

HR 928

Inspector General Reform Act of 2008

Congress: 110 (2007–2009, Ended)

Chamber: House

Policy Area: Government Operations and Politics

Introduced: Feb 8, 2007

Current Status: Became Public Law No: 110-409.

Latest Action: Became Public Law No: 110-409. (Oct 14, 2008)

Law: 110-409 (Enacted Oct 14, 2008)

Official Text: <https://www.congress.gov/bill/110th-congress/house-bill/928>

Sponsor

Name: Rep. Cooper, Jim [D-TN-5]

Party: Democratic • **State:** TN • **Chamber:** House

Cosponsors (7 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Gordon, Bart [D-TN-6]	D · TN		Jun 11, 2007
Rep. Castle, Michael N. [R-DE-At Large]	R · DE		Jun 28, 2007
Rep. Bishop, Sanford D., Jr. [D-GA-2]	D · GA		Jul 23, 2007
Rep. Moore, Dennis [D-KS-3]	D · KS		Jul 23, 2007
Rep. Shays, Christopher [R-CT-4]	R · CT		Jul 31, 2007
Rep. Towns, Edolphus [D-NY-10]	D · NY		Jul 31, 2007
Rep. Waxman, Henry A. [D-CA-30]	D · CA		Jul 31, 2007

Committee Activity

Committee	Chamber	Activity	Date
Homeland Security and Governmental Affairs Committee	Senate	Discharged From	Sep 25, 2008
Oversight and Government Reform Committee	House	Referred to	Mar 23, 2007

Subjects & Policy Tags

Policy Area:

Government Operations and Politics

Related Bills

Bill	Relationship	Last Action
110 S 2324	Related bill	Apr 24, 2008: Held at the desk.
110 HRES 701	Procedurally related	Oct 3, 2007: Motion to reconsider laid on the table Agreed to without objection.
110 S 1723	Related bill	Jun 28, 2007: Read twice and referred to the Committee on Homeland Security and Governmental Affairs.

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 and the heads of designated federal entities to communicate to Congress in writing the reasons for removing or transferring an IG no later than 30 days before such removal or transfer.

(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. Limits the total increase in pay to such IGs for any pay adjustments made before FY2013. Prohibits: (1) the pay of such an IG from being less than the average total compensation of the senior level executives of that entity calculated on an annual basis; or (2) the pay of specified career federal employees, not including any bonus or performance award, from being reduced as a result of being appointed to the position of Inspector General.

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

(Sec. 6) Requires each IG to: (1) appoint a Counsel to the IG; (2) obtain the services of a counsel appointed by and directly reporting to another IG on a reimbursable basis; or (3) obtain the services of the Council of the Inspectors General on Integrity and Efficiency's staff 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.

Authorizes the Council to: (1) establish in the Treasury a revolving fund to be called the Inspectors General Council Fund; or (2) enter into an arrangement with a department or agency to use an existing revolving fund. Authorizes such Fund to be used to implement the Council's functions and duties and to maintain training academies.

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 Board for review; and (2) Executive Order 12805, dated May 11, 1992, and Executive Order 12993, dated March 21, 1996, shall have no force or effect beginning on the earlier of the date on which the Council becomes operational or 180 days after this Act's enactment. Requires the Council to be operational no later than 180 days after this Act's enactment. 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.

Makes conforming changes to the Financial Services and General Government Appropriations Act, 2008 and repeals provisions that require each Office of Inspector General to provide a website service to allow an individual to request automatic receipt of related information and receive its electronic transmittal or notice of its availability without further request.

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

Provides that the Treasury Inspector General for Tax Administration may provide physical security for Internal Revenue Service (IRS) employees but shall not be responsible for protecting the Commissioner of Internal Revenue.

