

Moran (KS) Reynolds
 Murphy, Tim Rogers (AL)
 Musgrave Rogers (KY)
 Myrick Rogers (MI)
 Neugebauer Rohrabacher
 Nunes Ros-Lehtinen
 Pearce Roskam
 Pence Royce
 Peterson (PA) Ryan (WI)
 Petri Sali
 Pickering Saxton
 Platts Schmidt
 Poe Sensenbrenner
 Porter Sessions
 Price (GA) Shadegg
 Pryce (OH) Shays
 Putnam Shimkus
 Radanovich Shuster
 Ramstad Simpson
 Regula Smith (NE)
 Rehberg Smith (NJ)
 Reichert Smith (TX)
 Renzi Souder

Stearns
 Sullivan
 Terry
 Thornberry
 Tiahrt
 Tiberi
 Turner
 Upton
 Walberg
 Walden (OR)
 Walsh (NY)
 Wamp
 Weldon (FL)
 Weller
 Westmoreland
 Whitfield
 Wicker
 Wilson (NM)
 Wilson (SC)
 Wolf
 Young (AK)
 Young (FL)

Kanjorski
 Kaptur
 Kennedy
 Kildee
 Kilpatrick
 Kind
 Kucinich
 Lampson
 Langevin
 Lantos
 Larsen (WA)
 Larson (CT)
 Levin
 Lewis (GA)
 Lipinski
 Loebsock
 Lofgren, Zoe
 Lowey
 Lynch
 Mahoney (FL)
 Markey
 Marshall
 Matheson
 Matsui
 McCarthy (NY)
 McCollum (MN)
 McDermott
 McGovern
 McIntyre
 McNerney
 McNulty
 Meek (FL)
 Meeks (NY)
 Melancon
 Michaud
 Miller (NC)
 Miller, George
 Mitchell
 Mollohan
 Moore (KS)
 Moore (WI)

Aderholt
 Akin
 Alexander
 Bachmann
 Bachus
 Baker
 Bartlett (MD)
 Barton (TX)
 Biggert
 Bilbray
 Bilirakis
 Bishop (UT)
 Blackburn
 Blunt
 Boehner
 Bonner
 Bono
 Boozman
 Boustany
 Brady (TX)
 Broun (GA)
 Brown (SC)
 Brown-Waite,
 Ginny
 Buchanan
 Burgess
 Burton (IN)
 Buyer
 Calvert
 Camp (MI)
 Campbell (CA)
 Cannon
 Cantor
 Capito
 Carter
 Castle
 Chabot
 Coble
 Cole (OK)
 Conaway
 Crenshaw
 Culberson
 Davis (KY)
 Davis, David
 Davis, Tom
 Deal (GA)
 Dent
 Diaz-Balart, L.
 Diaz-Balart, M.
 Doolittle
 Drake
 Dreier
 Duncan
 Ehlers
 Emerson
 English (PA)

NOES—193

Shea-Porter
 Sherman
 Shuler
 Sires
 Skelton
 Slaughter
 Smith (WA)
 Snyder
 Solis
 Spratt
 Stark
 Stupak
 Sutton
 Tanner
 Tauscher
 Taylor
 Thompson (CA)
 Thompson (MS)
 Tierney
 Towns
 Udall (CO)
 Udall (NM)
 Van Hollen
 Velázquez
 Visclosky
 Walz (MN)
 Wasserman
 Schultz
 Watson
 Watt
 Waxman
 Weiner
 Welch (VT)
 Wexler
 Wilson (OH)
 Woolsey
 Wu
 Wynn
 Yarmuth

Shuster
 Simpson
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Souder
 Stearns
 Sullivan
 Terry
 Thornberry

NOT VOTING—22

Barrett (SC)
 Carson
 Cubin
 Davis, Jo Ann
 Delahunt
 Dingell
 Ellison
 Ellsworth
 Frank (MA)
 Hastert
 Higgins
 Jindal
 Jones (OH)
 Klein (FL)
 Lee
 Maloney (NY)
 Paul
 Perlmutter
 Pitts
 Space
 Tancredo
 Waters

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1218

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. ELLISON. Mr. Speaker, on October 3, 2007, I inadvertently failed to vote on rollcall votes 932, 933, and 934. Had I voted, I would have voted “yea” on 932, “yea”; on 933, and “yea” on 934.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

GENERAL LEAVE

Mr. TOWNS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 928.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

IMPROVING GOVERNMENT
ACCOUNTABILITY ACT

The SPEAKER pro tempore. Pursuant to House Resolution 701 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 928.

□ 1220

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 928) to amend the Inspector General Act of 1978 to enhance the independence of the Inspectors General, to create a Council of the Inspectors General on Integrity and Efficiency, and for other purposes, with Mr. BAIRD in the chair.

NOT VOTING—22

Barrett (SC)
 Carson
 Cubin
 Davis, Jo Ann
 Delahunt
 Dingell
 Ellison
 Frank (MA)
 Hastert
 Higgins
 Jindal
 Jones (OH)
 Lee
 Maloney (NY)
 Marchant
 McMorris
 Rodgers
 Paul
 Perlmutter
 Pitts
 Space
 Tancredo
 Waters

□ 1211

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Ms. SUTTON. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 217, noes 193, not voting 22, as follows:

[Roll No. 934]

AYES—217

Abercrombie
 Ackerman
 Allen
 Altmire
 Andrews
 Arcuri
 Baca
 Baird
 Baldwin
 Barrow
 Bean
 Becerra
 Berkley
 Berman
 Berry
 Bishop (GA)
 Bishop (NY)
 Blumenauer
 Boren
 Boswell
 Boucher
 Boyd (FL)
 Boyda (KS)
 Brady (PA)
 Braley (IA)
 Brown, Corrine
 Butterfield
 Capps
 Capuano
 Cardoza
 Carnahan
 Carney
 Castor
 Chandler
 Clarke
 Clay
 Cleaver
 Clyburn
 Cohen
 Conyers
 Cooper
 Costa
 Costello
 Courtney
 Cramer
 Crowley
 Cuellar
 Cummings
 Davis (AL)
 Davis (CA)
 Davis (IL)
 Davis, Lincoln
 DeFazio
 DeGette
 DeLauro
 Dicks
 Doggett
 Donnelly
 Doyle
 Edwards
 Emanuel
 Engel
 Eshoo
 Etheridge
 Farr
 Fattah
 Filner
 Giffords
 Gillibrand
 Gonzalez
 Gordon
 Green, Al
 Green, Gene
 Grijalva
 Gutierrez
 Hall (NY)
 Hare
 Harman
 Hastings (FL)
 Herseth Sandlin
 Hill
 Hinchey
 Hinojosa
 Hirono
 Hodes
 Holden
 Holt
 Honda
 Hooley
 Hoyer
 Inslee
 Israel
 Jackson (IL)
 Jackson-Lee
 (TX)
 Jefferson
 Johnson (GA)
 Johnson, E. B.
 Kagen

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered read the first time.

The gentleman from New York (Mr. TOWNS) and the gentleman from Virginia (Mr. TOM DAVIS) each will control 30 minutes.

The Chair recognizes the gentleman from New York.

Mr. TOWNS. Mr. Chairman, at this time I yield 3 minutes to the chairman of the full committee, the gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. Mr. Chairman, I thank Chairman TOWNS for yielding to me.

I rise in strong support of H.R. 928, the Improving Government Accountability Act. It is a bipartisan bill. It was favorably reported by the Oversight Committee on August 2, 2007, with strong support from Members across the political spectrum.

There is a simple reason why this bill has so much support. It strengthens the Inspectors General, who are the first line of defense against waste, fraud and abuse in Federal programs.

The last 6 years have given us examples of Inspectors General at their best and at their worst. Stuart Bowen, the Special Inspector General for Iraq Reconstruction, has uncovered fraud and saved American taxpayers hundreds of millions of dollars. Clark Kent Erving and Richard Skinner, the former and current IGs for the Department of Homeland Security, have identified billions in wasteful spending in the new Department. Glenn Fine at the Department of Justice, Earl Delvaney at Interior, and Brian Miller at the General Services Administration have all reported courageously on abuses within the agencies they oversee. These and other IGs have fought waste, fraud and abuse and saved the taxpayers cumulatively billions of dollars.

Yet there are also IGs who seem more intent on protecting their departments from political embarrassment than on doing their jobs. Our Oversight Committee is investigating allegations that the State Department IG has blocked investigations into contract fraud in Iraq and Afghanistan. The Energy and Commerce Committee documented serious abuses by the former IG in the Commerce Department. And the Science Committee has identified serious questions raised about the close relationship of the NASA IG to agency management.

This bill strengthens the good IGs by giving them greater independence. Under this legislation, they can only be removed for cause, not for doing their job. And they will now have new budgetary independence.

At the same time, the legislation enacts in statute new mechanisms for holding bad IGs to account. The legislation establishes an "Integrity Committee" that will investigate allegations that IGs have abused the public trust.

There have been several key champions of this bill. Representative COO-

PER has worked tirelessly on this issue for years and deserves our thanks for his efforts. I would also like to acknowledge Subcommittee Chairman TOWNS for his tremendous leadership in moving this legislation forward and Ranking Member TOM DAVIS for his commitment to strong IGs and his many helpful contributions.

H.R. 928 would make needed improvements to the IG Act, and I urge all Members to support it.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield myself such time as I may consume.

I again want to thank Mr. COOPER for introducing this legislation and working with us as it moved its way through the subcommittee and committee process; Mr. TOWNS for his leadership; and the chairman of the full committee, Mr. WAXMAN, for his leadership as well.

Today, we take up H.R. 928, the Improving Government Accountability Act of 2007. This legislation is intended to enhance the independence of Inspectors General throughout the government to improve their ability to monitor and oversee executive branch operations.

Since the enactment of the Inspector General Act of 1978, Inspectors General throughout the government have played an integral role in identifying waste and mismanagement in government. IGs have also been instrumental in aiding Congress and the executive branch to make government more efficient and effective.

We all agree IGs should operate independently, free from political interference. After all, both agency heads and Congress often rely on IG reports to provide frank assessments of the effectiveness of Federal programs.

However, Inspectors General should also be part of an agency's management structure, part of a team, albeit with some independence, rather than a "fourth branch" of the Federal Government. If we separate the IGs from the day-to-day operations of the agencies they oversee, IGs will cease to perform a constructive, integrated role and instead will become Monday morning quarterbacks with their function solely second-guessing decisions made by agencies.

Many of the provisions in H.R. 928 will help to enhance the effectiveness of the IGs in overseeing Federal agencies and programs. I am concerned that certain provisions of the legislation go further than I would like in isolating IGs, removing them from the agency decision-making process.

For example, during committee consideration of the legislation, I offered an amendment to exempt smaller agency IGs from the "for cause" removal provision in the bill, thereby reserving the "for cause" removal threshold only for Cabinet-level agency IGs. The purpose of this amendment, which was adopted, I might add, with the help of my friends on the other side, was to strike an appropriate balance between

the need to ensure independence of our Inspectors General while at the same time preserving the President's authority over employers and officers of the executive branch.

I also have concerns with a provision that's in the current bill authorizing IGs to independently submit their budget requests to Congress outside of the traditional Federal budget process. My concerns with this new authority pertain more to the logistical nightmare this creates rather than any particular objection to increased IG independence. After all, having 60 separate budgets for individual offices accompanying the President's annual budget submission to Congress will only add unnecessary confusion to the already confusing Federal budget process. So when Members get the President's budget, under the way the law is currently written, they get the Federal budget submitted by the President and then 60 separate requests from IGs.

Now, I intend to offer an amendment, which I am hopeful the other side will accept, which goes at least part of the way toward addressing the legitimate concerns raised by the administration but getting to the points that the author of this bill wanted to get as well.

In closing, I believe the underlying legislation improves the laws governing our IGs. I think some additional changes need to be made as it moves forward, but I very much appreciate Mr. COOPER's efforts on this bill and his initiative in trying to identify these problems as we move through.

Mr. Chairman, I reserve the balance of my time.

Mr. TOWNS. Mr. Chairman, I yield myself such time as I may consume.

H.R. 928, the Improving Government Accountability Act, focuses on the important role of the Inspector General in providing independent oversight within Federal agencies. By investigating and reporting waste, fraud and abuse to both agency leaders and to the Congress, Inspectors General play a critical role in maintaining checks and balances in the Federal Government.

When Congress created the Inspectors General nearly 30 years ago, the idea was that having independent officials inside the Federal agency would help detect and prevent wasteful spending and mismanagement. This concept has been a tremendous success. Investigations by IGs have resulted in the recovery of billions of dollars from companies and individuals who defrauded the Federal Government.

□ 1230

These investigations have led to thousands of criminal prosecutions, contractor debarments, employee suspensions, and in some instances, dismissals.

In sum, the work of IGs to expose criminal and abusive action in government has gone a long way to create the cleaner and more efficient government the taxpaying public expects and deserves.

Of course, even the best systems need some improvement from time to time, and that is the reason for this bill today, to effectively carry out that mission. Inspectors General must be independent and objective, which requires that they be insulated from improper management and political pressure.

To preserve the credibility of the office, Inspectors General must also perform their duties with integrity and apply the same standards of conduct and accountability to themselves as they apply to the agencies that they audit and investigate.

In recent years, there have been several episodes which raised questions about the independence and accountability of IGs. These episodes have been well documented in hearings of the Oversight Committee as well as other standing committees of the House. In some instances, IGs who are seen as too aggressive in pursuing waste at their agencies had their budget cut or were threatened with dismissal. In other cases, IGs who abused their authority remained in office in part because there were no statutory standards or procedures for removal. This bill is designed to address both of those problems. H.R. 928 creates fixed terms of office for Inspectors General and specific reasons for their removal. It allows IGs to submit their budget requests directly to the Congress. The bill establishes an Inspector General council and sets procedures for investigation of potential IG misconduct. And the bill increases the rank and pay of IGs as well.

This is a strong bill and a necessary bill. Passing this bill will send a message that Congress values the work of the Inspectors General and the oversight that they provide.

Mr. Chairman, I reserve the balance of my time.

Mr. TOM DAVIS of Virginia. Mr. Chairman, let me talk, first of all, about what the legislation does. It establishes a 7-year term of office for the over 60 Inspectors General in the Federal Government. This gives them continuity from administration to administration, so they're not political lackeys, they are professionals. It limits the President's authority to remove a Senate-confirmed IG, and that's about half of them, except on certain grounds; for example, permanent incapacity, inefficiency, neglect of duty, malfeasance, conviction of a felony, or conduct involving moral turpitude. That gives the IGs independence from pressure from the appointing administration.

At the smaller agencies, a different standard applies. There, an IG can be removed, but it will require 30-day advance notification to Congress before an agency head removes the agency's IG.

