

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 2136

To amend title 31, United States Code, to ensure that the General Accounting Office performs its functions in an impartial, complete, and timely manner in investigating issues of concern to the public.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 17, 1993

Mr. THOMAS of Wyoming (for himself, Mr. ROHRABACHER, Mr. WALKER, Ms. PRYCE of Ohio, Mr. ROYCE, Mr. EWING, Mr. BUNNING, Mr. BALLENGER, and Mr. EVERETT) introduced the following bill; which was referred jointly to the Committees on Government Operations and Rules

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## A BILL

To amend title 31, United States Code, to ensure that the General Accounting Office performs its functions in an impartial, complete, and timely manner in investigating issues of concern to the public.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “General Accounting  
5 Office Reform and Reorganization Act of 1993”.

1 **SEC. 2. PURPOSE.**

2 The purpose of this Act is to ensure that in conduct-  
3 ing evaluations and preparing reports pursuant to an  
4 order or request of the Congress, the General Accounting  
5 Office performs its functions in an impartial, complete,  
6 and timely manner.

7 **SEC. 3. REVIEW AND APPROVAL OF GENERAL ACCOUNTING**  
8 **OFFICE INVESTIGATIONS AND REPORTS.**

9 (a) IN GENERAL.—Subchapter II of chapter 7 of title  
10 31, United States Code, is amended—

11 (1) by redesignating section 720 as section 721;

12 and

13 (2) by inserting after section 719 the following  
14 new section:

15 **“§ 720. Review, approval, and conduct of investiga-**  
16 **tions, evaluations, assessments, and re-**  
17 **ports requested by Congress**

18 “(a) Notwithstanding any other provision of law, the  
19 Comptroller General may not make a report pursuant to  
20 a request of a Member or committee of the Congress, un-  
21 less—

22 “(1) the Oversight Board approves in accord-  
23 ance with this section a methodology for preparing  
24 the report; and

1           “(2) the report is prepared in accordance with  
2           the methodology as approved by the Oversight  
3           Board.

4           “(b) Upon receiving a request from a committee of  
5           the Congress for a report, the Comptroller General shall  
6           notify the ranking minority member of that committee  
7           that the request has been received.

8           “(c) A Member of Congress who requests that the  
9           Comptroller General make a report, the staff of the Mem-  
10          ber, and a Member and the staff of a committee of the  
11          Congress that requests that the Comptroller General make  
12          a report, may not advise, consult, confer, or otherwise  
13          communicate with the Comptroller General or any person-  
14          nel of the General Accounting Office regarding the report  
15          until after the date on which the final report is issued.

16          “(d) The Comptroller General may not issue any final  
17          report pursuant to a request of a Member or committee  
18          of Congress unless the final report is approved—

19                 “(1) by the subcommittee under subsection  
20                 (h)(3) that has responsibility for the subject area of  
21                 the report; and

22                 “(2) after approval under subparagraph (A), by  
23                 the Oversight Board.

24          “(e)(1) Any Member of Congress may submit to the  
25          Oversight Board comments challenging the findings or

1 recommendations of any final report issued by the Comp-  
2 troller General.

3 “(2) Upon receipt of comments under paragraph (1),  
4 the Oversight Board may—

5 “(A) refer the comments to the Comptroller  
6 General for further investigation; or

7 “(B) refer the final report and comments to an  
8 outside entity (including a college or university) for  
9 peer review of the findings of the report and the  
10 data used.

11 “(f)(1) Except as provided in paragraph (2), there  
12 shall be printed in the Congressional Record—

13 “(A) on a quarterly basis, a list of the names  
14 of all Members of Congress who requested, in the  
15 quarter covered by the list, that the Comptroller  
16 General make any report; and

17 “(B) by not later than 90 days after the last  
18 day of each session of the Congress, a brief sum-  
19 mary of the status and results of each investigation  
20 conducted by the General Accounting Office in that  
21 session.

22 “(2) Paragraph (1) shall not apply to requests by  
23 Members of Congress for a report dealing with a national  
24 security issue.

1       “(g)(1) No hearing may be held by a committee or  
2 subcommittee of the Congress regarding a report by the  
3 General Accounting Office before the end of the 7-day pe-  
4 riod beginning on the date of the release of the final re-  
5 port.

6       “(2) Before the 7-day period ending on the date on  
7 which a person is required to testify to a committee or  
8 subcommittee of the Congress regarding an investigation  
9 conducted by the General Accounting Office, the Chair-  
10 man of the committee or subcommittee shall provide to  
11 the person a copy of the final report of the General Ac-  
12 counting Office relating to the investigation.

13       “(h)(1) There is established the General Accounting  
14 Office Oversight Board. The Oversight Board shall review  
15 in accordance with this section requests by Members and  
16 committees of the Congress for the performance of inves-  
17 tigation by the Comptroller General.

18       “(2) The Oversight Board shall be comprised of 21  
19 members appointed as follows:

20               “(A) 5 Members of the House of Representa-  
21 tives appointed by the Speaker of the House of Rep-  
22 resentatives.

