

In subsection (a)(1)(K), the words “Federal Transit Administration” are substituted for “Urban Mass Transportation Administration” because of section 3004(b) of the Federal Transit Act Amendments of 1991 (Public Law 102-240, title III, 49 U.S.C. 107 note).

In subsection (a)(1)(L)(ii), the date “July 22, 1998” is substituted for “the date of the enactment of the Internal Revenue Service Restructuring and Reform Act of 1998” for clarity.

In subsection (a)(1)(U), the words “Department of Veterans Affairs” are substituted for “Veterans’ Administration”, and the words “that department” are substituted for “that agency”, to update obsolete references in the law.

In subsection (d), the date “October 1, 1978” is substituted for “the effective date of this Act” for clarity and to reflect the effective date of the Inspector General Act of 1978.

Editorial Notes

REFERENCES IN TEXT

Section 208 of the Department of Energy Organization Act, referred to in subsec. (a)(1)(E), is section 208 of Pub. L. 95-91, title II, Aug. 4, 1977, 91 Stat. 575, which was classified to section 7138 of Title 42, The Public Health and Welfare, and was repealed by Pub. L. 100-504, title I, §102(e)(1)(A), Oct. 18, 1988, 102 Stat. 2517.

Title II of Public Law 94-505, referred to in subsec. (a)(1)(F), is title II of Pub. L. 94-505, Oct. 15, 1976, 90 Stat. 2429, which was classified generally to sections 3521 to 3527 of Title 42, The Public Health and Welfare, and was repealed by Pub. L. 100-504, title I, §102(e)(2), Oct. 18, 1988, 102 Stat. 2517.

Section 23 of the Railroad Retirement Act of 1974, referred to in subsec. (a)(1)(S), is section 23 of act Aug. 29, 1935, ch. 812, as added, which was classified to section 231v of Title 45, Railroads, and was repealed by Pub. L. 100-504, title I, §102(e)(3), Oct. 18, 1988, 102 Stat. 2517.

The Social Security Independence and Program Improvements Act of 1994, referred to in subsec. (a)(1)(W), is Pub. L. 103-296, Aug. 15, 1995, 108 Stat. 1464. Section 105(a)(2) of the Act is set out as a note under section 901 of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title of 1994 Amendment note set out under section 1305 of Title 42 and Tables.

Statutory Notes and Related Subsidiaries

ABOLITION OF IMMIGRATION AND NATURALIZATION SERVICE AND TRANSFER OF FUNCTIONS

For abolition of Immigration and Naturalization Service, transfer of functions, and treatment of related references, see note set out under section 1551 of Title 8, Aliens and Nationality.

TRANSFER OF FUNCTIONS

For transfer of functions, personnel, assets, and liabilities of the United States Customs Service of the Department of the Treasury, including functions of the Secretary of the Treasury relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see sections 203(l), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6. For establishment of U.S. Customs and Border Protection in the Department of Homeland Security, treated as if included in Pub. L. 107-296 as of Nov. 25, 2002, see section 211 of Title 6, as amended generally by Pub. L. 114-125, and section 802(b) of Pub. L. 114-125, set out as a note under section 211 of Title 6.

For transfer of the functions, personnel, assets, and obligations of the United States Secret Service, including the functions of the Secretary of the Treasury relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see sections 381, 551(d), 552(d), and 557 of Title 6, Domestic Security,

and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

ADDITIONAL PROVISIONS RELATED TO TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION

Pub. L. 105-206, title I, §1103(c)(2)–(4), July 22, 1998, 112 Stat. 708, provided that:

“(2) TERMINATION OF OFFICE OF CHIEF INSPECTOR.—Effective upon the transfer of functions under the amendment made by paragraph (1) [enacting subsec. (a)(1)(L)(ii) of former section 9 of Pub. L. 95-452, see subsec. (a)(1)(L)(ii) of this section], the Office of Chief Inspector of the Internal Revenue Service is terminated.

