

110TH CONGRESS
2D SESSION

H. R. 5683

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

IN THE HOUSE OF REPRESENTATIVES

APRIL 2, 2008

Mr. DAVIS of Illinois (for himself, Mr. WAXMAN, and Ms. NORTON) introduced the following bill; which was referred to the Committee on Oversight and Government Reform

A BILL

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,*

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

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

7 (b) REFERENCES.—Except as otherwise expressly
8 provided, whenever in this Act an amendment is expressed
9 in terms of an amendment to a section or other provision,

1 the reference shall be considered to be made to a section
 2 or other provision of title 31, United States Code.

3 (c) TABLE OF CONTENTS.—The table of contents for
 4 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 merit pay.
- Sec. 5. Inspector General.
- Sec. 6. Administering oaths.
- Sec. 7. Comptroller General reports.
- Sec. 8. Reimbursement of audit costs.
- Sec. 9. Financial disclosure requirements.
- Sec. 10. Highest basic pay rate.
- Sec. 11. Additional authorities.
- Sec. 12. Voluntary separation incentive payments.

5 **SEC. 2. PROVISIONS RELATING TO FUTURE ANNUAL PAY**
 6 **ADJUSTMENTS.**

7 (a) IN GENERAL.—Section 732 of title 31, United
 8 States Code, is amended by adding at the end the fol-
 9 lowing:

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

11 “(A) the term ‘pay increase’, as used with re-
 12 spect to an officer or employee in connection with a
 13 year, means the total increase in the rate of basic
 14 pay (expressed as a percentage) of such officer or
 15 employee, taking effect under section 731(b) and
 16 subsection (c)(3) in such year;

17 “(B) the term ‘required minimum percentage’,
 18 as used with respect to an officer or employee in
 19 connection with a year, means the percentage equal
 20 to the total increase in rates of basic pay (expressed

1 as a percentage) taking effect under sections 5303
2 and 5304–5304a of title 5 in such year with respect
3 to General Schedule positions within the pay locality
4 (as defined by section 5302(5) of title 5) in which
5 the position of such officer or employee is located;

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

9 “(i) who is an officer or employee of the
10 Government Accountability Office, other than
11 an officer or employee described in subpara-
12 graph (A), (B), or (C) of section 4(c)(1) of the
13 Government Accountability Office Act of 2008,
14 determined as of the effective date of such pay
15 increase; and

16 “(ii) whose performance is at least at a
17 satisfactory level, as determined by the Comp-
18 troller General under the provisions of sub-
19 section (c)(3) for purposes of the adjustment
20 taking effect under such provisions in such
21 year; and

22 “(D) the term ‘merit pay’ means any amount
23 payable under section 731(b) which does not con-
24 stitute basic pay.

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

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

10 “(i) shall be equal to the amount necessary to
11 make up for the shortfall described in subparagraph
12 (A); and

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

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

19 “(D) If (disregarding this subsection) the covered of-
20 ficer or employee would also have received any merit pay
21 in such year, such merit pay shall be decreased by an
22 amount equal to the portion of such officer’s or employee’s
23 basic pay for such year which is attributable to the further
24 increase described in subparagraph (A) (as determined by
25 the Comptroller General), but to not less than zero.

1 “(3) Notwithstanding any other provision of this
2 chapter, the effective date of any pay increase taking ef-
3 fect with respect to a covered officer or employee in any
4 year shall be the same as the effective date of any adjust-
5 ment taking effect under section 5303 of title 5 with re-
6 spect to statutory pay systems (as defined by section
7 5302(1) of title 5) in such year.”.

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

12 **SEC. 3. PAY ADJUSTMENT RELATING TO CERTAIN PRE-**
13 **VIOUS YEARS.**

14 (a) APPLICABILITY.—This section applies in the case
15 of any individual who, as of the date of the enactment
16 of this Act, is an officer or employee of the Government
17 Accountability Office, excluding—

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

20 (2) an officer or employee who received both a
21 2.6 percent pay increase in January 2006 and a 2.4
22 percent pay increase in February 2007.

23 (b) PAY INCREASE DEFINED.—For purposes of this
24 section, the term “pay increase”, as used with respect to
25 a year, means the total increase in rates of basic pay tak-

1 ing effect under sections 731(b) and 732(e)(3) of title 31,
2 United States Code, in such year.

3 (c) PROSPECTIVE EFFECT.—Effective with respect to
4 pay for service performed in any pay period beginning
5 after the end of the 3-month period beginning on the date
6 of the enactment of this Act (or such earlier date as the
7 Comptroller General may specify), the rate of basic pay
8 for each individual to whom this section applies shall be
9 determined as if such individual had received both a 2.6
10 percent pay increase for 2006 and a 2.4 percent pay in-
11 crease for 2007, subject to subsection (e).