The legislation also authorizes IGs to submit their budget requests to Congress independent of the President's budget submission. This is something

that I'm going to have an amendment on later that I think will clarify it.

This also codifies an executive order establishing the Council of the Inspectors General on Integrity and Efficiency. This is a coordinating council of Federal IGs, as well as an integrity committee to investigate allegations of wrongdoing by IGs. And unfortunately, we see that; these people are human beings as well.

It increases the salary of IGs and prohibits IGs from receiving bonuses. It enhances IG power by granting limited personnel authority, expanded subpoena authority, and increased ability to deputize IG agents.

It strengthens the GAO's authority to conduct investigations, for sworn testimony it requires congressional notification of agency noncooperation, and it expands IG ability to pursue false claims and recoup losses resulting from fraud.

Now, the administration has issued a negative statement of policy on this for two reasons. One, they don't like the limitation on the President's authority to remove executive branch officials. On that, I think we have gone overboard, working together, both parties, to try to put reasonable limitations, but at the same time maintaining a higher level of independence for IGs than you will find at other levels. And I think institutionally, as Members of this House, the changes in this bill I think are worth supporting, I would oppose the administration in that. The second concern is the independent submission of the IG's budget to Congress, and we are offering an amendment to try to clarify that, which I will speak on later.

Once again, this legislation was introduced by Representative Jim Cooper from Tennessee in February. It was approved by our committee by a voice vote in August. In addition to a substitute offered by Representative COOPER, which made a number of technical changes, the committee did adopt an amendment offered by me to limit the application of removal for cause in a way that I think we are all comfortable with.

So, again, I want to thank the players who have brought this to this stage.

Mr. Chairman, I reserve the balance of my time.

Mr. TOWNS. Mr. Chairman, I yield 5½ minutes to the gentleman from Tennessee, who has been very instrumental in bringing forth this legislation, Mr. COOPER.

Mr. COOPER. I would first like to thank the subcommittee chairman, my friend, Mr. TOWNS, for doing an outstanding job on this and other legislation. I want to thank the ranking member, Mr. DAVIS, who has been particularly accommodating in working on this bill to do a better job for the Federal taxpayer. That's what this is all about, making government work better. If there has ever been a good government measure, this is it.

I also want to thank the full committee chairman, Mr. WAXMAN, who

was so helpful in so many ways, and the outstanding staff of this committee, the Government Reform Committee. There is none better on the Hill, perhaps in the history of the Hill, so we are very proud of their work.

Finally, let me thank my personal staff, my legislative director, Cicely Simpson. She has been a tireless champion of this bill, and even her predecessor, Anne Kim.

Sadly, this good government measure has taken years to come to the floor and to be passed by the House of Representatives, but now we're making progress, and the Federal taxpayer will benefit as a result.

Now, why do I say this is such a good government measure? There are some 58 IGs scattered throughout the Federal Government. They are the fiscal watchdogs for the taxpayer. They are the first line of defense against fraud, waste and mismanagement in Federal Government. These IGs and their staff save many, many times more money than their salary cost or their benefit cost. These are the folks who see the fraud first and catch it before it gets too big.

Let me give you an example. In today's Washington Post, there is a new GAO study that comes out and it says, Federal officials too often flying first and business class, GAO finds, their leg room and your tax dollars.

The GAO has found that \$146 million was spent just in the last year for improper Federal first class and business travel. They could go through agency after agency naming executives who have abused the Federal credit card. This is an outrage. Now, by Federal standards, this is a relatively small outrage, but this is the sort of stuff that needs to be caught and caught early.

This is also why we need Inspector General independence, because they're not going to be popular when they point out to their agency head or other senior officials in Federal Government that they shouldn't have been flying first class. That endangers the IG's position because that is not a popular thing to do.

One of the folks here was caught flying his entire family of eight from Washington, D.C. to Eastern Europe first class. That's wrong. And I'm sure the Federal executive wanted to take his whole family first class, but these are Federal tax dollars at stake.

So this is a very important bill. It is very important to update the original IG legislation. It has been on the books since 1978. Problems have occurred since then, and now we will fix those problems.

Now, it has been noted here today by the ranking member, and I appreciate his courage in opposing the administration veto on this, the veto threat. A SAP has been issued, a Statement of Administration Policy, and in my opinion, at least, the grounds for this threatened veto are remarkably flimsy. So I hope that the Members listening

back in their offices and their staff, particularly across the aisle, will pay close attention to the reasons that the administration says it objects to this reform legislation and to figure out whether those reasons are really valid.

There are two fundamental grounds. First of all, they object to "for cause" dismissal. I think perhaps the Bush administration feels this is somehow aimed at them. It's not. Everyone knows that by the time this legislation is fully administered, the next administration will be in place. This legislation is really designed to help all administrations, whatever their political stripe. So it's very important to realize that the "for cause" language that the administration objects to has already been removed at the urging of the ranking member, due to his excellent amendment in committee, for half of the IG agencies. It only remains for the Cabinet-level agencies. Why? Because those folks should have a 7-year term and have full political independence so that they can make the tough calls, even if it means denying a Cabinet Secretary first-class airfare to Europe. They need independence.

The second grounds that the administration has posed for objecting to this legislation is they shouldn't have separate budget submissions. Now, I was down eating lunch with one of my colleagues a few minutes ago, and he had the mistaken notion that somehow this would be an entire separate budget for the entire agency. That's not true. This is just the IG's own budget for the IG and his or her staff. So that's a very modest request, that the IG cannot be pressured by the agency head. So that, to me, also is a pretty flimsy ground for objecting to this legislation.

So, I would urge all Members to take a close look. This is good government legislation. This will save the taxpayer billions of dollars, according to the committee report. Just last year, IG recommendations saved \$9.9 billion in audit recommendations and \$6.8 billion in investigative recoveries. That's \$15 billion-plus for the Federal taxpayer. We need to be saving much more money like this, and IGs and this bill can do it.

Mr. TOM DAVIS of Virginia. Mr. Chairman, may I inquire as to how much time is remaining.

The CHAIRMAN. The gentleman from Virginia has 23½ minutes remaining.

Mr. TOM DAVIS of Virginia. I yield 2 minutes to the gentleman from Connecticut (Mr. SHAYS), a cosponsor of this bill.

Mr. SHAYS. I thank the gentleman for yielding.

I want to first congratulate Mr. COOPER for moving forward with this legislation and reaching out to both sides of the aisle to sponsor it. This is, in fact, two days in a row that we've seen a nice bipartisan bill coming to the floor of the House, and I want to thank Mr. COOPER for his reaching out to both sides of the aisle and for his good work

over many, many years on substantive issues like this.

I want to say as well that the GAO, which was the General Accounting Office, now the Government Accountability Office, and the Inspectors General have done excellent jobs. We have turned to them, particularly in our Government Reform Committee, continually. But I think this truly does strengthen the bill, and I thank Mr. TOWNS, who has been a long-time member of the committee, for marshalling this important bill through.

The bottom line for me is, Inspectors General already do a very good job, except in one or two places where they feel a little too encumbered by the management to be as independent as we would like them to be. This guarantees that every department will be a bit more independent. And all the reasons that my ranking member, who has been so instrumental in legislation like this and helpful in bringing this bill out, all the reasons he pointed out, I just will emphasize, though, the one that I like the best is the independence of this office.

Mr. TOWNS. Mr. Chairman, I yield 3 minutes to Mr. YARMUTH, the gentleman from Kentucky.

Mr. YARMUTH. I thank the gentleman.

Mr. Chairman, I rise today in strong support of H.R. 928, the Improving Government Accountability Act.

Because America's Founders were freshly freed from the shackles of British oppression when they formed this Nation, safeguards against the consolidation of power into the hands of a few can be found everywhere in the Constitution, beginning with article I; 220 years later, we still must strive for those checks and balances in order to form the more perfect union the Founding Fathers envisioned.

For nearly 30 years, 1978's Inspector General Act provided much of the oversight required for our government to function as the Forefathers imagined, but today, some Inspectors General would rather impede oversight than conduct it. What else should we expect when we have no protections from the protectors?

We have unaccountable appointees in nearly every executive Department and agency, and many serve not to prevent corruption but to preserve it. These are not cases of individuals merely failing to fulfill their job descriptions, but actually instigating the waste, fraud and abuse the American people pay them to ward off. These unchecked appointees have hindered valid investigations, siphoned tax dollars for personal pleasures, and refused to uphold accountability for fellow political appointees. Honest civil servants who have dedicated their lives to improving our government are victims of intimidation, threats and termination. And despite these blatant offenses, our hands are tied. There is no line of defense for the American people.

We have gone far astray from the noble aims of this Republic. And let me

be clear, this is not a simple case of a few bad apples. The abuses within the Inspectors General offices were invited by the cracks in a failing structure, and they will continue to grow unless we, in this body, take steps to fix the crumbling construction.

□ 1245

The Improving Government Accountability Act begins to correct these weaknesses and in so doing fulfills the intent of the Inspector General Act of 1978 and once again upholds the integrity of this Nation's proud creation. The Founders were very clear from the first article of the Constitution in which they granted all legislative powers not to an executive with a consolidated power, but to the Congress.

I strongly urge my colleagues to join me in utilizing the authority to preserve the checks and balances that our Constitution's crafters held so dear.

Mr. TOM DAVIS of Virginia. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN. The gentleman from Virginia has 21½ minutes. The gentleman from New York has 15½ minutes.

Mr. TOM DAVIS of Virginia. I reserve the balance of my time.

Mr. TOWNS. I have no further speakers.

Mr. TOM DAVIS of Virginia. If the gentleman has no further speakers, I will take a minute and sum up and yield back.

Let me just say again, I want to thank the author of this legislation. I want to thank Mr. TOWNS for moving this through subcommittee and Chairman WAXMAN. I just want to note, for IGs to work successfully, they need to work with their agencies. I think however we write the law, the President that appoints and the Senate that confirms, we need to look for more accountants.

Frankly, we have seen a surge of people coming out of the U.S. Attorney's offices, and they make this more adversarial than it needs to be. A good IG is going to work with their agency to identify waste, fraud and abuse, not enter into a gotcha mentality. For government to work, you need them all working together. You need an independent IG, there is no question about that. But the person in that office ought to be right there with the agency head making sure that things work. That doesn't always happen. I don't think we can write any law that makes that happen. That is going to depend on the goodwill of the people, the agency heads and the IGs working together. But I think this legislation goes a long way toward establishing that independence, giving the IG the authority that they need. But the rest is going to be up to the appointing President and the confirming Senate to get the right people in these jobs, professionals who want to be a part of government and making it work efficiently for the taxpayer.

Mr. Chairman, I yield back the balance of my time.

Mr. TOWNS. Mr. Chairman, I think this legislation is a giant step in the right direction. I would like to thank the chairman of the full committee, Congressman WAXMAN. I would like to thank Congressman DAVIS, the ranking member. I would like to thank subcommittee ranking member, Congressman BILBRAY from California. Of course, I would like to thank Mr. COOPER for all of his work on this legislation. And I would like to thank the staff for all of their work in terms of making certain that we were able to come today. I want to thank the sponsors for this bill. Mr. COOPER and I and our colleagues across the aisle have been very open to getting input and making changes to this bill. This is what the legislative process is all about, exchanging ideas, sharing information, and trying to improve the legislation. I think the end result in this bill will increase the Office of Inspector General and give them the kind of independence that they need to be able to do the efficient work that is so required. I am excited about the possibilities, of course, and I encourage all my colleagues to support this legislation.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise today in strong support of H.R. 298, the Improving Government Accountability Act. I would like to thank my colleague, Congressman COOPER, for introducing this important legislation, as well as the Chairman of the House Oversight and Government Reform Committee, Congressman WAXMAN, for his leadership in bringing this important issue to the floor.

Mr. Chairman, Inspectors General play a vital role for the U.S. taxpayer. Their work is crucial in preventing and detecting waste, fraud, and abuse in federal programs. In 2006 alone, audits by Inspector General offices resulted in potential savings from audit recommendations of \$9.9 billion and criminal recoveries of \$6.8 billion. However, in order to effectively carry out their mission, Inspectors General must be independent and objective, which requires that they be insulated from improper management and political pressure.

The legislation we have before us today contains a number of important provisions designed to enhance the effectiveness and independence of Inspectors General, as well as provisions to enhance the accountability of the entire Inspector General system. It updates the Inspector General Act of 1978 to promote independence and accountability for Inspectors General in executive branch departments and agencies.

Mr. Chairman, there are many badly needed reforms to the Inspector General system that this legislation directly addresses. It defines the terms of office for Inspector Generals as fixed seven-year terms, helping to insulate Inspectors General from political retribution. It goes on to enumerate conditions for removal of Inspectors General, who currently serve at the pleasure of their appointing authorities, allowing for their termination before the end of their terms only for serious cause, such as malfeasance, permanent disability, inefficiency, neglect of duty, or conviction of a fel-

ony. Both of these provisions will go a long way in enhancing the ability of Inspectors General to remain politically independent.

In addition, this legislation requires Inspectors General to submit their budgets to the Office of Management and Budget (OMB) and Congress. This provision is intended to deter officials in their respective agencies from slashing their funding in retaliation for unfavorable audits, further enhancing the independence of Inspectors General.

Mr. Chairman, recently, concerns have been raised about possible misconduct by certain Inspectors General. This legislation, therefore, includes provisions to raise the level of accountability of the Inspectors General system. To cite a recent example, last week seven current and former members of the State Department's Inspector General office alleged that Inspector General Howard Krongard repeatedly thwarted investigations into alleged contact fraud in Iraq and Afghanistan, including refusing to send investigators to Iraq and Afghanistan to investigate \$3 billion worth of State Department contracts. These employees allege that Krongard's partisan political ties have led him to thwart these investigations in order to protect the Bush Administration from political embarrassment.

Mr., Chairman, as you are well aware, these are extremely serious accusations that go deep into the heart of our Inspector General system. If those we are entrusting to remain independent and objective are instead being swayed by political ties, then our Inspector General system is broken. In the wake of the recent Baghdad shootout involving U.S. contractors from the private firm Blackwater USA, in which 17 people were killed and 24 were injured, it is imperative that all agencies sending contractors to Iraq and Afghanistan be able to maintain sufficient oversight of these contracts. If Inspectors General cannot do their job because of political pressure or affiliation, it is our responsibility to fix the Inspector General system.

To do so, this bill contains provisions to hold Inspectors General themselves accountable for their decisions and actions. It also provides a mechanism for investigating and resolving allegations of misconduct by Inspectors General. The bill creates an Inspectors General Council and requires the Council to appoint an Integrity Committee, chaired by the Council's FBI representative. This Integrity Committee shall investigate any allegations of wrongdoing made against Inspectors General or their senior staff members and report substantiated allegations to the executive branch. Reports of Integrity Committee investigations must be submitted to both the Executive Chairperson of the Council and to Congress.