“(3) RETENTION OF CERTAIN INTERNAL AUDIT PERSONNEL.—In making the transfer under the amendment made by paragraph (1), the Commissioner of Internal Revenue shall designate and retain an appropriate number (not in excess of 300) of internal audit full-time equivalent employee positions necessary for management relating to the Internal Revenue Service.

“(4) ADDITIONAL PERSONNEL TRANSFERS.—Effective 180 days after the date of the enactment of this Act [July 22, 1998], the Secretary of the Treasury shall transfer 21 full-time equivalent positions from the Office of the Inspector General of the Department of the Treasury to the Office of the Treasury Inspector General for Tax Administration.”

CONTINUATION OF SERVICE OF CERTAIN INSPECTORS GENERAL

Pub. L. 100-504, title I, §102(e)(4), Oct. 18, 1988, 102 Stat. 2517, as amended by Pub. L. 117-286, §4(b)(19), Dec. 27, 2022, 136 Stat. 4345, provided that: “Any individual who, on the date of enactment of this Act [Oct. 18, 1988], is serving as the Inspector General of the Department of Energy, the Department of Health and Human Services, or the Railroad Retirement Board, shall continue to serve in such position until such individual dies, resigns, or is removed from office in accordance with section 403(b) of title 5, United States Code.”

TRANSFER OF AUDIT PERSONNEL TO INSPECTOR GENERAL, DEPARTMENT OF DEFENSE

Pub. L. 97-252, title XI, §1117(e), Sept. 8, 1982, 96 Stat. 753, provided that: “In addition to the positions transferred to the Office of the Inspector General of the Department of Defense, pursuant to the amendments made by subsection (a) of this section [see Tables for classification], the Secretary of Defense shall transfer to the Office of Inspector General of the Department of Defense not less than one hundred additional audit positions. The Inspector General of the Department of Defense shall fill such positions with persons trained to perform contract audits.”

§ 423. Pay of Inspectors General

(a) CERTAIN INSPECTORS GENERAL.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the annual rate of basic pay of the Inspector General of the Intelligence Community, the Inspector General of the Central Intelligence Agency, and the Special Inspector General for Afghanistan Reconstruction shall be that of an Inspector General as defined under section 401 of this title.

(2) PROHIBITION OF CASH BONUS OR AWARDS.—Section 403(f) of this title shall apply to the Inspectors General described under paragraph (1).

(b) INSPECTORS GENERAL OF DESIGNATED FEDERAL ENTITIES.—Notwithstanding any other provision of law, the Inspector General of each designated Federal entity (as those terms are defined under section 415(a) of this title) shall, for

pay and all other purposes, be classified at a grade, level, or rank designation, as the case may be, at or above those of a majority of the senior level executives of that designated Federal entity (such as a General Counsel, Chief Information Officer, Chief Financial Officer, Chief Human Capital Officer, or Chief Acquisition Officer). The pay of an Inspector General of a designated Federal entity (as those terms are defined under section 415(a) of this title) shall be not less than the average total compensation (including bonuses) of the senior level executives of that designated Federal entity calculated on an annual basis.

(c) SAVINGS PROVISION FOR NEWLY APPOINTED INSPECTORS GENERAL.—

(1) IN GENERAL.—The provisions of section 3392 of this title, other than the terms “performance awards” and “awarding of ranks” in subsection (c)(1) of that section, shall apply to career appointees of the Senior Executive Service who are appointed to the position of Inspector General.

(2) NONREDUCTION IN PAY.—Notwithstanding any other provision of law, career Federal employees serving on an appointment made pursuant to statutory authority found other than in section 3392 of this title shall not suffer a reduction in pay, not including any bonus or performance award, as a result of being appointed to the position of Inspector General.

(Pub. L. 117–286, §3(b), Dec. 27, 2022, 136 Stat. 4255.)

