

(b) The Ombudsman shall be appointed by the President, by and with the advice and consent of the Senate, for a term of five years. In no case shall any person hold the office for more than four full terms. The Ombudsman shall receive compensation in an amount equal to that of the Chief Judge of the District of Columbia Court of Appeals. The annual rate of basic compensation of the Deputy Ombudsman shall be \$22,500.

(c) The Ombudsman and the Deputy Ombudsman appointed under this Act shall be chosen, without regard to political affiliation, from individuals specially qualified to perform the duties of the office. Each individual so appointed shall be an individual who—

(1) has been admitted to the practice of law before the highest court of any State, possession, territory, Commonwealth, or the District of Columbia, and is member of the bar of that court in good standing;

(2) is of good moral character, and possesses a good reputation for professional legal competence, personal integrity, diligence in the performance of duty, and freedom from personal bias or prejudice;

(3) has not, within the five-year period immediately preceding his appointment, served as a Member of Congress or as an appointed officer of any agency as defined in this Act;

(4) is a citizen of the United States.

(d) No person may serve as Ombudsman or Deputy Ombudsman while a candidate for or holder of any elected office, whether municipal, State, or Federal, or while engaged in any other business, vocation, or employment.

(e) The Congress of the United States, by two-thirds vote in each House, may remove the Ombudsman from office when, in the judgment of the Congress, he has become permanently incapacitated, or has been guilty of any felony, misconduct, or any other conduct involving moral turpitude, and for no other cause and no other manner except by impeachment.

(f) Subject to the civil service laws and the Classification Act of 1949, the Ombudsman may appoint and fix the compensation of such personnel as may be required for the performance of the duties of the office. The Ombudsman shall promulgate such rules and regulations as may be necessary to carry out the duties imposed upon him by this Act, and he may delegate authority for the performance of any such duty, except those specified in section 6 of this Act, to any officer or employee of the office. Such regulations shall include procedures for receiving and processing complaints, conducting investigations, and reporting his findings.

(g) The Ombudsman is authorized to charge a nominal fee for the investigation of complaints, and to waive any such fee when, in his opinion, a financial hardship may result to the complainant.

Sec. 4. (a) The Ombudsman shall have jurisdiction to investigate the administrative acts, practices, or procedures, of any agency as defined in section 2(c). Where necessary the Ombudsman may exercise his powers under this Act without regard to the finality of any administrative act.

(b) Upon his own motion or upon any oral or written complaint of any person, the Ombudsman shall conduct or cause to be conducted, in such manner as he shall determine to be appropriate, a full and complete investigation of any matter which is an appropriate subject for investigation under section 5 of this Act, unless, in his opinion—

(1) there is presently available an adequate remedy for the grievance stated in the complaint, whether or not complainant has availed himself of it;

(2) the complaint relates to a matter that is outside the jurisdiction of the Ombudsman;

(3) complainant does not have a sufficient personal interest in the subject matter of the complaint;

(4) complainant has had knowledge of the action complained of for too long a period before the complaint was submitted; or

(5) the complaint is trivial, frivolous, vexatious, or not made in good faith.

(c) If, with respect to any complaint the Ombudsman decides not to investigate, he shall inform the complainant of that decision and his reasons therefor; except that he shall not be required to divulge matters which would invade the privacy of any individual, or interfere with legitimate governmental activities. In the event he decides to investigate, he shall notify the complainant and the agency concerned in writing of that fact. The Ombudsman shall not be prohibited