Mr. Chairman, we rely on the system of Inspectors General, and on the individuals who serve in this capacity, to serve as the principal watchdogs of the nation's major federal agencies. In 2006 alone, audits by Inspector General offices resulted in potential savings from audit recommendations of \$9.9 billion and criminal recoveries of \$6.8 billion. To effectively carry out this crucial mission, it is imperative that Inspectors General remain independent and objective, which in turn requires that they be insulated from improper management and political pressure.

This legislation is a crucial step forward. By enhancing the independence of the Inspectors General and improving the accountability of

the Inspector General system overall, this legislation will have a positive impact on the integrity and accountability of our government. I strongly support this legislation, and I urge my colleagues to do the same.

Mrs. MALONEY of New York. Mr. Chairman, I rise today in strong support of H.R. 928, the "Improving Government Accountability Act." I commend Chairman WAXMAN for his leadership on the Oversight and Government Reform Committee, of which I am a member, and for his efforts to ensure that the government is working for the American people. This legislation includes provisions of a bill that I introduced earlier this year which will provide for the enhanced protection of the Internal Revenue Service and its employees.

In 1998, Congress passed the Internal Revenue Service Restructuring and Reform Act, which created the Treasury Inspector General for Tax Administration (TIGTA). The legislation gave TIGTA the responsibility for protecting the Internal Revenue Service (IRS) against external attempts to corrupt or threaten IRS employees. At the same time, it excluded the provision of providing "physical security" from TIGTA's responsibilities.

Prior to the enactment of this law, the former IRS Inspection Service had been responsible for protecting the IRS against external attempts to corrupt or threaten IRS employees. The IRS Inspection Service was responsible for providing armed escorts for IRS employees who were specifically threatened or who were contacting individuals designated as "Potentially Dangerous Taxpayers." The law transferred most of those duties to the new Treasury Inspector General for Tax Administration. Inexplicably, "physical security" was excluded from TIGTA's statutory responsibilities.

In its current statutory mission, TIGTA investigates all allegations of threats or assaults involving IRS employees and assists U.S. Attorneys' offices with appropriate prosecutions. However, if TIGTA determines that any of the threats or assaults it investigates call for the provision of physical security, the language of the 1998 law precludes TIGTA from taking action.

Authorizing TIGTA to have armed escort authority would be both more efficient and more effective in advancing tax administration and ensuring the safety of IRS employees.

I want to thank Chairman WAXMAN and Ranking Member DAVIS for their support of this provision, and I urge my colleagues to support H.R. 928.

Mr. TOWNS. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the committee amendment is as follows:

H.R. 928

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) *SHORT TITLE.*—This Act may be cited as the "Improving Government Accountability Act".

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Enhancing independence of Inspectors General.
- Sec. 3. Direct submission of budget requests to Congress.
- Sec. 4. Establishment of Council of the Inspectors General on Integrity and Efficiency.
- Sec. 5. Pay and bonuses of Inspectors General.
- Sec. 6. Miscellaneous enhancements.
- Sec. 7. Program Fraud Civil Remedies Act.
- Sec. 8. Application of semiannual reporting requirements with respect to inspection reports and evaluation reports.

SEC. 2. ENHANCING INDEPENDENCE OF INSPECTORS GENERAL.

(a) **REMOVAL FOR CAUSE.**—The Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in section 3(b) by adding at the end the following: “An Inspector General may be removed from office prior to the expiration of his or her term only on any of the following grounds:

- “(1) Permanent incapacity.
- “(2) Inefficiency.
- “(3) Neglect of duty.
- “(4) Malfeasance.
- “(5) Conviction of a felony or conduct involving moral turpitude.”; and

(2) in section 8G(e) by striking “an Inspector General” and all that follows through the period at the end and inserting the following: “the head of a designated Federal entity intends to remove an Inspector General from office or transfer an Inspector General to another position or location within such designated Federal entity, the head of such entity shall communicate in writing the reasons for any such removal or transfer to both Houses of Congress at least 30 days before such removal or transfer.”.

(b) **ESTABLISHMENT OF TERMS OF OFFICE.**—The Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in section 3 by adding at the end the following:

“(e)(1) The term of office of each Inspector General shall be seven years. An individual may serve for more than one term in such office. Any individual appointed and confirmed to fill a vacancy in such position, occurring before the expiration of the term for which his or her predecessor was appointed, shall be appointed and confirmed for a full seven-year term.

“(2) An individual may continue to serve as Inspector General beyond the expiration of the term for which the individual is appointed until a successor is appointed and confirmed, except that such individual may not continue to serve for more than 1 year after the date on which the term would otherwise expire under paragraph (1).”; and

(2) in section 8G(c) by inserting “(1)” after “(c)”, and by adding at the end the following:

“(2) The term of office of each Inspector General shall be seven years. An individual may serve for more than one term in such office. Any individual appointed to fill a vacancy in such position, occurring before the expiration of the term for which his or her predecessor was appointed, shall be appointed for a full 7-year term.”.

(c) **APPLICATION.**—The amendments made by this section shall apply to any Inspector General appointed on or after the date of the enactment of this Act.

SEC. 3. DIRECT SUBMISSION OF BUDGET REQUESTS TO CONGRESS.

Section 6 of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by adding at the end the following:

“(f)(1) For each fiscal year, an Inspector General may transmit an appropriation estimate and request to the Director of the Office of Management and Budget and to the appropriate

committees or subcommittees of the Congress, in addition to any appropriation estimate and request submitted to the head of the establishment concerned.

“(2) The President shall include in each budget of the United States Government submitted to the Congress—

“(A) a separate statement of the amount of appropriations requested by each Inspector General who has submitted an appropriation estimate under paragraph (1); and

“(B) a statement comparing each such appropriation estimate and request submitted by an Inspector General and the funds requested by the head of the establishment concerned.”.

SEC. 4. ESTABLISHMENT OF COUNCIL OF THE INSPECTORS GENERAL ON INTEGRITY AND EFFICIENCY.

(a) **ESTABLISHMENT.**—The Inspector General Act of 1978 (5 U.S.C. App.) is amended by redesignating sections 11 and 12 in order as sections 12 and 13, and by inserting after section 10 the following new section:

“ESTABLISHMENT OF THE COUNCIL OF THE INSPECTORS GENERAL ON INTEGRITY AND EFFICIENCY

“SEC. 11. (a) **ESTABLISHMENT.**—There is established as an independent entity within the executive branch the Inspectors General Council (in this section referred to as the ‘Council’). The Council’s mission shall be to 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 2; or

“(ii) section 8G.

“(B) The Inspectors General of the Central Intelligence Agency and the Government Printing Office.

“(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.

“(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 one 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 two years.

“(3) **FUNCTIONS OF CHAIRPERSON AND EXECUTIVE CHAIRPERSON.**—

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

“(i) preside over meetings of the Council;

“(ii) provide to the heads of agencies and entities represented on the Council summary reports of the activities of the Council; and

“(iii) provide to the Council such information relating to the agencies and entities represented on the Council as will assist the Council in performing its functions.

“(B) **CHAIRPERSON.**—The Chairperson shall—

“(i) convene meetings of the Council—

“(I) at least six times each year;

“(II) monthly to the extent possible; and

“(III) more frequently at his or her discretion;

“(ii) exercise the functions and duties of the Council under subsection (c);

“(iii) appoint a Vice Chairperson to assist in carrying out the functions of the Council and act in the absence of the Chairperson, from a category of Inspectors General described in subparagraph (A)(i), (A)(ii), or (B) of subsection (b)(1), other than the category from which the Chairperson was elected;

“(iv) make such payments from funds otherwise available to the Council as may be necessary to carry out the functions of the Council;

“(v) select, appoint, and employ personnel as needed to carry out the functions of the Council subject to the availability of appropriations and the provisions of title 5, United States Code, governing appointments in the competitive service, and the provisions of chapter 51 and subchapter III of chapter 53 of such title, relating to classification and General Schedule pay rates;

“(vi) to the extent and in such amounts as may be provided in advance by appropriations Acts, enter into contracts and other arrangements with public agencies and private persons to carry out the functions and duties of the Council;

“(vii) establish, in consultation with the members of the Council, such committees as determined by the Chairperson to be necessary and appropriate for the efficient conduct of Council functions; and

“(viii) prepare and transmit a report annually on behalf of the Council to the President on the activities of the Council.

“(c) **FUNCTIONS AND DUTIES OF COUNCIL.**—

“(1) **IN GENERAL.**—The Council shall—

“(A) continually identify, review, and discuss areas of weakness and vulnerability in Federal programs and operations with respect to fraud, waste, and abuse;

“(B) develop plans for coordinated, Government-wide activities that address these problems and promote economy and efficiency in Federal programs and operations, including interagency and inter-entity audit, investigation, inspection, and evaluation programs and projects to deal efficiently and effectively with those problems concerning fraud and waste that exceed the capability or jurisdiction of an individual agency or entity;

“(C) develop policies that will aid in the maintenance of a corps of well-trained and highly skilled Office of Inspector General personnel;

“(D) maintain an Internet Web site and other electronic systems for the benefit of all Inspectors General, as the Council determines are necessary or desirable;

“(E) maintain one or more academies as the Council considers desirable for the professional training of auditors, investigators, inspectors, evaluators, and other personnel of the various offices of Inspector General; and

“(F) make such reports to the Congress as the Chairperson determines are necessary or appropriate.

“(2) **ADHERENCE AND PARTICIPATION BY MEMBERS.**—Each member of the Council should, to the extent permitted under law, and to the extent not inconsistent with standards established by the Comptroller General of the United States for audits of Federal establishments, organizations, programs, activities, and functions, adhere to professional standards developed by the Council and participate in the plans, programs, and projects of the Council.

“(3) **EXISTING AUTHORITIES AND RESPONSIBILITIES.**—The creation and operation of the Council—

“(A) shall not affect the preeminent policy-setting role of the Department of Justice in law enforcement and litigation;

“(B) shall not affect the authority or responsibilities of any Government agency or entity; and

“(C) shall not affect the authority or responsibilities of individual members of the Council.

“(d) **INTEGRITY COMMITTEE.**—

“(1) **ESTABLISHMENT.**—The Council shall have an Integrity Committee, which shall receive, review, and refer for investigation allegations of wrongdoing that are made against Inspectors General and certain staff members of the various Offices of Inspector General.

“(2) **MEMBERSHIP.**—The Integrity Committee shall consist of the following members:

“(A) The official of the Federal Bureau of Investigation serving on the Council, who shall serve as Chairperson of the Integrity Committee.

“(B) 3 or more Inspectors General described in subparagraph (A) or (B) of subsection (b)(1) appointed by the Chairperson of the Council, representing both establishments and designated Federal entities (as that term is defined in section 8G(a)).

“(C) The Special Counsel of the Office of Special Counsel.

“(D) The Director of the Office of Government Ethics.

“(3) **LEGAL ADVISOR.**—The Chief of the Public Integrity Section of the Criminal Division of the Department of Justice, or his designee, shall serve as a legal advisor to the Integrity Committee.

“(4) **REFERRAL OF ALLEGATIONS.**—

“(A) **REQUIREMENT.**—An Inspector General shall refer to the Integrity Committee any allegation of wrongdoing against a staff member of his or her office, if—

“(i) review of the substance of the allegation cannot be assigned to an agency of the executive branch with appropriate jurisdiction over the matter; and

“(ii) the Inspector General determines that—

“(I) an objective internal investigation of the allegation is not feasible; or

“(II) an internal investigation of the allegation may appear not to be objective.

“(B) **STAFF MEMBER DEFINED.**—In this subsection the term ‘staff member’ means—

“(i) any employee of an Office of Inspector General who reports directly to an Inspector General; or

“(ii) who is designated by an Inspector General under subparagraph (C).

“(C) **DESIGNATION OF STAFF MEMBERS.**—Each Inspector General shall annually submit to the Chairperson of the Integrity Committee a designation of positions whose holders are staff members for purposes of subparagraph (B).

“(5) **REVIEW OF ALLEGATIONS.**—The Integrity Committee shall—

“(A) review all allegations of wrongdoing it receives against an Inspector General, or against a staff member of an Office of Inspector General; and

“(B) refer to the Chairperson of the Integrity Committee any allegation of wrongdoing determined by the Integrity Committee to be meritorious that cannot be referred to an agency of the executive branch with appropriate jurisdiction over the matter.

“(6) **AUTHORITY TO INVESTIGATE ALLEGATIONS.**—

“(A) **REQUIREMENT.**—The Chairperson of the Integrity Committee shall cause a thorough and timely investigation of each allegation referred under paragraph (5)(B) to be conducted in accordance with this paragraph.

“(B) **RESOURCES.**—At the request of the Chairperson of the Integrity Committee, the head of each agency or entity represented on the Council—

“(i) may provide resources necessary to the Integrity Committee; and

“(ii) may detail employees from that agency or entity to the Integrity Committee, subject to the control and direction of the Chairperson, to conduct an investigation pursuant to this subsection.

“(7) **PROCEDURES FOR INVESTIGATIONS.**—

“(A) **STANDARDS APPLICABLE.**—Investigations initiated under this subsection shall be conducted in accordance with the most current Quality Standards for Investigations issued by the Council or by its predecessors (the Presi-

dent's Council on Integrity and Efficiency and the Executive Council on Integrity and Efficiency).

“(B) **ADDITIONAL POLICIES AND PROCEDURES.**—The Integrity Committee, in conjunction with the Chairperson of the Council, shall establish additional policies and procedures necessary to ensure fairness and consistency in—

“(i) determining whether to initiate an investigation; and

“(ii) conducting investigations;

“(iii) reporting the results of an investigation; and

“(iv) providing the person who is the subject of an investigation with an opportunity to respond to any Integrity Committee report.

“(C) **REPORT.**—With respect to any investigation that substantiates any allegation referred to the Chairperson of the Integrity Committee under paragraph (5)(B), the Chairperson of the Integrity Committee shall—

“(i) submit to the Executive Chairperson of the Council a report on the results of such investigation, within 180 days (to the maximum extent practicable) after the completion of the investigation; and

“(ii) submit to Congress a copy of such report within 30 days after the submission of such report to the Executive Chairperson under clause (i).

“(8) **NO RIGHT OR BENEFIT.**—This subsection is not intended to create any right or benefit, substantive or procedural, enforceable at law by a person against the United States, its agencies, its officers, or any person.

“(e) **APPLICATION.**—The provisions of this section apply only to the Inspectors General (and their offices) listed in subsection (b)(1)(A) and (B).”

(b) **EXISTING EXECUTIVE ORDERS.**—Executive Order 12805, dated May 11, 1992, and Executive Order 12993, dated March 21, 1996, shall have no force or effect.

