

110<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5683

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## AN ACT

To make certain reforms with respect to the Government  
Accountability Office, and for other purposes.

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

1 **SECTION 1. SHORT TITLE; REFERENCES; TABLE OF CON-**  
 2 **TENTS.**

3 (a) **SHORT TITLE.**—This Act may be cited as the  
 4 “Government Accountability Office Act of 2008”.

5 (b) **REFERENCES.**—Except as otherwise expressly  
 6 provided, whenever in this Act an amendment is expressed  
 7 in terms of an amendment to a section or other provision,  
 8 the reference shall be considered to be made to a section  
 9 or other provision of title 31, United States Code.

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

- Sec. 1. Short title; references; table of contents.
- Sec. 2. Provisions relating to future annual pay adjustments.
- Sec. 3. Pay adjustment relating to certain previous years.
- Sec. 4. Lump-sum payment for certain performance-based compensation.
- Sec. 5. Inspector General.
- Sec. 6. Reimbursement of audit costs.
- Sec. 7. Financial disclosure requirements.
- Sec. 8. Highest basic pay rate.
- Sec. 9. Additional authorities.

12 **SEC. 2. PROVISIONS RELATING TO FUTURE ANNUAL PAY**  
 13 **ADJUSTMENTS.**

14 (a) **IN GENERAL.**—Section 732 is amended by adding  
 15 at the end the following:

16 “(j)(1) For purposes of this subsection—

17 “(A) the term ‘pay increase’, as used with re-  
 18 spect to an officer or employee in connection with a  
 19 year, means the total increase in the rate of basic  
 20 pay (expressed as a percentage) of such officer or

1 employee, taking effect under section 731(b) and  
2 subsection (c)(3) in such year;

3 “(B) the term ‘required minimum percentage’,  
4 as used with respect to an officer or employee in  
5 connection with a year, means the percentage equal  
6 to the total increase in rates of basic pay (expressed  
7 as a percentage) taking effect under sections 5303  
8 and 5304–5304a of title 5 in such year with respect  
9 to General Schedule positions within the pay locality  
10 (as defined by section 5302(5) of title 5) in which  
11 the position of such officer or employee is located;

12 “(C) the term ‘covered officer or employee’, as  
13 used with respect to a pay increase, means any indi-  
14 vidual—

15 “(i) who is an officer or employee of the  
16 Government Accountability Office, other than  
17 an officer or employee described in subpara-  
18 graph (A), (B), or (C) of section 4(c)(1) of the  
19 Government Accountability Office Act of 2008,  
20 determined as of the effective date of such pay  
21 increase; and

22 “(ii) whose performance is at least at a  
23 satisfactory level, as determined by the Comp-  
24 troller General under the provisions of sub-  
25 section (c)(3) for purposes of the adjustment

1 taking effect under such provisions in such  
2 year; and

3 “(D) the term ‘nonpermanent merit pay’ means  
4 any amount payable under section 731(b) which  
5 does not constitute basic pay.

6 “(2)(A) Notwithstanding any other provision of this  
7 chapter, if (disregarding this subsection) the pay increase  
8 that would otherwise take effect with respect to a covered  
9 officer or employee in a year would be less than the re-  
10 quired minimum percentage for such officer or employee  
11 in such year, the Comptroller General shall provide for a  
12 further increase in the rate of basic pay of such officer  
13 or employee.

14 “(B) The further increase under this subsection—

15 “(i) shall be equal to the amount necessary to  
16 make up for the shortfall described in subparagraph  
17 (A); and

18 “(ii) shall take effect as of the same date as the  
19 pay increase otherwise taking effect in such year.

20 “(C) Nothing in this paragraph shall be considered  
21 to permit or require that a rate of basic pay be increased  
22 to an amount inconsistent with the limitation set forth in  
23 subsection (c)(2).