12 (d) PAYMENT FOR EARLIER PERIODS.—Not later
13 than 4 months after the date of the enactment of this Act,
14 the Comptroller General shall pay to each individual whose
15 rate of basic pay is adjusted in accordance with subsection
16 (c) a lump-sum payment. Subject to subsection (e), such
17 lump-sum payment shall be equal to—

18 (1) the total amount of basic pay that would
19 have been paid to the individual, for service per-
20 formed during the period beginning on the effective
21 date of the pay increase for 2006 and ending on the
22 day before the effective date of the pay adjustment
23 under subsection (c), if such individual had received
24 both a 2.6 percent pay increase for 2006 and a 2.4
25 percent pay increase for 2007, minus

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

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

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

12 (2) the payment of any rate or amount based
13 on the pay increase for 2006 or 2007 (as the case
14 may be), if the performance of the officer or em-
15 ployee involved was not at a satisfactory level, as de-
16 termined by the Comptroller General under para-
17 graph (3) of section 732(c) of such title 31 for pur-
18 poses of the adjustment under such paragraph for
19 that year.

20 (f) RETIREMENT.—

21 (1) IN GENERAL.—The lump-sum payment paid
22 under subsection (d) to an officer or employee shall,
23 for purposes of any determination of the average pay
24 (as defined by section 8331 or 8401 of title 5,
25 United States Code) which is used to compute an

1 annuity under subchapter III of chapter 83 or chap-
2 ter 84 of such title—

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

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

7 (2) CONTRIBUTIONS.—Notwithstanding section
8 8334, 8422, 8423, or any other provision of title 5,
9 United States Code, no employee or agency contribu-
10 tion shall be required for purposes of this subsection.

11 (g) AVAILABILITY OF FUNDS.—Notwithstanding sec-
12 tion 1502 of title 31, United States Code, or any other
13 provision of law limiting the availability of funds to a given
14 fiscal year, the unobligated balances of expired “Salaries
15 and Expenses” appropriations of the Government Ac-
16 countability Office are available to the Comptroller Gen-
17 eral for the purpose of making lump-sum payments under
18 this section until such time as the expired appropriations
19 accounts are closed and the appropriations are cancelled
20 pursuant to section 1552 of such title.

21 (h) EXCLUSIVE REMEDY.—This section constitutes
22 the exclusive remedy that any individuals to whom this
23 section applies (as described in subsection (a)) have for
24 any claim that they are owed any monies denied to them
25 in the form of a pay increase for 2006 or 2007 under sec-

1 tion 732(c)(3) of title 31, United States Code, or any
2 other law. Notwithstanding any other provision of law, no
3 court or administrative body, including the Government
4 Accountability Office Personnel Appeals Board, shall have
5 jurisdiction to entertain any civil action or other civil pro-
6 ceeding based on the claim of such individuals that they
7 were due money in the form of a pay increase for 2006
8 or 2007 pursuant to such section 732(c)(3) or any other
9 law.

10 **SEC. 4. LUMP-SUM PAYMENT FOR CERTAIN MERIT PAY.**

11 (a) IN GENERAL.—Not later than 4 months after the
12 date of the enactment of this Act, the Comptroller General
13 shall pay to each qualified individual a lump-sum payment
14 equal to the amount of merit pay such individual was de-
15 nied for 2006, as determined under subsection (b).

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

18 (1) the total amount of merit pay such indi-
19 vidual would have earned for 2006 (determined by
20 applying the Government Accountability Office’s per-
21 formance-based compensation system under GAO
22 Orders 2540.3 and 2540.4, as in effect for increases
23 effective in 2006) if such individual had not had a
24 salary equal to or greater than the maximum for

1 such individual's band (as further described in sub-
2 section (c)(2)), less

3 (2) the total amount of merit pay such indi-
4 vidual in fact was paid in January 2006.

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

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

11 (A) an individual holding a position subject
12 to section 732a or 733 of title 31, United
13 States Code (disregarding section 732a(b) and
14 733(c) of such title);

15 (B) a Federal Wage System employee; and

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

21 (2) as of January 22, 2006, was a Band I staff
22 member with a salary above the Band I cap, a Band
23 IIA staff member with a salary above the Band IIA
24 cap, or an administrative professional or support
25 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) AVAILABILITY OF FUNDS.—Notwithstanding sec-
4 tion 1502 of title 31, United States Code, or any other
5 provision of law limiting the availability of funds to a given
6 fiscal year, the unobligated balances of expired “Salaries
7 and Expenses” appropriations of the Government Ac-
8 countability Office are available to the Comptroller Gen-
9 eral for the purpose of making lump-sum payments under
10 this section until such time as the expired appropriations
11 accounts are closed and the appropriations are cancelled
12 pursuant to section 1552 of such title.