(c) **CONFORMING AMENDMENTS.**—

(1) **INSPECTOR GENERAL ACT OF 1978.**—The Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(A) in sections 2(1), 4(b)(2), and 8G(a)(1)(A) by striking “section 11(2)” each place it appears and inserting “section 12(2)”; and

(B) in section 8G(a), in the matter preceding paragraph (1), by striking “section 11” and inserting “section 12”.

(2) **TITLE 31, U.S.C.**—Section 1105(a) of title 31, United States Code, is amended by striking the first paragraph (33) and inserting the following:

“(33) a separate appropriation account for appropriations for the Inspectors General Council, and, included in that account, a separate statement of the aggregate amount of appropriations requested for each academy maintained by the Inspectors General Council.”

SEC. 5. PAY AND BONUSES OF INSPECTORS GENERAL.

(a) **PROHIBITION OF CASH BONUS OR AWARDS.**—Section 3 of the Inspector General Act of 1978 (5 U.S.C. App.), as amended by the preceding provisions of this Act, is further amended by adding at the end the following:

“(f) An Inspector General (as defined under section 8G(a)(6) or 11(3)) may not receive any cash award or cash bonus, including any cash award under chapter 45 of title 5, United States Code.”

(b) **INSPECTORS GENERAL AT LEVEL III OF EXECUTIVE SCHEDULE.**—

(1) **IN GENERAL.**—Section 3 of the Inspector General Act of 1978 (5 U.S.C. App.), as amended by the preceding provisions of this Act, is further amended by adding at the end the following:

“(g) The annual rate of basic pay for an Inspector General (as defined under section 11(3)) shall be the rate payable for level III of the Executive Schedule under section 5314 of title 5, United States Code, plus 3 percent.”

(2) **CONFORMING AMENDMENT.**—Section 5315 of title 5, United States Code, is amended by strik-

ing the item relating to each of the following positions:

(A) Inspector General, Department of Education.

(B) Inspector General, Department of Energy.

(C) Inspector General, Department of Health and Human Services.

(D) Inspector General, Department of Agriculture.

(E) Inspector General, Department of Housing and Urban Development.

(F) Inspector General, Department of Labor.

(G) Inspector General, Department of Transportation.

(H) Inspector General, Department of Veterans Affairs.

(I) Inspector General, Department of Homeland Security.

(J) Inspector General, Department of Defense.

(K) Inspector General, Department of State.

(L) Inspector General, Department of Commerce.

(M) Inspector General, Department of the Interior.

(N) Inspector General, Department of Justice.

(O) Inspector General, Department of the Treasury.

(P) Inspector General, Agency for International Development.

(Q) Inspector General, Environmental Protection Agency.

(R) Inspector General, Export-Import Bank.

(S) Inspector General, Federal Emergency Management Agency.

(T) Inspector General, General Services Administration.

(U) Inspector General, National Aeronautics and Space Administration.

(V) Inspector General, Nuclear Regulatory Commission.

(W) Inspector General, Office of Personnel Management.

(X) Inspector General, Railroad Retirement Board.

(Y) Inspector General, Small Business Administration.

(Z) Inspector General, Tennessee Valley Authority.

(AA) Inspector General, Federal Deposit Insurance Corporation.

(BB) Inspector General, Resolution Trust Corporation.

(CC) Inspector General, Central Intelligence Agency.

(DD) Inspector General, Social Security Administration.

(EE) Inspector General, United States Postal Service.

(3) **SAVINGS PROVISION.**—Nothing in this subsection shall have the effect of reducing the rate of pay of any individual serving as an Inspector General on the effective date of this subsection.

(c) **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 8G of the Inspector General Act of 1978) shall, for pay and all other purposes, be classified at a grade, level, or rank designation, as the case may be, comparable to those of a majority of the senior staff members of such designated Federal entity (such as, but not limited to, a General Counsel, Deputy Director, or Chief of Staff) that report directly to the head of such designated Federal entity. The head of a designated Federal entity shall set the annual rate of basic pay for an Inspector General (as defined under such section 8G) 3 percent above the annual rate of basic pay for senior staff members classified at a comparable grade, level, or rank designation (or, if those senior staff members receive different rates, the annual rate of basic pay for a majority of those senior staff members, as determined by the head of the designated Federal entity concerned).

SEC. 6. MISCELLANEOUS ENHANCEMENTS.

(a) **OFFICES AS DISCRETE AGENCIES.**—Section 6(d) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended to read as follows:

“(d)(1)(A) For purposes of applying the provisions of law identified in subparagraph (B)—

“(i) each Office of Inspector General shall be considered to be a separate agency; and

“(ii) the Inspector General who is the head of an office referred to in clause (i) shall, with respect to such office, have the functions, powers, and duties of an agency head or appointing authority under such provisions.

“(B) This paragraph applies with respect to the following provisions of title 5, United States Code:

“(i) Subchapter II of chapter 35.

“(ii) Sections 8335(b), 8336, 8414, and 8425(b).

“(iii) All provisions relating to the Senior Executive Service (as determined by the Office of Personnel Management), subject to paragraph (2).

“(2) For purposes of applying section 4507(b) of title 5, United States Code, paragraph (1)(A)(ii) shall be applied by substituting ‘the Council of the Inspectors General on Integrity and Efficiency (established by section 11 of the Inspector General Act) shall’ for ‘the Inspector General who is the head of an office referred to in clause (i) shall, with respect to such office.’”.

(b) SUBPOENA POWER.—Section 6(a)(4) of the Inspector General Act of 1978 (5 U.S.C. App.), is amended—

(1) by inserting “in any medium (including electronically stored information, as well as any tangible thing)” after “other data”; and

(2) by striking “subpena” and inserting “subpoena”.

(c) LAW ENFORCEMENT AUTHORITY FOR DESIGNATED FEDERAL ENTITIES.—Section 6(e) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in paragraph (1) by striking “appointed under section 3”; and

(2) by adding at the end the following:

“(9) In this subsection the term ‘Inspector General’ means an Inspector General appointed under section 3 or an Inspector General appointed under section 8G.”.

(d) AUTHORITY OF TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION TO PROTECT INTERNAL REVENUE SERVICE EMPLOYEES.—Section 8D(k)(1)(C) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by striking “and the providing of physical security”.

(e) AMENDMENT RELATING TO AUTHORITY OF COMPTROLLER GENERAL TO ADMINISTER OATHS.—Section 711 of title 31, United States Code, is amended in paragraph (4) by striking “when auditing and settling accounts” and inserting “upon the specific approval only of the Comptroller General or the Deputy Comptroller General”.

(f) AMENDMENTS RELATING TO COMPTROLLER GENERAL REPORTS.—

(1) Section 719(b)(1) of title 31, United States Code, is amended—

(A) by striking “and” at the end of subparagraph (B);

(B) by striking the period and inserting “; and” at the end of subparagraph (C); and

(C) by adding at the end the following new subparagraph:

“(D) for Federal agencies subject to sections 901 to 903 of this title and other agencies designated by the Comptroller General, an assessment of their overall degree of cooperation in making personnel available for interview, providing written answers to questions, submitting to an oath authorized by the Comptroller General under section 711 of this title, granting access to records, providing timely comments to draft reports, adopting recommendations in reports, and responding to such other matters as the Comptroller General considers appropriate.”.

(2) Section 719(c) of such title is amended—

(A) by striking “and” at the end of paragraph (2);

(B) by striking the period and inserting “; and” at the end of paragraph (3); and

(C) by adding at the end the following new paragraph:

“(4) as soon as practicable when an agency or other entity does not, within a reasonable period of time after a request by the Comptroller General, make personnel available for interview, provide written answers to questions, or submit to an oath authorized by the Comptroller General under section 711 of this title.”.

SEC. 7. PROGRAM FRAUD CIVIL REMEDIES ACT.

Section 3801(a)(1) of title 31, United States Code, is amended by striking “and” after the semicolon at the end of subparagraph (C), by adding “and” after the semicolon at the end of subparagraph (D), and by adding at the end the following:

“(E) a designated Federal entity (as such term is defined under section 8G(a)(2) of the Inspector General Act of 1978).”.

SEC. 8. APPLICATION OF SEMIANNUAL REPORTING REQUIREMENTS WITH RESPECT TO INSPECTION REPORTS AND EVALUATION REPORTS.

Section 5 of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in subsection (a)(6)—

(A) by inserting “, inspection report, and evaluation report” after “audit report”; and

(B) by striking “audit” the second place it appears;

(2) in each of subsections (a)(8), (a)(9), (b)(2), and (b)(3)—

(A) by inserting “, inspection reports, and evaluation reports” after “audit reports” the first place it appears; and

(B) by striking “audit” the second place it appears; and

(3) in subsection (a)(10) by inserting “, inspection report, and evaluation report” after “audit report”.

The CHAIRMAN. No amendment to the committee amendment is in order except those printed in House Report 110-358. Each amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent of the amendment, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. CONYERS

The CHAIRMAN. It is now in order to consider amendment No. 1 printed in House Report 110-358.

Mr. CONYERS. Mr. Chairman, I have an amendment at the desk.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. CONYERS:

At the end of the bill, add the following new section (and conform the table of contents accordingly):

SEC. 9. AMENDMENTS TO SPECIAL PROVISIONS CONCERNING THE DEPARTMENT OF JUSTICE.

(a) AMENDMENT TO REQUIREMENT RELATING TO CERTAIN REFERRALS.—Section 8E(b) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by striking paragraph (3).

(b) CONFORMING AMENDMENTS.—Section 8E of such Act is further amended

(1) in subsection (b)—

(A) by striking “and paragraph (3)” in paragraph (2);

(B) by redesignating paragraph (4) as paragraph (3); and

(C) by redesignating paragraph (5) as paragraph (4) and in that paragraph by striking “(4)” and inserting “(3)”; and

(2) in subsection (d), by striking “, except with respect to allegations described in subsection (b)(3).”.

The CHAIRMAN. Pursuant to House Resolution 701, the gentleman from Michigan (Mr. CONYERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. CONYERS. Mr. Chairman, I yield myself such time as I may consume.

I urge support for my amendment to provide the Inspector General of the Department of Justice the power to investigate allegations of wrongdoing by attorneys in that department.

And so I put forward to the committee a commonsense proposal that merely gives the Inspector General the tools that he or she may need to root out and report on waste, fraud and abuse. Whether we have a Democratic or Republican administration, I believe we should have strong and vigorous oversight of the Department of Justice. At present, however, the Department of Justice Inspector General is limited in his ability to investigate allegations of misconduct.

Instead, present law, to the surprise of many, requires that all allegations of wrongdoing by the Department of Justice attorneys be investigated not by the Inspector General but by the department's Office of Professional Responsibility. The department's Inspector General should have the same power Inspectors General have throughout the government to investigate without limitation any and all allegations of wrongdoing that arise in that department.

The Office of Professional Responsibility is supervised by the Attorney General. It is absolutely contrary to human experience to believe that the counsel to the Office of Professional Responsibility can aggressively investigate them. It is vital that investigations of these officials, and other high-level officials in the department, be conducted by the statutorily independent Inspector General who is required to be confirmed by the United States Senate. That is the thrust of the idea I propose in this first amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. JORDAN of Ohio. Mr. Chairman, I rise to claim the time in opposition to the amendment.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. JORDAN of Ohio. I want to thank the Chair of the committee and Congressman COOPER and Congressman TOWNS for all their work and our ranking member of the committee on the bill. But, Mr. Chairman, I rise in opposition to the amendment. It is unfortunate in a bill that has been worked on by both sides so well that we have an amendment now that I think is going to be somewhat divisive. But I believe the amendment may arise from the U.S. Attorney's investigation that consumed so much of our time earlier in this session, particularly the time on

the Judiciary Committee. That investigation showed no wrongdoing in the dismissal of U.S. Attorneys and no undermining of the institutions of the Department of Justice.

As time drags on, though, people wonder, why did we spend so much time on this issue? Maybe the majority feels the need to show some results. Perhaps that is why we have this amendment before us today. But the U.S. Attorney's investigation did not show any need to realign the responsibilities of the Office of Professional Responsibility and the Office of the Inspector General. It certainly did not show that OIG should swallow up OPR, which would be the effective result of the amendment before us this afternoon. On the contrary, these offices have quietly gone about their investigative activities and we have seen no great difficulties arise from the exercise of their duties.

But apart from the U.S. Attorney's investigation, the amendment clearly is unwise for other reasons. Both OPR and OIG are needed in their current structure. OPR was established to ensure that the Department of Justice's thousands of attorneys follow all applicable professional rules of conduct. OIG performs an equally critical but very different function of pursuing investigations into general criminal wrongdoing and general administrative misconduct by the Department.

This important distinction calls for two different offices to work on these two issues. As conferees underscored when Congress created the Office of Inspector General in the 1980s: "The conferees do not intend that the IG should render judgments on the exercise of prosecutorial or litigative discretion in a particular case or controversy. Unless a unique set of circumstances dictate otherwise, the conferees intend that reviews of such prosecutorial or other litigative discretion in a particular case or controversy is an appropriate role for, and may be delegated by, the Attorney General."

The Attorney General has delegated that authority to OPR. No basis exists to question this policy today. Unlike OIG, OPR is staffed and led entirely by career lawyers. Political background cannot be considered when appointing anyone to a position in the Office of Professional Responsibility. Thousands of current and former Department lawyers can attest that OPR's independence is undisputed and that the Office of Professional Responsibility has never allowed the manner in which it investigates or the results it reaches to be influenced by any political appointee in the Department. Any Attorney General or Deputy Attorney General being investigated by the Office of Professional Responsibility is automatically recused from participating in the matter. The most recent example of this is the U.S. Attorney's investigation itself.

I only scratch the surface of the reasons to preserve OPR as it is. As any-

one with substantial experience knows, this office can be relied upon to make the hard calls and find attorney misconduct when it has occurred, enabling the Department of Justice to take the proper disciplinary action.

I would call the House's attention again to the need for legislation to address serious crime issues. Republicans have introduced those bills but they continue to languish. Responsible citizens don't want to hear that their loved ones or their neighbors were hurt or killed because the majority in Congress could not bear to solve the Nation's problems with the opposing party's solutions or to turn away from the hunt for political victims.

Mr. Chairman, I reserve the balance of my time.

Mr. CONYERS. Mr. Chairman, could you advise us how much time remains on each side.

The CHAIRMAN. The gentleman from Michigan has 2½ minutes remaining. The gentleman from Ohio has 1½ minutes remaining.

Mr. CONYERS. Mr. Chairman, I would begin first by yielding 1 minute to the subcommittee Chair, EDOLPHUS TOWNS of New York.