24 “(D) If (disregarding this subsection) the covered of-  
25 ficer or employee would also have received any nonperma-

1 nent merit pay in such year, such nonpermanent merit pay  
2 shall be decreased by an amount equal to the portion of  
3 such officer's or employee's basic pay for such year which  
4 is attributable to the further increase described in sub-  
5 paragraph (A) (as determined by the Comptroller Gen-  
6 eral), but to not less than zero.

7 “(3) Notwithstanding any other provision of this  
8 chapter, the effective date of any pay increase (within the  
9 meaning of paragraph (1)(A)) taking effect with respect  
10 to a covered officer or employee in any year shall be the  
11 same as the effective date of any adjustment taking effect  
12 under section 5303 of title 5 with respect to statutory pay  
13 systems (as defined by section 5302(1) of title 5) in such  
14 year.”.

15 (b) EFFECTIVE DATE.—The amendment made by  
16 this section shall apply with respect to any pay increase  
17 (as defined by such amendment) taking effect on or after  
18 the date of the enactment of this Act.

19 **SEC. 3. PAY ADJUSTMENT RELATING TO CERTAIN PRE-**  
20 **VIOUS YEARS.**

21 (a) APPLICABILITY.—This section applies in the case  
22 of any individual who, as of the date of the enactment  
23 of this Act, is an officer or employee of the Government  
24 Accountability Office, excluding—

1           (1) an officer or employee described in subpara-  
2           graph (A), (B), or (C) of section 4(c)(1); and

3           (2) an officer or employee who received both a  
4           2.6 percent pay increase in January 2006 and a 2.4  
5           percent pay increase in February 2007.

6           (b) PAY INCREASE DEFINED.—For purposes of this  
7           section, the term “pay increase”, as used with respect to  
8           an officer or employee in connection with a year, means  
9           the total increase in the rate of basic pay (expressed as  
10          a percentage) of such officer or employee, taking effect  
11          under sections 731(b) and 732(c)(3) of title 31, United  
12          States Code, in such year.

13          (c) PROSPECTIVE EFFECT.—Effective with respect to  
14          pay for service performed in any pay period beginning  
15          after the end of the 6-month period beginning on the date  
16          of the enactment of this Act (or such earlier date as the  
17          Comptroller General may specify), the rate of basic pay  
18          for each individual to whom this section applies shall be  
19          determined as if such individual had received both a 2.6  
20          percent pay increase for 2006 and a 2.4 percent pay in-  
21          crease for 2007, subject to subsection (e).

22          (d) LUMP-SUM PAYMENT.—Not later than 6 months  
23          after the date of the enactment of this Act, the Comp-  
24          troller General shall, subject to the availability of appro-  
25          priations, pay to each individual to whom this section ap-

1 plies a lump-sum payment. Subject to subsection (e), such  
2 lump-sum payment shall be equal to—

3           (1) the total amount of basic pay that would  
4           have been paid to the individual, for service per-  
5           formed during the period beginning on the effective  
6           date of the pay increase for 2006 and ending on the  
7           day before the effective date of the pay adjustment  
8           under subsection (c) (or, if earlier, the date on which  
9           the individual retires or otherwise ceases to be em-  
10          ployed by the Government Accountability Office), if  
11          such individual had received both a 2.6 percent pay  
12          increase for 2006 and a 2.4 percent pay increase for  
13          2007, minus

14          (2) the total amount of basic pay that was in  
15          fact paid to the individual for service performed dur-  
16          ing the period described in paragraph (1).

17 Eligibility for a lump-sum payment under this subsection  
18 shall be determined solely on the basis of whether an indi-  
19 vidual satisfies the requirements of subsection (a) (to be  
20 considered an individual to whom this section applies), and  
21 without regard to such individual's employment status as  
22 of any date following the date of the enactment of this  
23 Act or any other factor.