HISTORICAL AND REVISION NOTES

| Revised Section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|-----------------------------|---|
| 423(a) | 5 U.S.C. App. (IGA §3) note | Pub. L. 110–409, §4(a)(3), Oct. 14, 2008, 122 Stat. 4303; Pub. L. 111–259, title IV, §405(b), Oct. 7, 2010, 124 Stat. 2719. |
| 423(b) | 5 U.S.C. App. (IGA §3) note | Pub. L. 110–409, §4(b)(1), Oct. 14, 2008, 122 Stat. 4303. |
| 423(c) | 5 U.S.C. App. (IGA §3) note | Pub. L. 110–409, §4(c), Oct. 14, 2008, 122 Stat. 4303. |

In subsection (a)(1), the words “the Special Inspector General for Iraq Reconstruction” are omitted as obsolete. The Special Inspector General for Iraq Reconstruction was established as a temporary oversight entity and ceased operations on September 30, 2013. In the document “Final Listing of Audit and Other Reports Issued by SIGIR on Reconstruction Spending in Iraq” (78 FR 58596), see the statement by the Special Inspector General for Iraq Reconstruction in the paragraph headed “Location of SIGIR Records After Closure”.

Statutory Notes and Related Subsidiaries

PAY OF INSPECTORS GENERAL

Pub. L. 110–409, §4(b)–(d), Oct. 14, 2008, 122 Stat. 4304, as amended by Pub. L. 117–286, §§4(b)(6), 7, Dec. 27, 2022, 136 Stat. 4343, 4361, provided that:

“(b), (c). Repealed. Pub. L. 117–286, §7, Dec. 27, 2022, 136 Stat. 4361.]

“(d) SAVINGS PROVISION.—Nothing in this section [amending former section 3 of Pub. L. 95–452 (see 5 U.S.C. 403), section 5315 of this title, and section 12651e of Title 42, The Public Health and Welfare, and enacting provisions formerly set out as a note under section 3 of Pub. L. 95–452 (see 5 U.S.C. 423(a))] shall have the effect of reducing the rate of pay of any individual serving on the date of enactment of this section [Oct. 14, 2008] as an Inspector General of—

“(1) an establishment as defined under section 401 of title 5, United States Code;

“(2) a designated Federal entity as defined under section 415(a) of title 5, United States Code;

“(3) a legislative agency for which the position of Inspector General is established by statute; or

“(4) any other entity of the Government for which the position of Inspector General is established by statute.”

§ 424. Establishment of the Council of the Inspectors General on Integrity and Efficiency

(a) ESTABLISHMENT AND MISSION.—

(1) ESTABLISHMENT.—There is established as an independent entity within the executive branch the Council of the Inspectors General on Integrity and Efficiency (in this section referred to as the “Council”).

(2) MISSION.—The mission of the Council shall be to—

(A) address integrity, economy, and effectiveness issues that transcend individual Government agencies; and

(B) 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 offices of the Inspectors General.

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Council shall consist of the following members:

(A) All Inspectors General whose offices are established under—

- (i) section 402 of this title; or
- (ii) section 415 of this title.

(B) The Inspectors General of the Intelligence Community and the Central Intelligence Agency.

(C) The Controller of the Office of Federal Financial Management.

(D) A senior level official of the Federal Bureau of Investigation designated by the Director of the Federal Bureau of Investigation.

(E) The Director of the Office of Government Ethics.

(F) The Special Counsel of the Office of Special Counsel.

(G) The Deputy Director of the Office of Personnel Management.

(H) The Deputy Director for Management of the Office of Management and Budget.

(I) The Inspectors General of the Library of Congress, Capitol Police, Government Publishing Office, Government Accountability Office, and the Architect of the Capitol.

(2) CHAIRPERSON AND EXECUTIVE CHAIRPERSON.—

(A) EXECUTIVE CHAIRPERSON.—The Deputy Director for Management of the Office of Management and Budget shall be the Executive Chairperson of the Council.

(B) CHAIRPERSON.—The Council shall elect 1 of the Inspectors General referred to in paragraph (1)(A) or (B) to act as Chairperson of the Council. The term of office of the Chairperson shall be 2 years.

(3) FUNCTIONS OF CHAIRPERSON AND EXECUTIVE CHAIRPERSON.—

(A) EXECUTIVE CHAIRPERSON.—The Executive Chairperson shall—