Mr. TOWNS. Mr. Chairman, this is a very good amendment. It is especially important that the Department of Justice IG have the authority to examine a broad range of issues in that Department. Considering all the problems that congressional investigations have recently uncovered, I think that this is a very timely amendment. I really feel that we should aggressively get behind it and support it and encourage our colleagues also to support it.

Mr. JORDAN of Ohio. Mr. Chairman, I yield back the balance of my time.

Mr. CONYERS. Mr. Chairman, I yield myself the balance of my time.

I want all the Members to make sure they understand that the Office of Professional Responsibility is accountable to the Attorney General, and when we are investigating the U.S. assistant attorneys or attorneys in the Department of Justice, he is investigating his own shop.

The second point is that their inspection, their investigations, are confidential. The Inspector General, the IG, requires a public disclosure of what he found. So this isn't a matter of trying to justify anything about the U.S. Attorneys action.

I would like my good friend from Ohio to know that this is something that has been discussed. The Inspector General for DOJ, Glenn Fine, has testified before the Senate Homeland Security and Government Affairs Committee and made it very clear that these matters of public interest that require reports that are institutional should by all means go through this route rather than be shunted off to a private investigatory committee inside the Department of Justice.

□ 1300

It is an anomaly that we hope to correct. It doesn't reflect poorly on any-

body. As a matter of fact, this will be for future Departments of Justice. We are not going to go back over anything that we have covered before.

Mr. Chairman, I urge that the membership support this very modest amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. CONYERS).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. JORDAN of Ohio. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Michigan will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. TOM DAVIS OF VIRGINIA

The CHAIRMAN. It is now in order to consider amendment No. 2 printed in House Report 110-358.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. TOM DAVIS of Virginia:

Page 4, starting on line 20, strike "may" and all that follows through line 25 and insert the following: "shall inform the appropriate committees or subcommittees of the Congress if the budget request submitted by the head of the establishment would substantially inhibit the Inspector General from performing the duties of the office."

Page 5, line 2, strike "Congress—" and all that follows through line 10 and insert the following: "Congress a separate statement of the amount of appropriations requested by each Inspector General."

The CHAIRMAN. Pursuant to House Resolution 701, the gentleman from Virginia (Mr. TOM DAVIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, as currently drafted, the Improving Government Accountability Act would authorize Inspectors General throughout the government, and more than 60 of these offices exist, to directly submit their budget requests to Congress. By doing so, this legislation would circumvent the long-standing process under which Presidents submit to the Congress a budget proposal on behalf of the executive branch.

While I understand the sponsor's intent in authorizing independent budget submissions by IGs, I have concerns with the way the authority is currently constructed. Our concerns pertain more to the logistical nightmare than any particular objection to increased IG independence.

First of all, according to the Congressional Research Service, no other offices or agencies within the executive

branch currently are authorized by statute to independently submit their budgets to Congress. H.R. 928 would not simply make an exception for one uniquely situated office, it would make an exception for all of the more than 60 IG offices currently in government. In other words, the President's annual budget would be accompanied by 60 separate IG budgets. This is inefficient; it is disorganized and unproductive.

Second, I am concerned that by authorizing IGs to submit their budgets independently to Congress, we are encouraging them to submit their wish lists to Congress rather than submitting budgets that take into account the limited resources that are available to agencies.

It doesn't take an active imagination to envision the increased government spending that this would cause. After all, if an IG submits its wish list to Congress, will Members of Congress have the stomach to appropriate an amount less than an IG requests? If we do, we could be painted as antioversight, a label none of us are interested in.

Because of these concerns, I have filed an amendment proposing an alternative approach to the budget issue. This amendment would authorize Inspectors General to notify Congress if the budget request submitted by the agency head would substantially inhibit the IG's ability to perform his or her duties. The President would be required to include in his budget submission the original amount requested by each IG.

This approach would give additional information to Congress, which is the intent, I think, of the legislation. It also encourages IGs to speak out if their agencies try to stifle the IG's independence by reducing the IG's budget request. But it would stop short of authorizing all 60 IGs to separately submit their own budget request to Congress outside of the traditional Federal budget process.

I think this amendment is a reasonable compromise which carefully balances the need for IG independence with the need for streamlined budget authority. We have enough problems enacting the Federal budget every year; we don't need to create 60 new ones. I urge my colleagues to support this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. TOWNS. Mr. Chairman, I would like to claim the time in opposition.

The CHAIRMAN. The gentleman from New York is recognized for 5 minutes.

Mr. TOWNS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am opposed to the amendment, I think. I am not sure. Let me ask some questions and then I can make up my mind.

As I understand it, under your amendment, the gentleman from Virginia (Mr. TOM DAVIS), each Inspector General's appropriations request as

originally made to his or her agency head would be noted in the President's budget submission to Congress.

Mr. Chairman, is that correct?

Mr. TOM DAVIS of Virginia. Mr. Chairman, if the gentleman will yield, that is correct. Let me just add, I think that was the intent of the legislation, to make sure that the IGs weren't stifled and that Congress gets their eyes on that original request, and it would allow that.

Mr. TOWNS. Mr. Chairman, reclaiming my time, with that in mind, I do support the amendment, and, of course, I am prepared to accept the amendment. It achieves the goal of the budget provision in this bill, which is to expose whether IGs are having their budgets slashed in retaliation of their investigations.

I look forward to working with you as this bill moves through the legislative process to clarify the language of the amendment to ensure that its intent is fulfilled.

Mr. Chairman, I yield back the balance of my time.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I am not going to talk anybody out of it, so I yield back as well.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia (Mr. TOM DAVIS).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. MILLER OF NORTH CAROLINA

The CHAIRMAN. It is now in order to consider amendment No. 3 printed in House Report 110-358.

Mr. MILLER of North Carolina. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. MILLER of North Carolina:

Page 2, beginning on line 12, strike "adding at the end the following: 'An'" and insert "striking 'the reasons for any such removal to both Houses of Congress.'" and inserting the following: "in writing the reasons for any such removal to both Houses of Congress and to the Inspector General of the establishment at least 30 days before such removal. An".

Page 3, line 2, strike "and" and insert the following:

"(6) Knowing violation of a law, rule, or regulation.

"(7) Gross mismanagement.

"(8) Gross waste of funds.

"(9) Abuse of authority." and

Page 3, line 11, insert after "Congress" the following: "and to the Inspector General of the entity".

Page 5, starting on line 22, strike "increase" and all that follows through line 26 and insert the following: "coordinate and enhance governmental efforts to promote integrity and efficiency and to detect and prevent fraud, waste, and abuse in Federal programs."

Page 10, line 11, insert "and professional standards" after "policies".

Page 11, after line 20, insert the following:

"(d) ADMINISTRATIVE PROVISIONS.—

"(1) DIRECTOR OF OMB.—The Director of the Office of Management and Budget shall provide the Council with such administrative support as may be necessary for the performance of the functions of the Council.

"(2) HEADS.—The head of each establishment and designated Federal entity represented on the Council shall provide the persons representing the establishment or entity with such administrative support as may be necessary, in accordance with law, to enable the persons representing the establishment or entity to carry out their responsibilities."

Page 12, line 8, strike "3 or more" and insert "4".

Page 13, line 19, after "General" insert the following: ", acts with the knowledge of the Inspector General, or against whom an allegation is made because such allegation is related to an allegation against the Inspector General, except that if an allegation concerns a member of the Integrity Committee, that member shall recuse himself from consideration of the matter".

Page 14, strike lines 8 through 14 and insert the following:

"(B) refer any allegation of wrongdoing to the agency of the executive branch with appropriate jurisdiction over the matter; and

"(C) refer to the Chairperson of the Integrity Committee any allegation of wrongdoing determined by the Integrity Committee to be potentially meritorious that cannot be referred to an agency under subparagraph (B)."

Page 14, line 20, strike "(5)(B)" and insert "(5)(C)".

Page 16, strike lines 5 through 18 and insert the following:

"(8) REPORT.—

"(A) For allegations referred under paragraph (5)(C), the Chairperson of the Integrity Committee shall make a report containing the results of his investigation and shall provide such report to members of the Integrity Committee.

"(B) For allegations referred under paragraph (5)(B), the head of an agency shall make a report containing the results of the investigation and shall provide such report to members of the Integrity Committee.

"(9) ASSESSMENT AND FINAL DISPOSITION.—

"(A) With respect to any report received under paragraph (8), the Integrity Committee shall—

"(i) assess the report;

"(ii) forward the report, with the Integrity Committee recommendations, including those on disciplinary action, within 180 days (to the maximum extent practicable) after the completion of the investigation, to the Executive Chairperson of the Council and to the President (in the case of a report relating to an Inspector General of an establishment or his staff) or the head of a designated Federal entity (in the case of a report relating to an Inspector General of such an entity or his staff) for resolution; and

"(iii) submit to Congress a copy of such report and recommendations within 30 days after the submission of such report to the Executive Chairperson under clause (ii).

"(B) The Chairperson of the Council shall report to the Integrity Committee the final disposition of the matter, including what action was taken by the President or agency head."

Page 16, after line 18, insert the following:

"(10) ANNUAL REPORT.—

"(A) MATTERS COVERED.—The Council shall submit to Congress and the President by December 31st of each year a report on the activities of the Integrity Committee during the preceding fiscal year. The report shall include the following:

"(i) The number of allegations received.

"(ii) The number of allegations referred to other agencies, including the number of allegations referred for criminal investigation.

"(iii) The number of allegations referred to the Chairperson of the Integrity Committee for investigation.

“(iv) The number of allegations closed without referral.

“(v) The date each allegation was received and the date each allegation was finally disposed of.

“(vi) In the case of allegations referred to the Chairperson of the Integrity Committee, a summary of the status of the investigation of the allegations and, in the case of investigations completed during the preceding fiscal year, a summary of the findings of the investigations.

“(vii) Other matters that the Council considers appropriate.

“(B) REQUESTS FOR MORE INFORMATION.—The Council shall provide more detailed information about specific allegations upon request from any of the following:

“(i) The chairman or ranking member of the Committee on Oversight and Government Reform of the House of Representatives.

“(ii) The chairman or ranking member of the Committee on Homeland Security and Governmental Affairs of the Senate.

“(iii) The chairman or ranking member of the congressional committees of jurisdiction.”.

Page 16, line 19, strike “(8)” and insert “(11)”.

Page 17, strike lines 4 through 6 and insert the following:

(b) EXECUTIVE ORDERS AND POLICIES AND PROCEDURES.—

(1) EXISTING EXECUTIVE ORDERS.—Executive Order 12805, dated May 11, 1992, and Executive Order 12993, dated March 21, 1996, shall have no force or effect.

(2) POLICIES AND PROCEDURES.—Not later than 180 days after the date of the enactment of this Act, the Inspectors General Council shall adopt policies and procedures to implement this section and the amendments made by this section. To the maximum extent practicable, the policies and procedures shall include all provisions of Executive Orders 12805 and 12933 (as in effect before the date of the enactment of this Act).

Page 21, after line 12, insert the following:

(3) ADDITIONAL CONFORMING AMENDMENT.—Section 194(b) of the National and Community Service Act of 1990 (42 U.S.C. 12651e(b)) is amended by striking paragraph (3).

Page 22, insert after line 10 the following:

(d) SAVINGS PROVISION FOR NEWLY APPOINTED INSPECTORS GENERAL.—The provisions of section 3392, title 5, United States Code, other than the terms “performance awards” and “awarding of ranks” in subsection (c)(1) of such section, shall apply to career appointees of the Senior Executive Service who are appointed to the position of Inspector General.

Page 24, insert after line 3 the following:

(d) QUALIFICATIONS OF INSPECTORS GENERAL OF DESIGNATED FEDERAL ENTITIES.—Section 8G(c)(1) of the Inspector General Act of 1978 (5 U.S.C. App.), as amended by this Act, is further amended by striking the period and inserting “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.

The CHAIRMAN. Pursuant to House Resolution 701, the gentleman from North Carolina (Mr. MILLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. MILLER of North Carolina. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, over the last year and a half, the Science and Technology

Committee's Subcommittee on Investigations and Oversight, which I chair, has been reviewing the work of the Office of the Inspector General of NASA and a related investigation of the NASA IG by the President's Council on Integrity and Efficiency's Integrity Committee, the procedure actually for investigating IGs themselves.

I appreciate Mr. TOWNS and Mr. COOPER, knowing my interest in this issue, including me very graciously in discussions of this legislation, and I commend them for their work on this legislation.

The purpose of this amendment is to smooth the transition between the old law and the new and to make sure that we do not disrupt some of the work of IGs that is now going well in our effort to get in place reforms to improve the work of IGs.

I fully support the goal of this legislation to make sure that Inspectors General are independent, that they can act without fear of political reprisal, and to accomplish that by establishing a set term. This amendment accomplishes other purposes perfectly consistent with that overall goal of the legislation.

First, it establishes the same qualifications for the selection of Inspectors General of the designated Federal agencies that are not subject to confirmation by the other body. There is no reason that there should be any different qualifications, and this brings the qualifications for those Inspectors General into line with the qualifications of those confirmed by the other body.

Second, the amendment expands the goals for removal of the Inspectors General, with criteria that the Inspectors General themselves, the IGs themselves, have agreed to should be the basis for removal, and would not undermine their independence by being a threat to their independence; so, removal for improper grounds. The additional grounds, and these are in the regulations now, the rules now: knowing violation of the law, rule or regulation; gross mismanagement; gross waste of funds; and abuse of authority. Those criteria for removal do increase the President's flexibility to get out of office inept or abusive Inspectors General.

Third, the amendment incorporates several provisions of two executive orders pertaining to the work of IGs, executive orders 12805 and 12993, which would no longer be in effect under this legislation, to maintain certain policies and procedures that are working well and make sure that there is not a gap when there are no procedures in place and to make sure that we will not have to recreate those procedures under the new legislation. It also directs the new council, the new Inspectors General council, to incorporate as much of the established policies that are working well as possible into the new rules. Again, those rules are developed by the IGs themselves over the

years. They work very well. They do not need to be disrupted.

Fourth, the transparency of the Integrity Committee's investigations, the work of inspecting the Inspectors General themselves, the investigations into the investigators, has been a problem. This amendment would require the council to submit to Congress a report of their work in inspecting the work, to investigating the work of Inspectors General.

Finally, the amendment requires the office of OMB, the Office of Management and Budget, OMB, to continue to provide the Inspectors General council with the administrative support that the PCIE now has.

Mr. Chairman, I reserve the balance of my time.

Mr. COOPER. Mr. Chairman, I ask unanimous consent to take the time in opposition to the gentleman's amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. COOPER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to congratulate my friend, the gentleman from North Carolina, because he has been an excellent Member of this body for some time and has worked on the Science Committee and has contributed greatly to the work of this body. I am particularly grateful for his work on the IG issue.