24          (e) CONDITIONS.—Nothing in subsection (c) or (d)  
25 shall be considered to permit or require—

1           (1) the payment of any rate (or lump-sum  
2           amount based on a rate) for any pay period, to the  
3           extent that such rate would be (or would have been)  
4           inconsistent with the limitation that applies (or that  
5           applied) with respect to such pay period under sec-  
6           tion 732(c)(2) of title 31, United States Code; or

7           (2) the payment of any rate or amount based  
8           on the pay increase for 2006 or 2007 (as the case  
9           may be), if—

10                   (A) the performance of the officer or em-  
11                   ployee involved was not at a satisfactory level,  
12                   as determined by the Comptroller General  
13                   under paragraph (3) of section 732(c) of such  
14                   title 31 for purposes of the adjustment under  
15                   such paragraph for that year; or

16                   (B) the individual involved was not an offi-  
17                   cer or employee of the Government Account-  
18                   ability Office on the date as of which that in-  
19                   crease took effect.

20   As used in paragraph (2)(A), the term “satisfactory” in-  
21   cludes a rating of “meets expectations” (within the mean-  
22   ing of the performance appraisal system used for purposes  
23   of the adjustment under section 732(c)(3) of such title 31  
24   for the year involved).

25           (f) RETIREMENT.—

1           (1) IN GENERAL.—The lump-sum payment paid  
2           under subsection (d) to an officer or employee shall,  
3           for purposes of any determination of the average pay  
4           (as defined by section 8331 or 8401 of title 5,  
5           United States Code) which is used to compute an  
6           annuity under subchapter III of chapter 83 or chap-  
7           ter 84 of such title—

8                   (A) be treated as basic pay (as defined by  
9                   section 8331 or 8401 of such title); and

10                   (B) be allocated to the biweekly pay peri-  
11                   ods covered by subsection (d).

12           (2) CONTRIBUTIONS.—Notwithstanding section  
13           8334, 8422, 8423, or any other provision of title 5,  
14           United States Code, no employee or agency contribu-  
15           tion shall be required for purposes of this subsection.

16           (g) EXCLUSIVE REMEDY.—This section constitutes  
17           the exclusive remedy that any individuals to whom this  
18           section applies (as described in subsection (a)) have for  
19           any claim that they are owed any monies denied to them  
20           in the form of a pay increase for 2006 or 2007 under sec-  
21           tion 732(c)(3) of title 31, United States Code, or any  
22           other law. Notwithstanding any other provision of law, no  
23           court or administrative body, including the Government  
24           Accountability Office Personnel Appeals Board, shall have  
25           jurisdiction to entertain any civil action or other civil pro-

1 ceeding based on the claim of such individuals that they  
2 were due money in the form of a pay increase for 2006  
3 or 2007 pursuant to such section 732(c)(3) or any other  
4 law.

5 **SEC. 4. LUMP-SUM PAYMENT FOR CERTAIN PERFORMANCE-**  
6 **BASED COMPENSATION.**

7 (a) IN GENERAL.—Not later than 6 months after the  
8 date of the enactment of this Act, the Comptroller General  
9 shall, subject to the availability of appropriations, pay to  
10 each qualified individual a lump-sum payment equal to the  
11 amount of performance-based compensation such indi-  
12 vidual was denied for 2006, as determined under sub-  
13 section (b).

14 (b) AMOUNT.—The amount payable to a qualified in-  
15 dividual under this section shall be equal to—

16 (1) the total amount of performance-based com-  
17 pensation such individual would have earned for  
18 2006 (determined by applying the Government Ac-  
19 countability Office’s performance-based compensa-  
20 tion system under GAO Orders 2540.3 and 2540.4,  
21 as in effect in 2006) if such individual had not had  
22 a salary equal to or greater than the maximum for  
23 such individual’s band (as further described in sub-  
24 section (c)(2)), less

1           (2) the total amount of performance-based com-  
2           pensation such individual was in fact granted, in  
3           January 2006, for that year.

