



H.Res. 40 – Amending the Rules of the House of Representatives to require each standing committee to hold periodic hearings on the topic of waste, fraud, abuse, or mismanagement in Government programs which that committee may authorize, and for other purposes

FLOOR SITUATION

H.Res. 40 is being considered on the floor under a motion to suspend the rules, requiring a two-thirds majority vote for passage. This legislation was introduced by Rep. John Tanner (D-TN) on January 9.

SUMMARY

H.Res. 40 amends clause 2 of rule XI of the House Rules to require each standing committee or subcommittee to hold at least one hearing during each 120-day period following the establishment of the committee on the topic of waste, fraud, abuse, or mismanagement in government programs which that committee may authorize. Hearings will focus on the most egregious instances of waste, fraud, abuse, or mismanagement documented by any report the committee receives from a federal Inspector General or the Comptroller General of the United States.

- Each committee or subcommittee must hold at least one hearing during any session if the committee has received disclaimers of agency financial statements from federal auditors.
- Each standing committee or a subcommittee will hold at least one hearing on issues raised by reports issued by the Comptroller General of the United States indicating that federal programs or operations that the committee may authorize are at high risk for waste, fraud, and mismanagement.

BACKGROUND

H. Res. 40 would require Congressional committees to conduct hearings if/when an Inspector General report shows possible misuses of government resources, personnel, and loss of money. Such a proposal was part of President-elect Obama's campaign platform—intended to weed out waste, fraud, and abuse. A [recent Washington Post article](#) notes that this proposal was initially considered for addition in the new House rules package for the 111th Congress. Instead, it will instead be considered as a stand-alone proposal. Furthermore, according to President-Elect Obama's transitional website, www.change.gov, the incoming administration lists a similar proposal as one of their agenda items:

The Obama-Biden administration will ... work with inspectors general in all the federal agencies to enforce ethics rules, minimize waste and ensure federal officials are not using their offices for personal gain.

The Inspector General Act of 1978 ([Public Law 95-452](#)) established an Office of Inspector General within each of the Departments of Agriculture, Commerce, Housing and Urban Development, Interior, Labor, and Transportation, the Environmental Protection Agency, the Community Services, General Services, National Aeronautics and Space, Small Business, and Veterans' Administrations.

Pursuant to P.L. 95-452, Inspector Generals (IG) are appointed by the President, and subject to Senate confirmation. The 1978 law requires that IGs report to the agency head, and authorizes the removal of the IG by the President (so long as a reasonable removal request is submitted to Congress on behalf of the President).

The Act defines the responsibilities of the IG to include: directing the auditing and investigation of the programs of the agency; recommending policies to each respective agency to promote the efficiency and



economy of such agencies; preventing and detecting fraud and abuse in the programs administered by each agency; directing offices to coordinate the relationships between its agency and other federal agencies, States, and local government agencies in carrying out its mission. Furthermore, the Act requires each IG office to keep Congress and the agency head fully informed concerning its activities and findings (the bill also specifies how often these reports should be made to Congress, and how to make them available to the public). The bill also authorizes the Inspector General to receive and investigate complaints from agency employees concerning possible violations of law, rules, or regulations, mismanagement, gross waste of funds, abuse of authority or a substantial and specific danger to the public health and safety.

H.Res. 40 is an effort to ensure that Congress utilizes these reports in its oversight activities.

STAFF CONTACT

For questions or further information contact Adam Hepburn at 6-2302 or adam.hepburn@mail.house.gov.