relates to each instance wherein an audit, evaluation, inspection, or non-investigative report specifically identifies that non-governmental organization or business entity; and
- “(iii) if a written response is submitted under clause (ii)(II) within the 30-day period described in clause (ii)(I)—
- “(I) the written response shall be attached to the audit, evaluation, inspection, or non-investigative report; and
- “(II) in every instance where the report may appear on the public-facing website of the Inspector General, the website shall be updated in order to access a version of the audit, evaluation, inspection, or non-investigative report that includes the written response.
- “(B) Subparagraph (A) shall not apply with respect to a non-governmental organization or business entity that refused to provide information or assistance sought by an Inspector General during the creation of the audit, evaluation, inspection, or non-investigative report.
- “(C) An Inspector General shall review any written response received under subparagraph (A) for the purpose of preventing the improper disclosure of classified information or other non-public information, consistent with applicable laws, rules, and regulations, and, if necessary, redact such information.”.
- (b) **RETROACTIVE APPLICABILITY.**— During the 30-day period beginning on the date of enactment of this Act—
- (1) the amendment made by subsection (a) shall apply upon the request of a non-governmental organization or business entity named in an audit, evaluation, inspection, or other non-investigative report prepared on or after January 1, 2019; and
- (2) any written response submitted under clause (iii) of section 5(g)(6)(A) of the Inspector General Act of 1978 (5 U.S.C. App.), as added by subsection (a), with respect to such an audit, evaluation, inspection, or other non-investigative report shall attach to the original report in the manner described in that clause.