4           (c) QUALIFIED INDIVIDUAL.—For purposes of this  
5           section, the term “qualified individual” means an indi-  
6           vidual who—

7           (1) as of the date of the enactment of this Act,  
8           is an officer or employee of the Government Ac-  
9           countability Office, excluding—

10           (A) an individual holding a position subject  
11           to section 732a or 733 of title 31, United  
12           States Code (disregarding section 732a(b) and  
13           733(c) of such title);

14           (B) a Federal Wage System employee; and

15           (C) an individual participating in a devel-  
16           opment program under which such individual  
17           receives performance appraisals, and is eligible  
18           to receive permanent merit pay increases, more  
19           than once a year; and

20           (2) as of January 22, 2006, was a Band I staff  
21           member with a salary above the Band I cap, a Band  
22           IIA staff member with a salary above the Band IIA  
23           cap, or an administrative professional or support  
24           staff member with a salary above the cap for that

1 individual's pay band (determined in accordance  
2 with the orders cited in subsection (b)(1)).

3 (d) **EXCLUSIVE REMEDY.**—This section constitutes  
4 the exclusive remedy that any officers and employees (as  
5 described in subsection (c)) have for any claim that they  
6 are owed any monies denied to them in the form of merit  
7 pay for 2006 under section 731(b) of title 31, United  
8 States Code, or any other law. Notwithstanding any other  
9 provision of law, no court or administrative body in the  
10 United States, including the Government Accountability  
11 Office Personnel Appeals Board, shall have jurisdiction to  
12 entertain any civil action or other civil proceeding based  
13 on the claim of such officers or employees that they were  
14 due money in the form of merit pay for 2006 pursuant  
15 to such section 731(b) or any other law.

16 (e) **DEFINITIONS.**—For purposes of this section—

17 (1) the term “performance-based compensa-  
18 tion” has the meaning given such term under the  
19 Government Accountability Office’s performance-  
20 based compensation system under GAO Orders  
21 2540.3 and 2540.4, as in effect in 2006; and

22 (2) the term “permanent merit pay increase”  
23 means an increase under section 731(b) of title 31,  
24 United States Code, in a rate of basic pay.

1 **SEC. 5. INSPECTOR GENERAL.**

2 (a) IN GENERAL.—Subchapter I of chapter 7 is  
3 amended by adding at the end the following:

4 **“§ 705. Inspector General for the Government Ac-**  
5 **countability Office**

6 “(a) ESTABLISHMENT OF OFFICE.—There is estab-  
7 lished an Office of the Inspector General in the Govern-  
8 ment Accountability Office, to—

9 “(1) conduct and supervise audits consistent  
10 with generally accepted government auditing stand-  
11 ards and investigations relating to the Government  
12 Accountability Office;

13 “(2) provide leadership and coordination and  
14 recommend policies, to promote economy, efficiency,  
15 and effectiveness in the Government Accountability  
16 Office; and

17 “(3) keep the Comptroller General and Con-  
18 gress fully and currently informed concerning fraud  
19 and other serious problems, abuses, and deficiencies  
20 relating to the administration of programs and oper-  
21 ations of the Government Accountability Office.

22 “(b) APPOINTMENT, SUPERVISION, AND REMOVAL.—

23 “(1) The Office of the Inspector General shall  
24 be headed by an Inspector General, who shall be ap-  
25 pointed by the Comptroller General without regard  
26 to political affiliation and solely on the basis of in-

1 integrity and demonstrated ability in accounting, au-  
2 diting, financial analysis, law, management analysis,  
3 public administration, or investigations. The Inspec-  
4 tor General shall report to, and be under the general  
5 supervision of, the Comptroller General.

6 “(2) The Inspector General may be removed  
7 from office by the Comptroller General. The Comp-  
8 troller General shall, promptly upon such removal,  
9 communicate in writing the reasons for any such re-  
10 moval to each House of Congress.

11 “(3) The Inspector General shall be paid at an  
12 annual rate of pay equal to \$5,000 less than the an-  
13 nual rate of pay of the Comptroller General, and  
14 may not receive any cash award or bonus, including  
15 any award under chapter 45 of title 5.