I want to make it crystal clear to my colleagues on both sides of the aisle that the gentleman's amendment essentially makes it easier to fire IGs. I support that. I think the gentleman's reasoning is sound.

I also think it is very important that Members on the other side the aisle realize that this largely should eliminate the President's veto threat, because the primary grounds in this Statement of Administration Policy for opposing this bill is that IGs may be too hard to fire. Well, the gentleman's helpful amendment adds additional grounds that makes it easier to get rid of errant IGs if they knowingly violate the law, rule or regulation, if they are guilty of gross mismanagement, gross waste of funds or abuse of authority. So that should obviate the administration's objections to this bill.

Mr. Chairman, I hope by accepting the gentleman from North Carolina's amendment we cannot only promote the cause of good government, we can also get the folks at OMB and in the administration to relax and realize what a good bill this is. So I would urge a huge and bipartisan majority vote for this legislation thanks to the gentleman's amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. MILLER of North Carolina. Mr. Chairman, I yield the balance of my time to the gentleman from New York (Mr. TOWNS).

Mr. TOWNS. Mr. Chairman, this is a well thought-out amendment. I want to

commend the gentleman from North Carolina for this. It makes it clear that the bill is not intended to protect poorly performing IGs from removal.

There was some question about an IG who managed his office so poorly that it caused most of the senior career staff to quit, and then the IG would still be there. At least this amendment addresses that issue as well by adding gross mismanagement and gross waste of funds and abuse of authority as grounds for removal. This amendment clarifies that an IG who is not an effective leader can be removed for that reason.

We also support the technical and procedural changes that Mr. MILLER has included in this amendment. This is a very, very good amendment, and I hope that it has support coming from both sides of the aisle, because this is an amendment that is long overdue.

The CHAIRMAN. All time having expired, the question is on the amendment offered by the gentleman from North Carolina (Mr. MILLER).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. MILLER OF NORTH CAROLINA

The CHAIRMAN. It is now in order to consider amendment No. 4 printed in House Report 110-358.

Mr. MILLER of North Carolina. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. MILLER of North Carolina:

Page 4, after line 12, insert the following new paragraph:

(c)(1) in section 3(a), by inserting after the first sentence the following: "A committee of Inspectors General of the Inspectors General Council established under section 11 shall review nominations in light of these requirements, and the results of the committee's review shall be provided to the Senate prior to the confirmation process."

(2) in section 8G(c), by adding at the end the following: "The head of the designated Federal entity shall ask the committee of Inspectors General referred to in section 3(a) for a report on the qualifications of each final candidate for Inspector General and shall not appoint an Inspector General before reviewing such report."

Page 4, line 13, strike "(c)" and insert "(d)".

The CHAIRMAN. Pursuant to House Resolution 701, the gentleman from North Carolina (Mr. MILLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

Mr. MILLER of North Carolina. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment would require the Council of the Inspectors General on Integrity and Efficiency to appoint a committee of Inspectors General to review the integrity, the experience, the reputation, all of the qualifications of anyone the President appoints to serve as an Inspector General and to provide a report

of that evaluation to the other body, to the relevant committee of the other body, before any confirmation hearings. It provides a similar procedure for agency heads who appoint Inspectors General without confirmation by the other body.

The amendment does not create any new bureaucracy. It uses an existing office or an office that will exist under this legislation. The evaluation of that committee is not binding in any way. It simply is an unbiased, informed evaluation that would be helpful to the other body in their consideration of confirmation of anyone appointed as an Inspector General to serve as an Inspector General, just as the American Bar Association's evaluations on the qualifications of judicial nominees are helpful in confirmation.

□ 1315

Mr. Chairman, most Presidential appointments are policy positions for which loyalty to the President is a proper consideration. In fact, it is a necessity. It is a requirement. And the other body has traditionally deferred to the President's judgment in confirmation. If the President wants to appoint a political operative, if he wants to appoint some political poohbah's worthless, otherwise unemployable brother-in-law, the other body usually goes along so the President can have his own people in policy positions.

As the debate on this bill has made very clear, Inspectors General are not jobs like that. Inspectors General are not the President's people. They are to be watchdogs who report both to the agency head and to Congress. They are not the President's people. IGs are not the President's people. They are our people, too. Congress needs to rely on the work of IGs in our oversight duties. IGs are Congress's people as much as they are the President's people.

The statute says now that IGs should be objective and independent and they are 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 investigation. In other words, Mr. Chairman, IGs can't just be some poohbah's worthless brother-in-law.

This amendment provides the other body with an informed evaluation of the integrity and qualifications of any potential IG to assure that IGs are up to the job, they understand what their job is, they are to identify waste, fraud, abuse or general inefficiency, and report to the agency head and to Congress without fear or favor. IGs must report with rigorous honesty even if their reports cause political embarrassment; especially when their reports cause political embarrassment.

This amendment will return to an earlier tradition of consulting well-regarded IGs before an appointment of an IG for suggestions of who would be good for that job.

Mr. Chairman, we have departed from that tradition, to our detriment. This amendment will return us to that tradition.

Mr. Chairman, I reserve the balance of my time.

Mr. TOWNS. Mr. Chairman, I ask unanimous consent to claim the time in opposition, although I am not opposed to the amendment.

The CHAIRMAN. Without objection, the gentleman from New York is recognized for 5 minutes.

There was no objection.

Mr. TOWNS. Mr. Chairman, the committee also supports this amendment by Mr. MILLER. One of the problems that we have seen is that recent IG appointments have had far more experience in politics than they have had in investigating and auditing.

The council created by this amendment is advisory, but it will provide an independent evaluation of whether a candidate for appointment has the professional background and experience to succeed in the IG role. This information should be valuable to the President and to the Senate as they fill IG vacancies.

Mr. Chairman, I think this is a fine amendment and I am hoping that both sides of the aisle will support it. This is what strengthening legislation is all about, dialogue on both sides and then supporting. So I am hoping this amendment gets a strong, strong vote. It is a good amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. MILLER of North Carolina. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina (Mr. MILLER).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MRS. GILLIBRAND

The CHAIRMAN. It is now in order to consider amendment No. 5 printed in House Report 110-358.

Mrs. GILLIBRAND. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mrs. GILLIBRAND:

At the end of the bill add the following new section (and conform the table of contents):

SEC. 9. INFORMATION ON WEBSITES OF OFFICES OF INSPECTORS GENERAL.

(a) DEFINITION.—In this section, the term "agency" has the meaning provided the term "Federal agency" under section 11(5) of the Inspector General Act of 1978 (5 U.S.C. App.).

(b) DIRECT LINKS TO INSPECTORS GENERAL OFFICES.—

(1) IN GENERAL.—Each agency shall establish and maintain on the homepage of the website of that agency a direct link to the website of the Office of the Inspector General of that agency.

(2) ACCESSIBILITY.—The direct link under paragraph (1) shall be obvious and facilitate accessibility to the website of the Office of the Inspector General.

(C) REQUIREMENTS FOR INSPECTORS GENERAL WEBSITES.—

(1) POSTING OF REPORTS AND AUDITS.—The Inspector General of each agency shall—

(A) not later than 1 day after any report or audit (or portion of any report or audit) is made publicly available, post that report or audit (or portion of that report or audit) on the website of the Office of the Inspector General; and

(B) ensure that any posted report or audit (or portion of that report or audit) described under subparagraph (A)—

(i) is easily accessible from a direct link on the homepage of the website of the Office of the Inspector General;

(ii) includes a summary of the findings of the Inspector General; and

(iii) is in a format that—

(I) is searchable, sortable, and downloadable; and

(II) facilitates printing by individuals of the public who are accessing the website.

(2) OPTION TO RECEIVE RELATED INFORMATION.—The Inspector General of each agency shall provide a service on the website of the Office of the Inspector General through which—

(A) an individual may elect to automatically receive information (including subsequent reports or audits) relating to any posted report or audit (or portion of that report or audit) described under paragraph (1)(A); and

(B) the Inspector General shall electronically transmit the information or notice of the availability of the information to that individual without further request.

(3) REPORTING OF WASTE, FRAUD, AND ABUSE.—

(A) IN GENERAL.—The Inspector General of each agency shall establish and maintain a direct link on the homepage of the website of the Office of the Inspector General for individuals to report waste, fraud, and abuse.

(B) ANONYMITY.—The Inspector General of each agency shall take such actions as necessary to ensure the anonymity of any individual making a report under this paragraph.

(d) IMPLEMENTATION.—Not later than 180 days after the date of enactment of this Act, the head of each agency and the Inspector General of each agency shall implement this section.

The CHAIRMAN. Pursuant to House Resolution 701, the gentlewoman from New York (Mrs. GILLIBRAND) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York.

Mrs. GILLIBRAND. Mr. Chairman, I yield myself such time as I may consume.

First, I would like to thank Congressman COOPER for his leadership on this bill and for his constant effort to promote accountability and transparency in the Federal Government. I also want to thank Chairman TOWNS and Chairman WAXMAN for moving this legislation through committee and for their support of my amendment.

I rise today to offer an amendment to save the taxpayers money by increasing transparency, accountability and oversight over Federal agencies' spending practices. We all know that the U.S. Government spends too much of our constituents' hard-earned taxes in ways that are not always the most efficient manner.

For too long, Federal agency spending has been left unchecked with little

public scrutiny on the findings of the Inspectors General investigations. It is time to shine some light on how the government is spending your money.

When the Inspector General Act of 1978 became law, the Internet did not exist and people did not have personal computers. Now, 30 years later, the Internet has grown into one of the many mediums where Americans receive information, and it is time that we bring this law up to date so the American people and the media will be able to easily find audits and reports that Inspectors General issue, and for Americans to have the ability to anonymously report waste, fraud and abuse that may be occurring in the Federal Government.

Inspectors General are an important part of every Federal agency, and I am pleased that this legislation will decrease the amount of waste of taxpayer dollars. In 2006, the work by Inspectors General resulted in \$9.9 billion in potential savings from audit recommendations; \$6.8 billion in investigative recoveries; 6,500 indictments and criminal information; 8,400 successful prosecutions; and 7,300 suspensions or debarments. This legislation will yield even more savings to the American people by allowing Inspectors General to be more independent and accountable.

Mr. Chairman, my amendment simply requires Inspectors General to do something that is very commonplace in the 21st century: making information easily accessible online.

My amendment would require the IG of each agency to post, within one day after being made publicly available, all reports and audits on the Web site of the Office of Inspector General. The report or audit must be easily accessible and include a summary of the findings of the IG. The IG of each agency must provide a service on their Web site to allow individuals to receive information when a new audit or report is made available on their Web site. And the IG of each agency must establish a process that allows individuals to anonymously report waste, fraud and abuse that may be occurring in a Federal agency.

It is important to remember that the American people voted for change last November. They voted for more accountability, more fiscal responsibility, and for the new Congress to clean up Washington.

My commitment to my constituents is that I will offer a transparent and accountable office to them. I am one of a handful of Members in the House to post my public schedule online every day and was one of the first, next to Mr. COOPER, to post a list of all earmark requests online. I do this because I have found that it allows my constituents more information which allows me to better represent them here in Washington.

With a \$9 trillion debt, it is clear that the Federal Government spends too much. The fiscal year 2008 budget is

\$2.9 trillion, and if that is indeed what we will spend, then it is important that the money is spent responsibly.

My upstate New York constituents pay too much in taxes to Washington, and it is an insult to them when the Federal Government squanders their hard-earned money. This amendment will save taxpayers money, increase government oversight and accountability, and promote transparency in government. I urge all my colleagues to vote "aye" on the amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. TOM DAVIS of Virginia. Mr. Chairman, although I am not opposed, I would like to claim the time in opposition.

The CHAIRMAN. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. TOM DAVIS of Virginia. Mr. Chairman, this amendment would require agencies to include links on their Web pages to their IG's Web page. In addition, this amendment would require IGs to make public reports and audits conducted by the Inspector General immediately available on their Web sites, and it would require links for individuals interested in reporting waste, fraud and abuse.

To the extent any of this is not currently being done by agencies and IGs, I am fully supportive of Congress requiring such information to be made available in order to increase the transparency of Federal Government operations. We are prepared to support the amendment.

Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. TOWNS).

Mr. TOWNS. Mr. Chairman, I rise to support the amendment. I think it is a very good amendment because it deals with waste, fraud and abuse. I think anything that strengthens this bill, I am for. There is no question about it, my colleague from New York definitely improves the legislation. Therefore, I am in total support of the amendment, and would encourage my colleagues to do likewise.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield back the balance of my time.

Mrs. GILLIBRAND. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from New York (Mrs. GILLIBRAND).

The amendment was agreed to.