23               “(B) 5 Members of the House of Representa-  
24 tives appointed by the minority leader of the House  
25 of Representatives.

1           “(C) 5 Members of the Senate appointed by the  
2 majority leader of the Senate.

3           “(D) 5 Members of the Senate appointed by the  
4 minority leader of the Senate.

5           “(E) The Comptroller General, who shall be a  
6 nonvoting member.

7           “(3)(A) The Oversight Board shall have a sub-  
8 committee for each division in the General Accounting Of-  
9 fice, and each subcommittee shall be responsible for the  
10 subject area of that division.

11          “(B) Each subcommittee shall consist of 9 members  
12 of the Oversight Board, of whom—

13           “(i) 2 shall be members of the Oversight Board  
14 appointed by each of the officials referred to in para-  
15 graph (2)(A) through (D); and

16           “(ii) one shall be the Comptroller General, who  
17 shall be a nonvoting member.

18          “(C) Each subcommittee shall select a chairman and  
19 a vice chairman from among its members. No member of  
20 the Oversight Board may serve as chairman or vice chair-  
21 man of more than one subcommittee. No member of the  
22 Oversight Board may serve on more than 2 subcommittees  
23 at any time unless granted a waiver by the Oversight  
24 Board.

1       “(4) A vacancy in the membership of the Oversight  
2 Board shall not affect the power of the remaining mem-  
3 bers to execute the functions of the Oversight Board and  
4 shall be filled in the same manner as in the case of the  
5 original appointment.

6       “(5) The Oversight Board shall select a chairman and  
7 a vice chairman from among its members at the beginning  
8 of each Congress. The vice chairman shall act in the place  
9 of the chairman in the absence of the chairman. The chair-  
10 manship and vice chairmanship shall alternate between  
11 the Senate and the House of Representatives with each  
12 Congress. The chairman during each even-numbered Con-  
13 gress shall be selected by the members of the House of  
14 Representatives on the Oversight Board, from among  
15 those members. The chairman during each odd-numbered  
16 Congress shall be selected by the members of the Senate  
17 on the Oversight Board, from among those members. The  
18 vice chairman during each Congress shall be selected by  
19 the members on the Oversight Board who are members  
20 of the House of Congress of which the chairman for that  
21 Congress is not a Member.

22       “(i) In this section, the term ‘report’ includes an in-  
23 vestigation, evaluation, assessment, or report, including  
24 one under section 712(4) or (5) or section 717.’”.

25       (b) INITIAL SUBCOMMITTEES.—

1           (1) NUMBER.—The General Accounting Office  
2 Oversight Board established by section 720 of title  
3 31, United States Code, as amended by this Act,  
4 shall have 7 subcommittees until such time as there  
5 is a different number of divisions in the General Ac-  
6 counting Office.

7           (2) SUBJECT AREAS.—Each subcommittee of  
8 the General Accounting Office Oversight Board shall  
9 be responsible for one of the following subject areas,  
10 until such time as there is any change in the subject  
11 areas of the divisions of the General Accounting Of-  
12 fice and the Oversight Board alters the subject areas  
13 of the subcommittee to coincide with that change:

14                   (A) Accounting and financial management.

15                   (B) General government.

16                   (C) Human resources.

17                   (D) Information management and tech-  
18 nology.

19                   (E) National security and international af-  
20 fairs.

21                   (F) Program evaluation and methodology.

22                   (G) Resources, community, and economic  
23 development.



1 (c) OVERSIGHT BOARD DEFINED.—Section 701 of  
2 title 31, United States Code, is amended by adding at the  
3 end the following:

4 “(3) ‘Oversight Board’ means the General Ac-  
5 counting Office Oversight Board established by sec-  
6 tion 720.”.

7 (d) CLERICAL AMENDMENT.—Title 31, United  
8 States Code, is amended in the table of sections at the  
9 beginning of chapter 7 by striking the item relating to sec-  
10 tion 720 and inserting the following:

“720. Review, approval, and conduct of investigations, evaluations, assessments,  
and reports requested by Congress.

“721. Agency reports.”.

11 **SEC. 4. GAO DETAILEES AND ASSIGNEES.**

12 Section 734 of title 31, United States Code, is  
13 amended—

14 (1) by inserting “(a)” before “The Comptrol-  
15 ler”; and

16 (2) by adding at the end the following:

17 “(b) The Comptroller General may not detail or as-  
18 sign an officer or employee of the General Accounting Of-  
19 fice to a committee of the Congress—

20 “(1) more than twice in any Congress; or

21 “(2) for a period longer than 3 months.

22 “(c) Notwithstanding any other provision of this title,  
23 the Comptroller General may not make any investigation,  
24 evaluation, assessment, or report pursuant to a request

1 from a committee of the Congress or the Chairman of a  
2 committee of the Congress if an officer or employee of the  
3 General Accounting Office was detailed or assigned to the  
4 committee in the 3-month period ending on the date of  
5 the submittal of the request.”.

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