

Proposed GAO Revisions to H.R. 4670
(Strike through deletions and underlined additions)

[Bold-face are comments on the affects of the editing]

Draft, September 15, 2004

A BILL

To provide for the establishment of a Center for Scientific and Technical Assessment.

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

SECTION 1. CENTER FOR SCIENTIFIC AND TECHNICAL ASSESSMENT.

(a) Establishment.--There shall be established a Center for Scientific and Technical Assessment (in this section referred to as the 'Center') in the Government Accountability Office to provide timely advice to the Congress on scientific and technical aspects of public policy issues.

1. This was deleted from our version in order for the parliamentarian to assign the bill to the House Science Committee. We are willing to do this down the road when the bill is marked up, but not now because of parliamentary reasons.

Recommend to agree, given the above conditions.

The Center shall be administered by a Director who shall report to the Comptroller General.

(b) Technical Assessment Advisory Board.--

(1) Establishment And Purpose.--There shall be established a Technical Assessment Advisory Board whose purpose shall be to provide guidance advice to the Director of the Center Comptroller General to ensure that the Center provides timely and useful responses to congressional requests.

2. Throughout the Technical Assessment Board, TAB, is changed to the Technical Assessment Advisory Board, TAAB. The CG is placed between the TAAB and GAO, director

Recommend to agree to both GAO changes.

(2) Membership.--The Technical Assessment Advisory Board established under paragraph (1) shall consist of--

(A) 6 members of the Senate, including--

(i) 4 members appointed by the President Pro Tempore of the Senate, 2 from the majority party and 2 from the minority party; and

(ii) the chairman and ranking minority members of the Committee on Governmental Affairs;

(B) 6 members of the House of Representatives, including--

(i) 4 members appointed by the Speaker of the House of Representatives, 2 from the majority party and 2 from the minority party; and

(ii) the chairman and ranking minority member of the Committee on Government Reform;

3. The contention was that the Committee on Government Affairs and the Committee on Government Reform have oversight and primary legislative authority on the GAO. This has the possibility of leading to contention with the TAB (TAAB). Hence, the rationale for adding members from the oversight committees which is a positive

Recommend to agree to GAO changes.

- (C) the Comptroller General; and
- (D) the Director of the Congressional Research Service and the Director of the Center, who shall be nonvoting members.

Service as a member on the Technical Assessment Advisory Board shall not be construed under the rules of the House of Representatives or the Senate as service as a member of a House of Representatives or Senate Committee.

(3) Vacancies.--Vacancies in the membership of the Technical Assessment Advisory Board shall not affect the authority of the remaining members to act, and such vacancies shall be filled in the same manner as in the case of the original appointment.

(4) Chairman And Vice Chairman.--There shall be selected at the beginning of each Congress a chairman and a vice chairman, one of whom shall be a member of the Senate selected by the members of the Technical Assessment Advisory Board who are members of the Senate from among their number, and one of whom shall be a member of the House of Representatives selected by the members of the Technical Assessment Advisory Board who are members of the House of Representatives from among their number. The chairmanship and vice chairmanship shall alternate between the Senate and the House of Representatives with each year. The chairman during each odd-numbered year shall be a member of the House of Representatives. The vice chairman shall act in the place of the chairman in the absence of the chairman.

(5) Authority To Act.--The Technical Assessment Advisory Board established under this subsection may sit and act at such places and times as it chooses, including during the sessions, recesses, and adjourned periods of Congress.

(c) Director and Deputy Director.--

(1) Director.--The Director of the Center shall be appointed by the Comptroller General with the approval of the Technical Assessment Advisory Board and shall serve for a term of 6 years unless sooner removed by the Comptroller General after consultation with the Technical Assessment Advisory Board.

4. Rightfully puts the GAO in direct line responsibility between the TAB (TAAB) and the Director

Recommend to agree to GAO changes.

The Director shall receive basic pay at the rate provided for level III IV of the Executive Schedule under section 5314 5315 of title 5, United States Code, and shall be deemed subject to section 733(c) of title 31, United States Code.

5. This stipulates a higher grade for this position

Recommend to agree to GAO changes.

(2) Powers And Duties.--In addition to the powers and duties vested by this section, the Director shall exercise such powers and duties as may be delegated by the Technical Assessment Board Comptroller General in consultation with TAB(TAAB)

6. Puts the Director directly responsible to the CG, but on the other hand the CG is a voting member of the board

Recommend to agree to GAO changes.

The Director, with the permission of the Comptroller General, shall have the authority to hire, remove, or promote permanent staff and enter into contracts for consultants, expert analysis, and peer reviewers described in subsection (f). In consultation with the Technical Assessment Advisory Board and with the approval of the Comptroller General, the Director shall prepare the annual budget

request for the Center for submission to Congress, which shall, subject to approval by the Comptroller General, be included as a separate line item in the proposed annual budget of the Government Accountability Office. An annual report of the Director on the work of the Center shall be included in the report required under section 719(a) of title 31, United States Code.