AMENDMENT NO. 1 OFFERED BY MR. CONYERS

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan (Mr. CONYERS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 217, noes 192, not voting 28, as follows:

[Roll No. 935]

AYES—217

Abercrombie Green, Gene
Ackerman Grijalva
Allen Gutierrez
Altmire Hall (NY)
Andrews Hare
Arcuri Harman
Baca Hastings (FL)
Baird Herseth Sandlin
Baldwin Hill
Barrow Hinchey
Bean Hirono
Berkley Hodes
Berry Holden
Bishop (GA) Holt
Bishop (NY) Honda
Blumenauer Hooley
Bordallo Hoyer
Boren Inslee
Boswell Israel
Boucher Jackson (IL)
Boyd (FL) Jackson-Lee
Boyd (KS) (TX)
Brady (PA) Jefferson
Braley (IA) Johnson (GA)
Brown, Corrine Johnson, E. B.
Butterfield Jones (OH)
Capps Kagen
Capuano Kanjorski
Cardoza Kaptur
Carnahan Kennedy
Carney Kildee
Castor Kilpatrick
Chandler Kind
Christensen Kucinich
Clarke Lampson
Clay Langevin
Cleaver Lantos
Clyburn Larsen (WA)
Cohen Larson (CT)
Conyers Levin
Cooper Lewis (GA)
Costa Lipinski
Costello Loeb sack
Courtney Lofgren, Zoe
Cramer Lowey
Crowley Mahoney (FL)
Cuellar Maloney (NY)
Cummins Markey
Davis (AL) Marshall
Davis (CA) Matheson
Davis (IL) Matsui
Davis, Lincoln McCarthy (NY)
DeFazio McCollum (MN)
DeGette McDermott
DeLauro McGovern
Dicks McIntyre
Doggett McNerney
Donnelly McNulty
Doyle Meek (FL)
Edwards Meeks (NY)
Ellison Melancon
Ellsworth Michaud
Engel Miller (NC)
Eshoo Miller, George
Etheridge Mitchell
Farr Mollohan
Fattah Moore (KS)
Filner Moore (WI)
Frank (MA) Moran (VA)
Giffords Murphy (CT)
Gillibrand Murphy, Patrick
Gonzalez Murtha
Gordon Nadler
Green, Al Napolitano

NOES—192

Aderholt Bishop (UT)
Akin Blackburn
Alexander Blunt
Bachmann Bonner
Bachus Bono
Baker Boozman
Bartlett (MD) Boustany
Barton (TX) Brady (TX)
Biggert Broun (GA)
Bilbray Brown (SC)
Bilirakis Cantor

Capito Carter
Castle Johnson, Sam
Chabot Jones (NC)
Coble Jordan
Cole (OK) Keller
Conaway King (IA)
Crenshaw King (NY)
Culberson Kingston
Davis (KY) Kirk
Davis, David Kline (MN)
Davis, Tom Knollenberg
Deal (GA) Kuhl (NY)
Dent LaHood
Diaz-Balart, M. Lamborn
Doolittle Latham
Drake LaTourette
Dreier Lewis (CA)
Duncan Lewis (KY)
Ehlers Linder
Emerson LoBlundo
English (PA) Lucas
Everett Lungren, Daniel
Fallin E.
Feeney Mack
Ferguson Manzullo
Flake Marchant
Forbes McCarthy (CA)
Fortenberry McCaul (TX)
Fortuno McCotter
Fossella McCrery
Foxy McHenry
Franks (AZ) McHugh
Frelinghuysen McKeon
Gallegly McMorris
Garrett (NJ) Rodgers
Gerlach Mica
Gilchrest Miller (FL)
Gingrey Miller (MI)
Gohmert Miller, Gary
Goode Moran (KS)
Goodlatte Murphy, Tim
Granger Musgrave
Graves Myrick
Hall (TX) Neugebauer
Hastings (WA) Nunes
Hayes Pearce
Heller Pence
Hensarling Peterson (PA)
Herger Petri
Hobson Pickering
Hoekstra Platts
Hulshof Poe
Hunter Porter
Inglis (SC) Price (GA)

NOT VOTING—28

Barrett (SC) Emanuel
Becerra Faleomavaega
Berman Hastert
Boehner Higgins
Carson Hinojosa
Cubin Jindal
Davis, Jo Ann Klein (FL)
Delahunt Lee
Diaz-Balart, L. Lynch
Dingell Pastor

□ 1350

Mrs. MILLER of Michigan and Mr. FEENEY changed their vote from “aye” to “no.”

Mr. SERRANO changed his vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Ms. SLAUGHTER. Mr. Chairman, on rollcall No. 935, had I been present, I would have voted “aye.”

Mr. HINOJOSA. Mr. Chairman, on rollcall No. 935, I was at CHCI Luncheon downtown. Had I been present, I would have voted “aye.”

Mr. PASTOR. Mr. Chairman, on rollcall No. 935, I was detained at my office. Had I been present, I would have voted “aye.”

Mr. EMANUEL. Mr. Chairman, I was absent from the Chamber for rollcall vote 935 on October 3, 2007. Had I been present, I would have voted “aye.”

Pryce (OH) Putnam
Radanovich Radanovich
Ramstad Ramstad
Regula Regula
Rehberg Rehberg
Reichert Reichert
Renzi Renzi
Reynolds Reynolds
Rogers (AL) Rogers (AL)
Rogers (KY) Rogers (KY)
Rogers (MI) Rogers (MI)
Rohrabacher Rohrabacher
Ros-Lehtinen Ros-Lehtinen
Roskam Roskam
Royce Royce
Ryan (WI) Ryan (WI)
Sali Sali
Saxton Saxton
Schmidt Schmidt
Sensenbrenner Sensenbrenner
Sessions Sessions
Shadegg Shadegg
Shays Shays
Shimkus Shimkus
Shuster Shuster
Simpson Simpson
Smith (NE) Smith (NE)
Smith (NJ) Smith (NJ)
Smith (TX) Smith (TX)
Souder Souder
Stearns Stearns
Sullivan Sullivan
Terry Terry
Thornberry Thornberry
Tiahrt Tiahrt
Tiberi Tiberi
Turner Turner
Upton Upton
Walberg Walberg
Walden (OR) Walden (OR)
Walsh (NY) Walsh (NY)
Wamp Wamp
Weldon (FL) Weldon (FL)
Weller Weller
Westmoreland Westmoreland
Whitfield Whitfield
Wicker Wicker
Wilson (NM) Wilson (NM)
Wilson (SC) Wilson (SC)
Wolf Wolf
Young (AK) Young (AK)
Young (FL) Young (FL)

The CHAIRMAN. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. ROSS) having assumed the chair, Mr. BAIRD, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 928) to amend the Inspector General Act of 1978 to enhance the independence of the Inspectors General, to create a Council of the Inspectors General on Integrity and Efficiency, and for other purposes, pursuant to House Resolution 701, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. TOM

DAVIS OF VIRGINIA

Mr. TOM DAVIS of Virginia. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. TOM DAVIS of Virginia. I am in its present form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Tom Davis of Virginia, moves to recommit the bill H.R. 928 to the Committee on Oversight and Government Reform with instructions to report the same back to the House forthwith with the following amendment:

At the end of the bill, add the following new section (and conform the table of contents accordingly):

SEC. 9. ANNUAL INSPECTOR GENERAL PERFORMANCE REVIEWS OF FEDERAL PROGRAMS AND AGENCIES.

(a) PRINCIPLE DUTY.—Section 4 of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) by redesignating subsections (a), (b), (c), and (d) as subsections (b), (c), (d), and (e), respectively;

(2) by inserting before subsection (b) (as so redesignated) the following new subsection:

“(a) It shall be the principle duty and responsibility of each Inspector General, with respect to the establishment within which his Office is established, to review annually the operations, efficiency, and effectiveness of all Federal programs within such establishment and submit to the Congress and the President not later than September 1 of each year recommendations, accompanied by proposed legislation, on whether an abolishment, reorganization, consolidation, or

transfer of existing Federal programs and agencies is necessary—

“(1) to reduce Federal expenditures;

“(2) to increase efficiency of government operations;

“(3) to eliminate overlap and duplication in Federal programs and offices;

“(4) to abolish agencies or programs that no longer serve an important governmental purpose; and

“(5) to identify reductions in amounts of discretionary budget authority or direct spending that can be dedicated to Federal deficit reduction.”; and

(3) in subsection (c)(1) (as so redesignated), by striking “(a)(1)” and inserting “(b)(1)”.

(b) CONFORMING AMENDMENTS.—The Inspector General Act of 1978 (5 U.S.C. App.) is further amended—

(1) in section 8(d), by striking “section 4(d)” and inserting “section 4(e)”; and

(2) in section 8D(k)(2)(A), by striking “section 4(d)” and inserting “section 4(e)”.

Mr. TOM DAVIS of Virginia (during the reading). Mr. Speaker, I ask unanimous consent that the motion to recommit be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The SPEAKER pro tempore. The gentleman from Virginia is recognized for 5 minutes.

Mr. TOM DAVIS of Virginia. Mr. Speaker, this motion to recommit would require all agency Inspectors General to report annually to Congress and to the President whether the IG believes an abolishment, reorganization, consolidation or transfer of existing Federal programs and agencies is necessary to reduce Federal expenditures, increase efficiency of government operations, eliminate overlap and duplication in Federal programs and offices, abolish agencies or programs which no longer serve an important governmental purpose, or identify reductions in amounts of discretionary budget authority or direct spending which can be dedicated to Federal deficit reduction.

The IGs would be required to accompany those reports with proposed legislation in order to encourage Congress to act on those recommendations.

This legislation is borne out of frustration. How many more times are we going to hear about redundancy in Federal programs without doing anything about it? We have the IGs. We have made them more independent as a result of this. Let's utilize that expertise for suggestions in how we can reduce waste, fraud and abuse in government.

How many more times are we going to have to hear about the 70 programs located throughout 13 Federal agencies providing substance abuse prevention services for our youth? The over 90 early childhood programs scattered among 11 Federal agencies and 20 offices? The 40 different programs in the Federal Government having job training as their main purpose? The 86 teacher training programs in nine Federal agencies? The 50 different Federal homeless assistance programs adminis-

tered by eight different agencies? The more than 17 Federal agencies monitoring and enforcing over 400 U.S. trade agreements? The 17 Federal Departments and agencies operating a total of 515 Federal research and development laboratories? Or the eight different Federal agencies administering 17 different programs just in the area of rural water and wastewater systems, each with its own set of regulations?

After all, the primary reason all these Federal programs exist in the first place is because Congress has this bad habit of haphazardly establishing new programs to achieve short-term solutions whenever a problem arises.

In fact, Paul Volcker, Donna Shalala and Frank Carlucci all testified before our committee in 2003 about a National Commission on Public Service report that they had recently released. The report concluded that, over the years, the ad hoc layering of agencies, Departments, and programs greatly complicated management, expanded the influence of powerful interests and diminished coherent policy direction. The Federal Government today is a layered jumble of organizations with muddled public missions.

Congress is as much to blame for this problem as anyone else. Admitting we have a problem is the first step in recovery. I am here to help our colleagues understand we have a problem. The extent of overlap and duplication in government is an issue the Committee on Government Reform has spent years investigating. Our hearings have focused on a range of Federal program areas, from child welfare programs to intelligence operations to Federal food safety oversight.

This motion to report forthwith, so it doesn't kill the bill, it reports right back, would provide a tool which could assist the Congress and the President in identifying ways to streamline government operations and make them as efficient and effective as possible. The motion to recommit should appeal to all Members who believe there are inefficiencies in the Federal Government requiring attention. All after, Congress never has and never will be a management body. We need the assistance, and this legislation does it, of independent, outside observers to tell us what programs we created years ago are not an efficient or effective use of taxpayer funds.

We have given the Inspectors General here authority and independence to call the balls and strikes and to make government more efficient. Let's utilize that. Let's help us make government more efficient. Let's support the motion to recommit.

Mr. Speaker, I yield back the balance of my time.

Mr. WAXMAN. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes.

Mr. WAXMAN. Mr. Speaker, I share the goals expressed by my friend and

colleague, Mr. DAVIS, the gentleman from Virginia, but I oppose it as a motion to recommit, because this bill is about Inspectors General, and their job is to weed out waste, fraud and abuse.

But if this motion to recommit would identify that their primary job, if this motion passes, would be to identify programs that aren't working and then to recommend changes in them. Well, that's a worthwhile thing for them to do, but that should not be and is not their primary job.

□ 1400

The principal duty of the IGs is to do the work of an independent watchdog, to find out if there's waste, fraud and abuse. This would turn it into their principal duty to do an annual report on abolishing and reorganizing programs in agencies. They would have to do an annual report on reorganization. Well, that is going to be a lot of busywork.

If you like government bureaucracy, then vote for the motion to recommit. But if you like the idea of independent Inspectors General looking out for waste, fraud and abuse as their prime job, then I would urge Members to vote “no.”

But I want to indicate to my colleagues that whether this motion to recommit passes or is defeated, I want to work with the sponsor of this motion to recommit to achieve our shared objectives. Oftentimes, we have waste, fraud and abuse because the objectives of the agency need to be changed. And we want those recommendations to come before us.

I'd like to yield whatever time he may consume to the gentleman from Tennessee (Mr. COOPER).

Mr. COOPER. Mr. Speaker, I speak as a Blue Dog Democrat, and I'm proud to see progressives and Blue Dogs, Democrats and Republicans coming together on this important good government cause. We've been working on it for 4 years now, and now it's about to pass. We're about to send it to the Senate, hopefully, with a huge vote, because Members on both sides of the aisle can agree that we need to cut out waste, fraud and abuse in government, and there's no better group to do it than our Inspectors General. That's what this bill does, empower Inspectors General. So I want to thank the chairman, Mr. WAXMAN, for his outstanding work with our ranking member. We've done a great job of moving this and other important legislation before Congress.

Mr. WAXMAN. Mr. Speaker, I thank the gentleman for his comments. I urge all Members to support the bill and to vote against the motion to recommit.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. TOM DAVIS of Virginia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

This will be a 15-minute vote.

The vote was taken by electronic device, and there were—yeas 274, nays 144, not voting 14, as follows:

[Roll No. 936]

YEAS—274

Aderholt	Farr	McCaul (TX)
Akin	Fattah	McCotter
Alexander	Feeney	McCrery
Altmire	Ferguson	McHenry
Andrews	Flake	McHugh
Bachmann	Forbes	McIntyre
Bachus	Fortenberry	McKeon
Baird	Fossella	McMorris
Baker	Fox	Rodgers
Barrow	Franks (AZ)	McNerney
Bartlett (MD)	Frelinghuysen	Melancon
Barton (TX)	Gallely	Mica
Bean	Garrett (NJ)	Miller (FL)
Biggert	Gerlach	Miller (MI)
Bilbray	Giffords	Miller (NC)
Bilirakis	Gilchrest	Miller, Gary
Bishop (UT)	Gillibrand	Mitchell
Blackburn	Gingrey	Mollohan
Blumenauer	Gohmert	Moore (KS)
Blunt	Goode	Moran (KS)
Boehner	Goodlatte	Murphy (CT)
Bonner	Granger	Murphy, Patrick
Bono	Graves	Murphy, Tim
Boozman	Hall (NY)	Musgrave
Boren	Hall (TX)	Myrick
Boswell	Harman	Neugebauer
Boustany	Hastert	Nunes
Boyd (FL)	Hastings (WA)	Oberstar
Boyd (KS)	Hayes	Obey
Brady (TX)	Heller	Ortiz
Broun (GA)	Hensarling	Pearce
Brown (SC)	Herger	Pence
Brown-Waite,	Hereth Sandlin	Peterson (MN)
Ginny	Hill	Peterson (PA)
Buchanan	Hobson	Petri
Burgess	Hodes	Pickering
Burton (IN)	Hoekstra	Platts
Buyer	Holden	Poe
Calvert	Hooley	Pomeroy
Camp (MI)	Hulshof	Porter
Campbell (CA)	Hunter	Price (GA)
Cannon	Inglis (SC)	Pryce (OH)
Cantor	Issa	Putnam
Capito	Johnson (IL)	Radanovich
Carney	Johnson, Sam	Rahall
Carter	Jones (NC)	Ramstad
Castle	Jordan	Regula
Chabot	Kagen	Rehberg
Chandler	Kaptur	Reichert
Coble	Keller	Renzi
Cole (OK)	Kind	Reynolds
Conaway	King (IA)	Rodriguez
Cooper	King (NY)	Rogers (AL)
Costa	Kingston	Rogers (KY)
Costello	Kirk	Rogers (MI)
Courtney	Klein (FL)	Rohrabacher
Cramer	Kline (MN)	Ros-Lehtinen
Crenshaw	Knollenberg	Roskam
Cuellar	Kuhl (NY)	Ross
Culberson	LaHood	Royce
Davis (KY)	Lamborn	Ryan (WI)
Davis, David	Lampson	Salazar
Davis, Lincoln	Langevin	Sali
Davis, Tom	Latham	Saxton
Deal (GA)	LaTourette	Schmidt
DeFazio	Lewis (CA)	Sensenbrenner
Dent	Lewis (KY)	Sessions
Diaz-Balart, L.	Linder	Sestak
Diaz-Balart, M.	Lipinski	Shadegg
Doggett	LoBiondo	Shays
Donnelly	Loeb sack	Shea-Porter
Doolittle	Loftgren, Zoe	Shimkus
Drake	Lowey	Shuler
Dreier	Lucas	Shuster
Duncan	Lungren, Daniel	Simpson
Edwards	E.	Skelton
Ehlers	Mack	Smith (NE)
Ellsworth	Mahoney (FL)	Smith (NJ)
Emerson	Manzullo	Smith (TX)
English (PA)	Marchant	Souder
Etheridge	Marshall	Space
Everett	Matheson	Stearns
Fallin	McCarthy (CA)	Stupak