13 (e) EXCLUSIVE REMEDY.—This section constitutes
14 the exclusive remedy that any officers and employees (as
15 described in subsection (c)) have for any claim that they
16 are owed any monies denied to them in the form of merit
17 pay for 2006 under section 731(b) of title 31, United
18 States Code, or any other law. Notwithstanding any other
19 provision of law, no court or administrative body in the
20 United States, including the Government Accountability
21 Office Personnel Appeals Board, shall have jurisdiction to
22 entertain any civil action or other civil proceeding based
23 on the claim of such officers or employees that they were
24 due money in the form of merit pay for 2006 pursuant
25 to such section 731(b) or any other law.

1 (f) DEFINITIONS.—For purposes of this section—

2 (1) the term “merit pay” means any amount
3 payable under section 731(b) of title 31, United
4 States Code, which does not constitute basic pay;
5 and

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

9 **SEC. 5. INSPECTOR GENERAL.**

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

12 **“§ 705. Inspector General for the Government Ac-**
13 **countability Office**

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

17 “(1) conduct and supervise audits consistent
18 with generally accepted government auditing stand-
19 ards and investigations relating to the Government
20 Accountability Office;

21 “(2) provide leadership and coordination and
22 recommend policies, to promote economy, efficiency,
23 and effectiveness in the Government Accountability
24 Office; and

1 “(3) keep the Comptroller General and Con-
2 gress fully and currently informed concerning fraud
3 and other serious problems, abuses, and deficiencies
4 relating to the administration of programs and oper-
5 ations of the Government Accountability Office.

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

7 “(1) The Office of the Inspector General shall
8 be headed by an Inspector General, who shall be ap-
9 pointed by the Comptroller General without regard
10 to political affiliation and solely on the basis of in-
11 tegrity and demonstrated ability in accounting, au-
12 diting, financial analysis, law, management analysis,
13 public administration, or investigations. The Inspec-
14 tor General shall report to, and be under the general
15 supervision of, the Comptroller General.

16 “(2) The Inspector General may be removed
17 from office by the Comptroller General. The Comp-
18 troller General shall, promptly upon such removal,
19 communicate in writing the reasons for any such re-
20 moval to each House of Congress.

21 “(c) AUTHORITY OF INSPECTOR GENERAL.—In addi-
22 tion to the authority otherwise provided by this section,
23 the Inspector General, in carrying out the provisions of
24 this section, may—

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

5 “(2) make such investigations and reports relat-
6 ing to the administration of the programs and oper-
7 ations of the Government Accountability Office as
8 are, in the judgment of the Inspector General, nec-
9 essary or desirable;

10 “(3) request such documents and information
11 as may be necessary for carrying out the duties and
12 responsibilities provided by this section from any
13 Federal agency;

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

23 “(5) administer to or take from any person an
24 oath, affirmation, or affidavit, whenever necessary in
25 the performance of the functions assigned by this

1 section, which oath, affirmation, or affidavit when
2 administered or taken by or before an employee of
3 the Office of Inspector General designated by the In-
4 spector General shall have the same force and effect
5 as if administered or taken by or before an officer
6 having a seal;

7 “(6) have direct and prompt access to the
8 Comptroller General when necessary for any purpose
9 pertaining to the performance of functions and re-
10 sponsibilities under this section;

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

15 “(8) provide copies of all reports to the Audit
16 Advisory Committee of the Government Account-
17 ability Office and provide such additional informa-
18 tion in connection with such reports as is requested
19 by the Committee.

20 “(d) COMPLAINTS BY EMPLOYEES.—

21 “(1) The Inspector General—

22 “(A) subject to subparagraph (B), may re-
23 ceive, review, and investigate, as the Inspector
24 General considers appropriate, complaints or in-
25 formation from an employee of the Government

1 Accountability Office concerning the possible
2 existence of an activity constituting a violation
3 of any law, rule, or regulation, mismanagement,
4 or a gross waste of funds; and

5 “(B) shall refer complaints or information
6 concerning violations of personnel law, rules, or
7 regulations to established investigative and ad-
8 judicative entities of the Government Account-
9 ability Office.

10 “(2) The Inspector General shall not, after re-
11 ceipt of a complaint or information from an em-
12 ployee, disclose the identity of the employee without
13 the consent of the employee, unless the Inspector
14 General determines such disclosure is unavoidable
15 during the course of the investigation.

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

1 “(e) SEMIANNUAL REPORTS.—(1) The Inspector
2 General shall submit semiannual reports summarizing the
3 activities of the Office of the Inspector General to the
4 Comptroller General. Such reports shall include, but need
5 not be limited to—

6 “(A) a summary of each significant report
7 made during the reporting period, including a de-
8 scription of significant problems, abuses, and defi-
9 ciencies disclosed by such report;

10 “(B) a description of the recommendations for
11 corrective action made with respect to significant
12 problems, abuses, or deficiencies described pursuant
13 to subparagraph (A);

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

17 “(D) information concerning any disagreement
18 the Comptroller General has with a recommendation
19 of the Inspector General.