7. The first change is no problem since the CG is a voting member of the TAB

(TAAB)

Recommend to agree to GAO changes.

8. A separate line item is a positive addition with government oversight much simpler. Also, chair and ranking member of oversight committees on the TAB

(TAAB)

Recommend to agree to GAO changes.

Deputy Director.--The Director may appoint, with the advance approval of the Comptroller General, a Deputy Director who shall perform such functions as the Director may prescribe and who shall be Acting Director during the absence or incapacity of the Director or in the event of a vacancy in the office of Director. The Deputy Director shall receive basic pay at the rate provided for level IV V of the Executive Schedule under section 5315 5316 of title 5, United States Code, and shall be deemed subject to section 733(c) of title 31, United States Code.

9. Change in Pay Schedule

Recommend to agree to GAO changes.

(3) Conflicts Of Interest.--Neither the Director nor the Deputy Director shall engage in any other business, vocation, or employment than that of serving as such Director or Deputy Director, as the case may be; nor shall the Director or Deputy Director, except with the advance approval of the Comptroller General, hold any office in, or act in any capacity for, any organization, agency, or institution with which the Center makes any contract or other arrangement under this section.

10. I imagine that approval should be advanced or a priori??

Recommend to agreed to GAO recommendations.

(d) Congressional Requests.--

(1) In general- Any member of Congress may make requests to the Technical Assessment Board Comptroller General that the Center conduct an investigation a study and report to the requester, within a specified time period, on any matter relating to scientific and technical assessment.

11. This is a big change! The TAB (TAAB) is now out of the request loop.

Politically, I don't know if the Congress would want to relinquish this, but it does tend to be a minor responsibility.

(2) Formal calls for requests- The chairman of the Technical Assessment Advisory Board established under subsection (b) periodically shall submit to all members of Congress formal calls for requests under this subsection.

(3) Prioritization Acceptance of Requests.--Requests under paragraph (1) shall be addressed by the Center in accordance with the following priority order:

(A) Requests with bipartisan and bicameral support.

(B) Requests with bipartisan support.

(C) Requests from other members.

The Director, with the approval of the Technical Assessment Board, may determine the final priority for consideration of and fulfilling requests among and within each category described in subparagraphs (A) through (C). The Director shall agree to requests made under this subsection, in consultation with the Technical Assessment Advisory Board and with the advance approval of the Comptroller General, taking into consideration relevant factors, including the extent of bicameral and bipartisan congressional support for the study, the national significance of the issue, and available resources.

12. Suggest keeping part of the language, striking out, “..with the advance approval of the CG”, and keeping the priority order (3) A - (3)C.

(e) Advisory Panels.--The Director may establish an advisory panel, with the advance approval of the Comptroller General, as necessary to support each technical assessment report provided by the Center. Such panels shall not be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

13. Again, the CG is in the loop.

(f) Peer Review.--Each report requested under this subsection shall be subject to peer review before delivery to the committee or member of Congress requesting the report. Such peer review shall consist of rigorous vetting, checking, criticism, and recommendations for improvement by independent, qualified experts in the various aspects of the subject of the request under study. Independent experts shall assess each Center report by considering the scientific method, factual accuracy, results, and conclusions put forward by the authors. The peer reviewers' comments shall be given to the report authors to allow for change, improvement, and modification of the report before delivery to the Director. After final review by the Director and the Technical Assessment Advisory Board, and the approval of the Technical Assessment Board Comptroller General, the report shall be delivered to the committee or member of Congress requesting the report.

14. Should the TAAB be burdened by a final review?? If a report is hundreds of pages long this could slow the process!

(g) Public Release- Except for classified reports, the Center, with the permission of the Technical Assessment Board Comptroller General, shall promptly release a report requested under subsection (d) to the public, except that such release shall be delayed by not more than 2 weeks at the request of the Technical Assessment Board or a member of Congress committee or member of Congress requesting the report.

15. This is the similar procedure for current GAO reports.

Recommend to agree to GAO changes.

(h) Authorization Of Appropriations.--There are authorized to be appropriated to the Comptroller General for carrying out this section \$30,000,000 \$10,000,000 for each of the fiscal years 2005 through 2007, to remain available until expended. Provisions of this section shall not be carried out in any fiscal year unless a sufficient line item appropriation is provided for such fiscal year.

16. CG is worried about unfounded requests. The CG said he wants to walk before running. I think we need to agree on this funding. Otherwise, the GAO will bring this up in the hearing.

Recommend to agree to GAO changes.