16 “(c) AUTHORITY OF INSPECTOR GENERAL.—In addi-  
17 tion to the authority otherwise provided by this section,  
18 the Inspector General, in carrying out the provisions of  
19 this section, may—

20 “(1) have access to all records, reports, audits,  
21 reviews, documents, papers, recommendations, or  
22 other material that relate to programs and oper-  
23 ations of the Government Accountability Office;

24 “(2) make such investigations and reports relat-  
25 ing to the administration of the programs and oper-

1 ations of the Government Accountability Office as  
2 are, in the judgment of the Inspector General, nec-  
3 essary or desirable;

4 “(3) request such documents and information  
5 as may be necessary for carrying out the duties and  
6 responsibilities provided by this section from any  
7 Federal agency;

8 “(4) in the performance of the functions as-  
9 signed by this section, obtain all information, docu-  
10 ments, reports, answers, records, accounts, papers,  
11 and other data and documentary evidence from a  
12 person not in the United States Government or from  
13 a Federal agency, to the same extent and in the  
14 same manner as the Comptroller General under the  
15 authority and procedures available to the Comp-  
16 troller General in section 716 of this title;

17 “(5) administer to or take from any person an  
18 oath, affirmation, or affidavit, whenever necessary in  
19 the performance of the functions assigned by this  
20 section, which oath, affirmation, or affidavit when  
21 administered or taken by or before an employee of  
22 the Office of Inspector General designated by the In-  
23 spector General shall have the same force and effect  
24 as if administered or taken by or before an officer  
25 having a seal;

1           “(6) have direct and prompt access to the  
2           Comptroller General when necessary for any purpose  
3           pertaining to the performance of functions and re-  
4           sponsibilities under this section;

5           “(7) report expeditiously to the Attorney Gen-  
6           eral whenever the Inspector General has reasonable  
7           grounds to believe there has been a violation of Fed-  
8           eral criminal law; and

9           “(8) provide copies of all reports to the Audit  
10          Advisory Committee of the Government Account-  
11          ability Office and provide such additional informa-  
12          tion in connection with such reports as is requested  
13          by the Committee.

14          “(d) COMPLAINTS BY EMPLOYEES.—

15                 “(1) The Inspector General—

16                         “(A) subject to subparagraph (B), may re-  
17                         ceive, review, and investigate, as the Inspector  
18                         General considers appropriate, complaints or in-  
19                         formation from an employee of the Government  
20                         Accountability Office concerning the possible  
21                         existence of an activity constituting a violation  
22                         of any law, rule, or regulation, mismanagement,  
23                         or a gross waste of funds; and

24                         “(B) shall refer complaints or information  
25                         concerning violations of personnel law, rules, or

1 regulations to established investigative and ad-  
2 judicative entities of the Government Account-  
3 ability Office.

4 “(2) The Inspector General shall not, after re-  
5 ceipt of a complaint or information from an em-  
6 ployee, disclose the identity of the employee without  
7 the consent of the employee, unless the Inspector  
8 General determines such disclosure is unavoidable  
9 during the course of the investigation.

10 “(3) Any employee who has authority to take,  
11 direct others to take, recommend, or approve any  
12 personnel action, shall not, with respect to such au-  
13 thority, take or threaten to take any action against  
14 any employee as a reprisal for making a complaint  
15 or disclosing information to the Inspector General,  
16 unless the complaint was made or the information  
17 disclosed with the knowledge that it was false or  
18 with willful disregard for its truth or falsity.

19 “(e) SEMIANNUAL REPORTS.—(1) The Inspector  
20 General shall submit semiannual reports summarizing the  
21 activities of the Office of the Inspector General to the  
22 Comptroller General. Such reports shall include, but need  
23 not be limited to—

24 “(A) a summary of each significant report  
25 made during the reporting period, including a de-

1 description of significant problems, abuses, and defi-  
2 ciencies disclosed by such report;

3 “(B) a description of the recommendations for  
4 corrective action made with respect to significant  
5 problems, abuses, or deficiencies described pursuant  
6 to subparagraph (A);

7 “(C) a summary of the progress made in imple-  
8 menting such corrective action described pursuant to  
9 subparagraph (B); and

10 “(D) information concerning any disagreement  
11 the Comptroller General has with a recommendation  
12 of the Inspector General.

