



Council of the
INSPECTORS GENERAL
on INTEGRITY and EFFICIENCY

April 2, 2010

The Honorable Darrell Issa
Ranking Member
House Committee on Oversight and Government Reform
2157 Rayburn House Office Building
Washington, DC 20515-6143

**Re: CIGIE Legislation Committee
FY 2010 – Legislative Initiatives to Improve the work of Inspectors General**

Dear Representative Issa:

This is in response to your letter of March 24, 2010, requesting any legislative suggestions to further improve the Inspector General Act of 1978, as amended. As Chair of the Legislation Committee of the Council of the Inspectors General on Integrity and Efficiency (CIGIE), I am providing you this summary of our current legislative initiatives to improve the work of Inspectors General (IG).

The CIGIE Legislation Committee (Committee) is dedicated to providing helpful and timely information about Congressional initiatives to the IG community; soliciting the views and concerns of the community in response to Congressional initiatives and requests; and presenting views and recommendations to Congressional entities and the Office of Management and Budget (OMB) on issues and initiatives of interest.

The Committee has been actively advancing several pro-active initiatives, among them:

- Paperwork Reduction Act
- Computer Matching Act
- Testimonial Subpoena Authority
- Technical Amendments to the Inspector General Reform Act of 2009

Brief summaries of these initiatives are provided below.

1. Paperwork Reduction Act

The Paperwork Reduction Act (PRA) requires a lengthy and burdensome approval process for the collection of information by a Federal agency.¹ The CIGIE has recommended that the PRA be amended to exempt the Federal IG offices from its requirements. It should be noted that the Government Accountability Office, which performs audits and investigations for Congress, is exempted from PRA requirements.

¹ 44 U.S.C. § 3501 *et seq.*

Senator Grassley introduced S. 976 which would exempt from the PRA information collected by a Federal IG during the conduct of any investigation, audit, inspection, evaluation, or other review. S. 976 fully addresses the concerns of the IG community and the Committee has expressed its support thereof. S. 976 awaits action by the Senate Committee on Homeland Security and Governmental Affairs.

2. Computer Matching and Privacy Protection Act

The Computer Matching and Privacy Protection Act requires a protracted review and approval process before computer matching can be performed between agencies that house data to identify improper or fraudulent disaster or other assistance payments to individuals.² The timely use of computer matching to identify those who improperly received Federal assistance, and subsequently removing them from the program after verification, improves program efficiency and enables the government to focus resources on eligible applicants. Moreover, under optimum conditions, timely computer matching can prevent improper payments from occurring in the first instance and, even following payments, usually leads to enhanced recovery of improper payments. The Committee has recommended that the IG community be exempt from the provisions of the Computer Matching and Privacy Protection Act to facilitate review and identification of fraud.

3. Testimonial Subpoena Authority

The IG community supports expanding the IG subpoena authority to include compelling the attendance and testimony of non-Federal agency witnesses. This proposed expansion of authority would enhance the IGs' ability to conduct thorough audits and investigations, particularly in procurement fraud matters dealing with Government contractors or grantees. IGs have cited examples of problems obtaining cooperation from private contractors, former employees, and other parties in their audits or investigations. This lack of cooperation either led to incomplete audits or closed investigation cases.

Congress has begun to address the issue and has passed legislation to grant the expanded authority to the Department of Defense IG. Several bills now pending before Congress offer a variety of solutions to the issue; however, they do not offer a uniform, consistent approach for all IGs. The Committee is working with OMB and the Department of Justice to develop an appropriate legislative proposal to grant this authority to all IGs.

4. Technical Amendments to the Inspector General Reform Act of 2009

The Committee has proposed certain amendments to the Inspector General Reform Act of 2008 (Reform Act) and has referred a final draft of the recommendations to staff of the Senate Homeland Security and Governmental Affairs and House Oversight and Government Reform Committees. The recommendations include those proposals that are technical in

² 5 U.S.C. § 552a(o) *et seq.*

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nature and that affect multiple CIGIE members. The proposed amendments seek to accomplish the following:

- Codify the following provisions from the Reform Act in the Inspector General Act of 1978: (a) the designated Federal entity IG pay provisions set forth in section 4(b) of the Reform Act; (b) pay provisions for career Senior Executive Service personnel that become inspectors general set forth in section 4(c) of the Reform Act, and (c) the authority of the Integrity Committee to investigate allegations of wrongdoing against the Special Counsel or Deputy Special Counsel provided in section 7(b) of the Reform Act;
- Authorize all executive OIGs to fund or participate in CIGIE activities (the current language “department, agency, or entity of the executive branch” does not include certain designated Federal entities);
- Replace “agency” with “Federal agency, establishment or designated Federal entity” so that non-agency OIGs may promise to keep anonymous the identity of parties filing complaints;
- Clarify that reports that OIGs must post on their web-sites include audit reports, inspection reports and evaluation reports, consistent with semi-annual reporting requirements; and
- Correct various typographical errors.

Thank you for the opportunity to present this summary of important issues for the IG community. We would appreciate the opportunity to meet with you or your staff to discuss these initiatives in further detail and look forward to working with you to advance these legislative initiatives.

Should you have any questions or need more information, please do not hesitate to contact me directly at 202-512-2288.

Sincerely,



J. Anthony Ogden
Inspector General
United States Government Printing Office

c: The Honorable Edolphus Towns