

S 2324

Inspector General Reform Act of 2008

Congress: 110 (2007–2009, Ended)

Chamber: Senate

Policy Area: Government Operations and Politics

Introduced: Nov 8, 2007

Current Status: Held at the desk.

Latest Action: Held at the desk. (Apr 24, 2008)

Official Text: <https://www.congress.gov/bill/110th-congress/senate-bill/2324>

Sponsor

Name: Sen. McCaskill, Claire [D-MO]

Party: Democratic • State: MO • Chamber: Senate

Cosponsors (11 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Coburn, Tom [R-OK]	R · OK		Nov 8, 2007
Sen. Collins, Susan M. [R-ME]	R · ME		Nov 8, 2007
Sen. Lieberman, Joseph I. [ID-CT]	ID · CT		Nov 8, 2007
Sen. Akaka, Daniel K. [D-HI]	D · HI		Nov 13, 2007
Sen. Clinton, Hillary Rodham [D-NY]	D · NY		Nov 13, 2007
Sen. Obama, Barack [D-IL]	D · IL		Nov 13, 2007
Sen. Carper, Thomas R. [D-DE]	D · DE		Nov 14, 2007
Sen. Stevens, Ted [R-AK]	R · AK		Nov 14, 2007
Sen. Levin, Carl [D-MI]	D · MI		Nov 15, 2007
Sen. Coleman, Norm [R-MN]	R · MN		Nov 16, 2007
Sen. Grassley, Chuck [R-IA]	R · IA		Dec 19, 2007

Committee Activity

Committee	Chamber	Activity	Date
Homeland Security and Governmental Affairs Committee	Senate	Reported By	Feb 22, 2008

Subjects & Policy Tags

Policy Area:

Government Operations and Politics

Related Bills

Bill	Relationship	Last Action
110 HR 928	Related bill	Oct 14, 2008: Became Public Law No: 110-409.

Inspector General Reform Act of 2008 - (Sec. 2) Amends the Inspector General Act of 1978 to require Inspectors General (IGs) for designated federal entities to be appointed 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.

(Sec. 3) Requires the President, the heads of designated federal entities, the Librarian of Congress, the Capitol Police Board, and the Public Printer to communicate to Congress in writing the reasons for removing or transferring an IG no later than 30 days before such removal or transfer.

Provides that the IG of the U.S. Capitol Police may be transferred from office only by the unanimous vote of the Capitol Police Board.

(Sec. 4) Sets the pay for presidentially appointed IGs at Executive Schedule III plus 3%. Requires IGs of designated federal entities to be classified at a grade, level, or rank designation at or above those of a majority of the senior level executives of their entity. Prohibits the pay of such IG from being less than the average total compensation of the senior level executives of that entity calculated on an annual basis.

(Sec. 5) Prohibits IGs from receiving cash awards or bonuses.

(Sec. 6) Requires each IG to: (1) obtain legal advice from a counsel either reporting directly to the IG or another IG; and (2) appoint a Counsel to the IG who shall report to the IG or obtain the services of a counsel appointed by and directly reporting to another IG or the Council of the Inspectors General on Integrity and Efficiency on a reimbursable basis.

(Sec. 7) Establishes within the executive branch the Council of the Inspectors General on Integrity and Efficiency to: (1) address integrity, economy, and effectiveness issues that transcend individual government agencies; and (2) increase the professionalism and effectiveness of personnel by developing policies, standards, and approaches to aid in the establishment of a well-trained and highly skilled workforce in the IG offices. Requires the Council to: (1) continually identify, review, and discuss areas of weakness and vulnerability in federal programs and operations with respect to fraud, waste, and abuse; (2) develop plans for coordinated, government-wide activities that address these problems and promote economy and efficiency in federal programs and operations; (3) develop policies that will aid in the maintenance of a corps of well-trained and highly skilled IG office personnel; (4) maintain electronic systems for the benefit of all IGs and one or more academies for the professional training of auditors, investigators, inspectors, evaluators, and other personnel; (5) submit individuals' recommendations for any IG appointment to the appropriate authority; and (6) report to Congress.

Allows the Council's Executive Chairperson to authorize the use of interagency funding for: (1) government-wide training of IG office employees; and (2) the functions of the Integrity Committee of the Council.

