



Senate Judiciary Committee Approves Durbin, Lee Inspector General Access Act

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WASHINGTON – The Senate Judiciary Committee today on a 21-1 vote reported the *Inspector General Access Act*, bipartisan legislation introduced by Senators Dick Durbin (D-IL) and Mike Lee (R-UT) that would expand the jurisdiction of the Department of Justice’s (DOJ) Office of the Inspector General (IOG) to include alleged DOJ attorney misconduct. Currently, the DOJ Inspector General (IG) has no authority to investigate professional misconduct by DOJ lawyers. DOJ is the only agency whose IG has such a jurisdictional carve-out. The *Inspector General Access Act* would simply strike this loophole, which leads to an unfair double standard where every DOJ employee – including FBI and DEA agents, U.S. Marshals, and federal prison guards – can be investigated by the DOJ IG except DOJ lawyers. Companion legislation passed the House of Representatives unanimously last year.

“This is a simple bill that would close a glaring loophole in the law,” Durbin said. “This is not a partisan issue. None of us know whether the Attorney General next year will be appointed by President Trump or President Biden. But we should all agree that whoever the Attorney General is, he or she should be subject to independent oversight. I’m thankful to Senator Lee for his leadership and partnership on this important bill.”

“Our federal government inspectors general do a valuable job providing the information voters and lawmakers need to hold federal government agencies accountable,” Lee said. “Unfortunately, the Department of Justice OIG currently does not have the power to review the conduct of DOJ attorneys. This simple, common sense reform corrects that problem, bringing DOJ in line with the practices in other federal agencies and enhancing oversight and public accountability for our federal prosecutors.”

The *Inspector General Access Act* solves the problems that have long prevented independent oversight of DOJ prosecutors by simply striking the jurisdictional carve out

in § 8E of the Inspector General Act. As a result, DOJ's Inspector General would be fully empowered to investigate allegations of professional misconduct against Department lawyers. In addition to enhancing oversight and public accountability at DOJ, this simple, common sense reform will bring DOJ in line with the practices in other federal agencies where allegations of attorney professional misconduct are already subject to investigation by Inspectors General.

Along with Durbin and Lee, the bill is cosponsored by Senators Chuck Grassley (R-IA), Lisa Murkowski (R-AK), Marsha Blackburn (R-TN), Marco Rubio (R-FL), Richard Blumenthal (D-CT), John Kennedy (R-LA), Mazie Hirono (D-HI), Ron Wyden (D-OR), Dianne Feinstein (D-CA), Amy Klobuchar (D-MN), and Ted Cruz (R-TX).

The bill is supported by a broad coalition of advocates from across the political spectrum, including the ACLU, the American Conservative Union, Freedom Works, the Project on Government Oversight, and the Due Process Institute.