Actions Timeline

- **Oct 14, 2008:** Signed by President.
- **Oct 14, 2008:** Became Public Law No: 110-409.
- **Oct 3, 2008:** Presented to President.
- **Sep 27, 2008:** Resolving differences -- House actions: On motion that the House suspend the rules and agree to the Senate amendment Agreed to by recorded vote (2/3 required): 414 - 0 (Roll No. 661).
- **Sep 27, 2008:** On motion that the House suspend the rules and agree to the Senate amendment Agreed to by recorded vote (2/3 required): 414 - 0 (Roll No. 661).
- **Sep 27, 2008:** Motion to reconsider laid on the table Agreed to without objection.
- **Sep 27, 2008:** Cleared for White House.
- **Sep 25, 2008:** Message on Senate action sent to the House.
- **Sep 25, 2008:** Mr. Towns moved that the House suspend the rules and agree to the Senate amendment. (consideration: CR H9877-9882)
- **Sep 25, 2008:** The House proceeded with forty minutes of debate on H.R. 928.
- **Sep 25, 2008:** At the conclusion of debate, the chair put the question on the motion to suspend the rules. Mr. Shays objected to the vote on the grounds that a quorum was not present. Further proceedings on the motion were postponed. The point of no quorum was withdrawn.
- **Sep 24, 2008:** Senate Committee on Homeland Security and Governmental Affairs discharged by Unanimous Consent.
- **Sep 24, 2008:** Measure laid before Senate by unanimous consent. (consideration: CR S9434)
- **Sep 24, 2008:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.
- **Sep 24, 2008:** Passed Senate with an amendment by Unanimous Consent.
- **Oct 4, 2007:** Received in the Senate and Read twice and referred to the Committee on Homeland Security and Governmental Affairs.
- **Oct 3, 2007:** Rule H. Res. 701 passed House.
- **Oct 3, 2007:** Considered under the provisions of rule H. Res. 701. (consideration: CR H11187-11203)
- **Oct 3, 2007:** Rule provides for consideration of H.R. 928 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Specified amendments are in order. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Oversight and Government Reform now printed in the bill.
- **Oct 3, 2007:** The Speaker designated the Honorable Brian Baird to act as Chairman of the Committee.
- **Oct 3, 2007:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 701 and Rule XVIII.
- **Oct 3, 2007:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 928.
- **Oct 3, 2007:** DEBATE - Pursuant to the provisions of H. Res. 701, the Committee of the Whole proceeded with 10 minutes of debate on the Conyers amendment.
- **Oct 3, 2007:** POSTPONED PROCEEDINGS - At the conclusion of debate on the Conyers amendment the Chair put the question on adoption of the amendment and by voice vote, announced that the ayes had prevailed. Mr. Jordan demanded a recorded vote and the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Oct 3, 2007:** DEBATE - Pursuant to the provisions of H. Res. 701, the Committee of the Whole proceeded with 10 minutes of debate on the Tom Davis (VA) amendment.
- **Oct 3, 2007:** DEBATE - Pursuant to the provisions of H. Res. 701, the Committee of the Whole proceeded with 10 minutes of debate on the Miller (NC) amendment.
- **Oct 3, 2007:** DEBATE - Pursuant to the provisions of H. Res. 701, the Committee of the Whole proceeded with 10 minutes of debate on the Gillibrand amendment.
- **Oct 3, 2007:** UNFINISHED BUSINESS - The Chair announced that the unfinished business was the question of adoption of an amendment which had been debated earlier and on which further proceedings had been postponed.
- **Oct 3, 2007:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 928.
- **Oct 3, 2007:** The previous question was ordered pursuant to the rule. (consideration: CR H11200)
- **Oct 3, 2007:** The House adopted the amendment in the nature of a substitute as agreed to by the Committee of the Whole House on the state of the Union. (text: CR H11191-11194)

- Oct 3, 2007:** Mr. Davis, Tom moved to recommit with instructions to Oversight and Government Reform. (consideration: CR H11200-11204; text: CR H11200-11201)
- **Oct 3, 2007:** DEBATE - The House proceeded with 10 minutes of debate on the Tom Davis (VA) motion to recommit with instructions. The instructions contained in the motion seek to require the bill to be reported back to the House with an amendment adding a new section which provides for annual Inspector General performance reviews of Federal programs and agencies.
 - **Oct 3, 2007:** The previous question on the motion to recommit with instructions was ordered without objection. (consideration: CR H11201)
 - **Oct 3, 2007:** On motion to recommit with instructions Agreed to by the Yeas and Nays: 274 - 144 (Roll no. 936). (consideration: CR H11202)
 - **Oct 3, 2007:** Passed/agreed to in House: On passage Passed by the Yeas and Nays: 404 - 11 (Roll no. 937).
 - **Oct 3, 2007:** On passage Passed by the Yeas and Nays: 404 - 11 (Roll no. 937).
 - **Oct 3, 2007:** Motion to reconsider laid on the table Agreed to without objection.
 - **Oct 3, 2007:** The Clerk was authorized to correct section numbers, punctuation, and cross references, and to make other necessary technical and conforming corrections in the engrossment of H.R. 928.
 - **Oct 2, 2007:** Rules Committee Resolution H. Res. 701 Reported to House. Rule provides for consideration of H.R. 928 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. Measure will be considered read. Specified amendments are in order. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Oversight and Government Reform now printed in the bill.
 - **Sep 27, 2007:** Reported (Amended) by the Committee on Oversight and Government. H. Rept. 110-354.
 - **Sep 27, 2007:** Placed on the Union Calendar, Calendar No. 219.
 - **Aug 2, 2007:** Committee Consideration and Mark-up Session Held.
 - **Aug 2, 2007:** Ordered to be Reported in the Nature of a Substitute (Amended) by Voice Vote.
 - **Mar 23, 2007:** Referred to the Subcommittee on Government Management, Organization, and Procurement.
 - **Feb 8, 2007:** Introduced in House
 - **Feb 8, 2007:** Referred to the House Committee on Oversight and Government Reform.