Sullivan
Taylor
Terry
Thornberry
Tiahrt
Tiberi
Turner
Udall (CO)
Upton
Van Hollen

Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Weiner
Weldon (FL)
Weller
Westmoreland
Whitfield

Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Yarmuth
Young (AK)
Young (FL)

NAYS—144

Abercrombie
Ackerman
Allen
Arcuri
Baca
Baldwin
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Boucher
Brady (PA)
Brady (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Castor
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
DeGette
DeLauro
Dicks
Doyle
Ellison
Emanuel
Engel
Eshoo
Filner
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez

Hare
Hastings (FL)
Hinchey
Hinojosa
Hirono
Holt
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee
 (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kanjorski
Kennedy
Kildee
Kilpatrick
Kucinich
Lantos
Larsen (WA)
Larson (CT)
Levin
Lewis (GA)
Lynch
Maloney (NY)
Markley
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McNulty
Meek (FL)
Meeks (NY)
Michaud
Miller, George
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oliver
Pallone
Pascarell
Pastor

Payne
Price (NC)
Rangel
Reyes
Richardson
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
 T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sherman
Sires
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Sutton
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (NM)
Velázquez
Visclosky
Wasserman
 Schultz
Waters
Watson
Watt
Waxman
Welch (VT)
Wexler
Woolsey
Wu
Wynn

NOT VOTING—14

Barrett (SC)
Carson
Cubin
Davis, Jo Ann
Delahunt

Dingell
Higgins
Honda
Jindal
Lee

Paul
Perlmutter
Pitts
Tancredo

□ 1423

Mr. INSLEE changed his vote from “yea” to “nay.”

Messrs. WILSON of Ohio, WEINER, FARR, Ms. SHEA-PORTER, Mrs. LOWEY, Mr. COURTNEY, Ms. ZOE LOFGREN of California, Messrs. RAHALL, TAYLOR and OBERSTAR changed their vote from “nay” to “yea.”

So the motion to recommit was agreed to.

The result of the vote was announced as above recorded.

Mr. TOWNS. Mr. Speaker, pursuant to the instructions of the House in the motion to recommit, I report H.R. 928 back to the House with an amendment.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment:

At the end of the bill, add the following new section (and conform the table of contents accordingly):

SEC. 9. ANNUAL INSPECTOR GENERAL PERFORMANCE REVIEWS OF FEDERAL PROGRAMS AND AGENCIES.

(a) PRINCIPLE DUTY.—Section 4 of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) by redesignating subsections (a), (b), (c), and (d) as subsections (b), (c), (d), and (e), respectively;

(2) by inserting before subsection (b) (as so redesignated) the following new subsection:

“(a) It shall be the principle duty and responsibility of each Inspector General, with respect to the establishment within which his Office is established, to review annually the operations, efficiency, and effectiveness of all Federal programs within such establishment and submit to the Congress and the President not later than September 1 of each year recommendations, accompanied by proposed legislation, on whether an abolishment, reorganization, consolidation, or transfer of existing Federal programs and agencies is necessary—

“(1) to reduce Federal expenditures;

“(2) to increase efficiency of government operations;

“(3) to eliminate overlap and duplication in Federal programs and offices;

“(4) to abolish agencies or programs that no longer serve an important governmental purpose; and

“(5) to identify reductions in amounts of discretionary budget authority or direct spending that can be dedicated to Federal deficit reduction.”; and

(3) in subsection (c)(1) (as so redesignated), by striking “(a)(1)” and inserting “(b)(1)”.

(b) CONFORMING AMENDMENTS.—The Inspector General Act of 1978 (5 U.S.C. App.) is further amended—

(1) in section 8(d), by striking “section 4(d)” and inserting “section 4(e)”; and

(2) in section 8D(k)(2)(A), by striking “section 4(d)” and inserting “section 4(e)”.

Mr. TOM DAVIS of Virginia (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The SPEAKER pro tempore. The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. TOM DAVIS of Virginia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 404, nays 11, not voting 17, as follows:

[Roll No. 937]

YEAS—404

Abercrombie
Ackerman
Aderholt

Akin
Alexander
Allen

Altmire
Andrews
Arcuri

Baca Ellsworth
 Bachus Emanuel
 Baird Emerson
 Baker Engel
 Baldwin English (PA)
 Barrow Eshoo
 Bartlett (MD) Etheridge
 Barton (TX) Everett
 Bean Fallin
 Becerra Farr
 Berkley Fattah
 Berman Feeney
 Berry Ferguson
 Biggert Filner
 Bilbray Flake
 Bilirakis Forbes
 Bishop (GA) Fortenberry
 Bishop (NY) Fossella
 Bishop (UT) Foxx
 Blackburn Frank (MA)
 Blumenauer Frelinghuysen
 Blunt Gallegly
 Bonner Garrett (NJ)
 Bono Gerlach
 Boozman Giffords
 Boren Gilchrest
 Boswell Gillibrand
 Boucher Gohmert
 Boustany Gonzalez
 Boyda (KS) Goode
 Brady (PA) Goodlatte
 Brady (TX) Gordon
 Braley (IA) Granger
 Brown (SC) Graves
 Brown, Corrine Green, Al
 Brown-Waite, Green, Gene
 Ginny Grijalva
 Buchanan Gutierrez
 Burgess Hall (NY)
 Burton (IN) Hall (TX)
 Butterfield Hare
 Buyer Harman
 Calvert Hastert
 Camp (MI) Hastings (FL)
 Campbell (CA) Hastings (WA)
 Cannon Hayes
 Cantor Heller
 Capito Hensarling
 Capps Herger
 Capuano Herseth Sandlin
 Carnahan Hill
 Carney Hinchey
 Carter Hinojosa
 Castle Hirono
 Castor Hobson
 Chabot Hodes
 Chandler Hoekstra
 Clarke Holden
 Clay Holt
 Cleaver Honda
 Clyburn Hooley
 Coble Hoyer
 Cohen Hulshof
 Cole (OK) Hunter
 Conaway Inglis (SC)
 Conyers Inslee
 Cooper Israel
 Costa Issa
 Costello Jackson (IL)
 Courtney Jackson-Lee
 Cramer (TX)
 Crenshaw Jefferson
 Crowley Johnson (GA)
 Cuellar Johnson (IL)
 Cummings Johnson, E. B.
 Davis (AL) Johnson, Sam
 Davis (CA) Jones (NC)
 Davis (IL) Jones (OH)
 Davis (KY) Jordan
 Davis, David Kagen
 Davis, Lincoln Kanjorski
 Davis, Tom Kaptur
 DeFazio Keller
 DeGette Kennedy
 DeLauro Kildee
 Dent Kilpatrick
 Diaz-Balart, L. Kind
 Diaz-Balart, M. King (IA)
 Dicks King (NY)
 Doggett Kingston
 Donnelly Kirk
 Doolittle Klein (FL)
 Doyle Kline (MN)
 Drake Knollenberg
 Dreier Kucinich
 Duncan Kuhl (NY)
 Edwards LaHood
 Ehlers Lamborn
 Ellison Lampson

Langevin
 Lantos
 Larsen (WA)
 Larson (CT)
 Latham
 LaTourette
 Levin
 Lewis (CA)
 Lewis (GA)
 Lewis (KY)
 Linder
 Lipinski
 LoBiondo
 Loeb sack
 Lofgren, Zoe
 Lowey
 Lucas
 Lungren, Daniel
 E.
 Lynch
 Mack
 Mahoney (FL)
 Maloney (NY)
 Manzullo
 Markey
 Marshall
 Matheson
 Matsui
 McCarthy (CA)
 McCarthy (NY)
 McCaul (TX)
 Gordon
 McCollum (MN)
 McCotter
 McCrery
 McDermott
 McGovern
 McHenry
 McHugh
 McIntyre
 McKeon
 McMorris
 Rodgers
 McNeerney
 McNulty
 Meek (FL)
 Meeks (NY)
 Melancon
 Mica
 Michaud
 Miller (FL)
 Miller (MI)
 Miller (NC)
 Miller, Gary
 Miller, George
 Mitchell
 Mollohan
 Moore (KS)
 Moore (WI)
 Moran (KS)
 Moran (VA)
 Murphy (CT)
 Murphy, Patrick
 Murphy, Tim
 Murtha
 Musgrave
 Myrick
 Nadler
 Napolitano
 Neal (MA)
 Neugebauer
 Nunes
 Obey
 Olver
 Ortiz
 Pallone
 Pascarell
 Pastor
 Payne
 Pearce
 Pence
 Peterson (MN)
 Peterson (PA)
 Petri
 Pickering
 Platts
 Poe
 Pomeroy
 Porter
 Price (GA)
 Price (NC)
 Putnam
 Radanovich
 Rahall
 Ramstad
 Rangel
 Regula
 Rehberg
 Reichert
 Renzi

Reyes
 Reynolds
 Richardson
 Rodriguez
 Rogers (AL)
 Rogers (KY)
 Rogers (MI)
 Rohrabacher
 Ros-Lehtinen
 Roskam
 Ross
 Rothman
 Roybal-Allard
 Royce
 Ruppersberger
 Rush
 Ryan (OH)
 Ryan (WI)
 Salazar
 Sali
 Sanchez, Linda
 T.
 Sanchez, Loretta
 Sarbanes
 Saxton
 Schakowsky
 Schiff
 Schmidt
 Schwartz
 Scott (GA)
 Scott (VA)
 Sensenbrenner
 Serrano
 Sestak
 Shadegg

Shays
 Shea-Porter
 Sherman
 Shimkus
 Shuler
 Simpson
 Sires
 Skelton
 Slaughter
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Smith (WA)
 Snyder
 Solis
 Souder
 Space
 Spratt
 Stark
 Stearns
 Stupak
 Sullivan
 Sutton
 Tanner
 Tauscher
 Taylor
 Terry
 Thompson (CA)
 Thompson (MS)
 Thornberry
 Tiahrt
 Tiberi
 Tierney
 Towns
 Turner

Udall (CO)
 Udall (NM)
 Upton
 Van Hollen
 Velázquez
 Visclosky
 Walberg
 Walden (OR)
 Walsh (NY)
 Walz (MN)
 Wamp
 Wasserman
 Schultz
 Waters
 Watson
 Watt
 Waxman
 Weiner
 Welch (VT)
 Weldon (FL)
 Weller
 Wexler
 Whitfield
 Wicker
 Wilson (NM)
 Wilson (OH)
 Wilson (SC)
 Wolf
 Woolsey
 Wu
 Wynn
 Yarmuth
 Young (AK)
 Young (FL)

CHILDREN'S HEALTH INSURANCE PROGRAM REAUTHORIZATION ACT OF 2007—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 110-62)

The SPEAKER pro tempore laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I am returning herewith without my approval H.R. 976, the "Children's Health Insurance Program Reauthorization Act of 2007," because this legislation would move health care in this country in the wrong direction.

The original purpose of the State Children's Health Insurance Program (SCHIP) was to help children whose families cannot afford private health insurance, but do not qualify for Medicaid, to get the coverage they need. My Administration strongly supports reauthorization of SCHIP. That is why I proposed last February a 20 percent increase in funding for the program over 5 years.

This bill would shift SCHIP away from its original purpose and turn it into a program that would cover children from some families of four earning almost \$83,000 a year. In addition, under this bill, government coverage would displace private health insurance for many children. If this bill were enacted, one out of every three children moving onto government coverage would be moving from private coverage. The bill also does not fully fund all its new spending, obscuring the true cost of the bill's expansion of SCHIP, and it raises taxes on working Americans.

Because the Congress has chosen to send me a bill that moves our health care system in the wrong direction, I must veto it. I hope we can now work together to produce a good bill that puts poorer children first, that moves adults out of a program meant for children, and that does not abandon the bipartisan tradition that marked the enactment of SCHIP. Our goal should be to move children who have no health insurance to private coverage, not to move children who already have private health insurance to government coverage.

GEORGE W. BUSH.

THE WHITE HOUSE, October 3, 2007.

The SPEAKER pro tempore. The objections of the President will be spread at large upon the Journal, and the veto message and the bill will be printed as a House document.

MOTION OFFERED BY MR. HOYER

Mr. HOYER. Madam Speaker, I have a privileged motion at the desk.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. Hoyer moves that further consideration of the veto message and the bill, H.R. 976, be postponed until October 18, 2007.

The SPEAKER pro tempore. The gentleman from Maryland (Mr. HOYER) is recognized for 1 hour.

NAYS—11

Bachmann
 Boehner
 Broun (GA)
 Culberson

Deal (GA)
 Franks (AZ)
 Gingrey
 Marchant

Sessions
 Shuster
 Westmoreland

NOT VOTING—17

Barrett (SC)
 Boyd (FL)
 Cardoza
 Carson
 Cubin
 Davis, Jo Ann

Delahunt
 Dingell
 Higgins
 Jindal
 Lee
 Oberstar

Paul
 Perlmutter
 Pitts
 Pryce (OH)
 Tancredo

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are less than 2 minutes remaining on this vote.

□ 1432

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mrs. BACHMANN. Mr. Speaker, on rollcall vote 937, I was recorded as "nay." It was my intention to have voted "yea." I would like the RECORD to reflect my support of H.R. 928.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 928, IMPROVING GOVERNMENT ACCOUNTABILITY ACT

Mr. TOWNS. Madam Speaker, I ask unanimous consent that the Clerk be authorized to make technical corrections in the engrossment of H.R. 928, to include corrections in spelling, punctuation, section numbering and cross-referencing, and the insertion of appropriate headings.

The SPEAKER pro tempore (Mrs. TAUSCHER). Is there objection to the request of the gentleman from New York?

There was no objection.