Establishes an Integrity Committee for the Council to review and refer for investigation allegations of wrongdoing that are made against IGs and IG office staff members. Sets forth requirements concerning when an IG must refer allegations against its staff to the Committee. Requires investigations to be conducted in accordance with the most current Quality Standards for Investigations issued by the Council or its predecessors. Requires the Committee, in conjunction with the Council Chairperson, to establish additional policies and procedures necessary to ensure fairness and consistency in: (1) determining whether to initiate investigations; (2) conducting investigations; (3) reporting the results of investigations; and (4) providing people who are subjects of investigations with opportunities to respond to Committee reports.

Sets forth reporting requirements for the Committee and the Council. Requires the Council to provide detailed information about specific allegations upon request from the chairperson or ranking member of the Senate Committee on Homeland Security, the House Committee on Oversight and Government Reform, and the congressional committees of jurisdiction.

Provides that an allegation against the Special Counsel of the Office of Special Counsel or the Deputy Special Counsel may be received, reviewed, and referred for investigation by the Committee to the same extent and in the same manner as an allegation against an IG.

Declares that: (1) this Act does not eliminate access to the Merit Systems Protection for review; and (2) Executive Order 12805, dated May 11, 1992, and Executive Order 12993, dated March 21, 1996, have no force or effect. Requires the IG to adopt policies and procedures to implement this Act that include, to the maximum extent practicable, all provisions in such orders.

(Sec. 8) Requires: (1) each IG to annually transmit a budget estimate and request to the head of the entity to which he or she reports; (2) such requests to specify the funds requested for operations, training needs, and Council support; (3) the head of each entity to include in a proposed budget to the President amounts for such purposes and its IG's comments on the proposal; and (4) the President to include in each U.S. budget submitted to Congress a statement of each IG's budget estimates, the amounts for such purposes requested by the President, and any comments of an IG who concludes that the budget submitted would substantially inhibit the IG from performing the duties of office.

(Sec. 10) Includes designated federal entities within the definition of "authority" for purposes of provisions concerning administrative remedies for false claims and statements.

(Sec. 11) Empowers IGs of designated federal entities with the same law enforcement authority provided to other IGs.

(Sec. 12) Provides for the application of semiannual reporting requirements concerning the activities of IG offices to inspection and evaluation reports.

(Sec. 13) Requires agencies to maintain on their website homepages direct links to the website of their IG office. Requires each IG to: (1) post reports and audits no later than three working days after such reports or audits are made publicly available; and (2) maintain a direct link on the office's website homepage for individuals to report waste, fraud, and abuse. Provides that reporting individuals shall not be required to provide personally identifying information. Prohibits agency IGs from disclosing the identity of any individual making a report without consent unless such a disclosure is unavoidable during the course of the investigation.

(Sec. 14) Considers each IG office to be a separate federal agency.

Authorizes the Treasury Inspector General for Tax Administration to help provide physical security for Internal Revenue Service (IRS) employees.

(Sec. 15) Requires the Government Accountability Office (GAO) to report: (1) to the Senate Committee on Homeland Security and Governmental Affairs and the House Committee on Government Reform on the adequacy of mechanisms to ensure accountability of IG offices; and (2) to the congressional committees of jurisdiction on the implementation IG pay provisions.

Actions Timeline

- **Apr 24, 2008:** Received in the House.
- **Apr 24, 2008:** Message on Senate action sent to the House.
- **Apr 24, 2008:** Held at the desk.
- **Apr 23, 2008:** Measure laid before Senate by unanimous consent. (consideration: CR S3323-3332; text of measure as reported in House: CR S3323-3327)
- **Apr 23, 2008:** Passed/agreed to in Senate: Passed Senate with amendments by Unanimous Consent.(text: CR S3328-3332)
- **Apr 23, 2008:** Passed Senate with amendments by Unanimous Consent. (text: CR S3328-3332)
- **Feb 22, 2008:** Committee on Homeland Security and Governmental Affairs. Reported by Senator Lieberman under authority of the order of the Senate of 02/14/2008 with amendments. With written report No. 110-262.
- **Feb 22, 2008:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 578.
- **Nov 14, 2007:** Committee on Homeland Security and Governmental Affairs. Ordered to be reported with an amendment favorably.
- **Nov 8, 2007:** Introduced in Senate
- **Nov 8, 2007:** Sponsor introductory remarks on measure. (CR S14193-14194)
- **Nov 8, 2007:** Read twice and referred to the Committee on Homeland Security and Governmental Affairs. (text of measure as introduced: CR S14194-14198)