13 “(2) The Comptroller General shall transmit the  
14 semiannual reports of the Inspector General, together with  
15 any comments the Comptroller General considers appro-  
16 priate, to Congress within 30 days after receipt of such  
17 reports.

18 “(f) INDEPENDENCE IN CARRYING OUT DUTIES AND  
19 RESPONSIBILITIES.—The Comptroller General may not  
20 prevent or prohibit the Inspector General from carrying  
21 out any of the duties or responsibilities of the Inspector  
22 General under this section.

23 “(g) AUTHORITY FOR STAFF.—

24 “(1) IN GENERAL.—The Inspector General  
25 shall select, appoint, and employ such personnel as

1       may be necessary to carry out this section consistent  
2       with the provisions of this title governing selections,  
3       appointments, and employment in the Government  
4       Accountability Office. Such personnel shall be ap-  
5       pointed, promoted, and assigned only on the basis of  
6       merit and fitness, but without regard to those provi-  
7       sions of title 5 governing appointments and other  
8       personnel actions in the competitive service, except  
9       that no personnel of the Office may be paid at an  
10      annual rate greater than \$1,000 less than the an-  
11      nual rate of pay of the Inspector General.

12           “(2) EXPERTS AND CONSULTANTS.—The In-  
13      spector General may procure temporary and inter-  
14      mittent services under section 3109 of title 5 at  
15      rates not to exceed the daily equivalent of the annual  
16      rate of basic pay for level V of the Executive Sched-  
17      ule under section 5315 of such title.

18           “(3) INDEPENDENCE IN APPOINTING STAFF.—  
19      No individual may carry out any of the duties or re-  
20      sponsibilities of the Office of the Inspector General  
21      unless the individual is appointed by the Inspector  
22      General, or provides services obtained by the Inspec-  
23      tor General, pursuant to this paragraph.

24           “(4) LIMITATION ON PROGRAM RESPONSIBIL-  
25      ITIES.—The Inspector General and any individual

1 carrying out any of the duties or responsibilities of  
2 the Office of the Inspector General are prohibited  
3 from performing any program responsibilities.

4 “(h) OFFICE SPACE.—The Comptroller General shall  
5 provide the Office of the Inspector General—

6 “(1) appropriate and adequate office space;

7 “(2) such equipment, office supplies, and com-  
8 munications facilities and services as may be nec-  
9 essary for the operation of the Office of the Inspec-  
10 tor General;

11 “(3) necessary maintenance services for such  
12 office space, equipment, office supplies, and commu-  
13 nications facilities; and

14 “(4) equipment and facilities located in such of-  
15 fice space.

16 “(i) DEFINITION.—As used in this section, the term  
17 ‘Federal agency’ means a department, agency, instrumen-  
18 tality, or unit thereof, of the Federal Government.”.

19 (b) INCUMBENT.—The individual who serves in the  
20 position of Inspector General of the Government Account-  
21 ability Office on the date of the enactment of this Act shall  
22 continue to serve in such position subject to removal in  
23 accordance with the amendments made by this section.

1 (c) CLERICAL AMENDMENT.—The table of sections  
2 for chapter 7 is amended by inserting after the item relat-  
3 ing to section 704 the following:

“705. Inspector General for the Government Accountability Office.”.

4 **SEC. 6. REIMBURSEMENT OF AUDIT COSTS.**

5 (a) IN GENERAL.—Section 3521 is amended by add-  
6 ing at the end the following:

7 “(i)(1) If the Government Accountability Office au-  
8 dits any financial statement or related schedule which is  
9 prepared under section 3515 by an executive agency (or  
10 component thereof) for a fiscal year beginning on or after  
11 October 1, 2009, such executive agency (or component)  
12 shall reimburse the Government Accountability Office for  
13 the cost of such audit if—

14 “(A) the statement or schedule audited is that  
15 of an executive agency (or component) which sub-  
16 mitted a financial statement or related schedule  
17 under section 3515 for fiscal year 2007 which was  
18 audited by the Government Accountability Office; or

19 “(B) the reason for the audit (described in the  
20 matter before subparagraph (A)) is because of the  
21 Comptroller General’s determination of materiality  
22 to the statements required under section 331(e).

23 “(2) Any executive agency (or component thereof)  
24 that prepares a financial statement under section 3515 for  
25 a fiscal year beginning on or after October 1, 2009, and

1 that requests the Government Accountability Office to  
2 audit such statement or any related schedule may reim-  
3 burse the Government Accountability Office for the cost  
4 of such audit.

5 “(3) Any reimbursement under paragraph (1) or (2)  
6 shall be deposited to a special account in the Treasury  
7 and shall be available to the Government Accountability  
8 Office for such purposes and in such amounts as are speci-  
9 fied in annual appropriations Acts.”.

10 (b) CONFORMING AMENDMENT.—Section 1401 of  
11 title I of Public Law 108–83 (31 U.S.C. 3523 note) is  
12 repealed, effective October 1, 2010.

13 **SEC. 7. FINANCIAL DISCLOSURE REQUIREMENTS.**

14 Section 109(13)(B) of the Ethics in Government Act  
15 of 1978 (5 U.S.C. App.) is amended—

16 (1) in clause (i), by inserting “(except any offi-  
17 cer or employee of the Government Accountability  
18 Office)” after “legislative branch”, and by striking  
19 “and” at the end;

20 (2) by redesignating clause (ii) as clause (iii);  
21 and

22 (3) by inserting after clause (i) the following:

23 “(ii) each officer or employee of the Gov-  
24 ernment Accountability Office who, for at least  
25 60 consecutive days, occupies a position for

1           which the rate of basic pay, minus the amount  
2           of locality pay that would have been authorized  
3           under section 5304 of title 5, United States  
4           Code (had the officer or employee been paid  
5           under the General Schedule) for the locality  
6           within which the position of such officer or em-  
7           ployee is located (as determined by the Comp-  
8           troller General), is equal to or greater than 120  
9           percent of the minimum rate of basic pay pay-  
10          able for GS-15 of the General Schedule; and”.

11 **SEC. 8. HIGHEST BASIC PAY RATE.**

12          Section 732(c)(2) is amended by striking “highest  
13 basic rate for GS-15;” and inserting “rate for level III  
14 of the Executive Level, except that the total amount of  
15 cash compensation in any year shall be subject to the limi-  
16 tations provided under section 5307(a)(1) of title 5;”.

17 **SEC. 9. ADDITIONAL AUTHORITIES.**

18          (a) IN GENERAL.—Section 731 is amended—

19           (1) by repealing subsection (d);

20           (2) in subsection (e)—

21           (A) in the matter before paragraph (1), by  
22           striking “maximum daily rate for GS-18 under  
23           section 5332 of such title” and inserting “daily  
24           rate for level IV of the Executive Schedule”;  
25           and

1           (B) by striking “more than—” and all that  
2 follows and inserting the following: “more than  
3 20 experts and consultants may be procured for  
4 terms of not more than 3 years, but which shall  
5 be renewable.”; and

6           (3) by adding at the end the following:

7           “(j) Funds appropriated to the Government Account-  
8 ability Office for salaries and expenses are available for  
9 meals and other related reasonable expenses incurred in  
10 connection with recruitment.”.

11          (b) CONFORMING AMENDMENTS.—(1) Section  
12 732a(b) is amended by striking “section 731(d), (e)(1),  
13 or (e)(2)” and inserting “paragraph (1) or (2) of section  
14 731(e)”.

15          (2) Section 733(c) is amended by striking “(d),”.

16          (3) Section 735(a) is amended by striking “731(c)–  
17 (e),” and inserting “731(c) and (e),”.

Passed the House of Representatives June 9, 2008.

Attest:

*Clerk.*



110<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# **H. R. 5683**

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## **AN ACT**

To make certain reforms with respect to the Government Accountability Office, and for other purposes.