20 “(2) The Comptroller General shall transmit the
21 semiannual reports of the Inspector General, together with
22 any comments the Comptroller General considers appro-
23 priate, to Congress within 30 days after receipt of such
24 reports.

1 “(f) INDEPENDENCE IN CARRYING OUT DUTIES AND
2 RESPONSIBILITIES.—The Comptroller General may not
3 prevent or prohibit the Inspector General from carrying
4 out any of the duties or responsibilities of the Inspector
5 General under this section.

6 “(g) AUTHORITY FOR STAFF.—

7 “(1) IN GENERAL.—The Inspector General
8 shall select, appoint, and employ such personnel as
9 may be necessary to carry out this section consistent
10 with the provisions of this title governing selections,
11 appointments, and employment in the Government
12 Accountability Office. Such personnel shall be ap-
13 pointed, promoted, and assigned only on the basis of
14 merit and fitness, but without regard to those provi-
15 sions of title 5 governing appointments and other
16 personnel actions in the competitive service, except
17 that no personnel of the Office may be paid at an
18 annual rate greater than \$1,000 less than the an-
19 nual rate of pay of the Inspector General.

20 “(2) EXPERTS AND CONSULTANTS.—The In-
21 spector General may procure temporary and inter-
22 mittent services under section 3109 of title 5 at
23 rates not to exceed the daily equivalent of the annual
24 rate of basic pay for level V of the Executive Sched-
25 ule under section 5315 of such title.

1 “(3) INDEPENDENCE IN APPOINTING STAFF.—
2 No individual may carry out any of the duties or re-
3 sponsibilities of the Office of the Inspector General
4 unless the individual is appointed by the Inspector
5 General, or provides services obtained by the Inspec-
6 tor General, pursuant to this paragraph.

7 “(4) LIMITATION ON PROGRAM RESPONSIBIL-
8 ITIES.—The Inspector General and any individual
9 carrying out any of the duties or responsibilities of
10 the Office of the Inspector General are prohibited
11 from performing any program responsibilities.

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

14 “(1) appropriate and adequate office space;

15 “(2) such equipment, office supplies, and com-
16 munications facilities and services as may be nec-
17 essary for the operation of the Office of the Inspec-
18 tor General;

19 “(3) necessary maintenance services for such
20 office space, equipment, office supplies, and commu-
21 nications facilities; and

22 “(4) equipment and facilities located in such of-
23 fice space.

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

4 (b) INCUMBENT.—The individual who serves in the
5 position of Inspector General of the Government Account-
6 ability Office on the date of the enactment of this Act shall
7 continue to serve in such position subject to removal in
8 accordance with the amendments made by this section.

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

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

12 **SEC. 6. ADMINISTERING OATHS.**

13 Section 711(4) is amended by striking “when audit-
14 ing and settling accounts”.

15 **SEC. 7. COMPTROLLER GENERAL REPORTS.**

16 Section 719 is amended—

17 (1) in subsection (b)(1)(B), by striking “and”
18 at the end;

19 (2) in subsection (b)(1)(C), by striking the pe-
20 riod at the end and inserting “; and”;

21 (3) by adding at the end of subsection (b)(1)
22 the following:

23 “(D) for agencies subject to sections 901 and
24 other agencies designated by the Comptroller Gen-
25 eral, an assessment of their overall degree of co-

1 operation in making personnel available for inter-
2 view, providing written answers to questions, submit-
3 ting to an oath authorized by the Comptroller Gen-
4 eral under section 711, granting access to records,
5 providing timely comments to draft reports, adopting
6 recommendations in reports and responding to such
7 other matters as the Comptroller General deems ap-
8 propriate in carrying out his duties under authority
9 of sections 711–720 or any other provisions of law.”;

10 (4) in subsection (c)(2)(B), by striking “and”
11 at the end;

12 (5) in subsection (c)(3), by striking the period
13 at the end and inserting “; and”; and

14 (6) by adding at the end of subsection (c) the
15 following:

16 “(4) as soon as practicable when an agency
17 does not, within a reasonable time of a request by
18 the Comptroller General, make personnel available
19 for interview, provide written answers to questions,
20 grant access to records, or submit to an oath au-
21 thorized by the Comptroller General under sections
22 711–720 or any other provisions of law.”.

23 **SEC. 8. REIMBURSEMENT OF AUDIT COSTS.**

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

1 “(i)(1) Any executive agency or component thereof
2 that prepares an audited financial statement under section
3 3515 shall reimburse the Government Accountability Of-
4 fice the cost of any audit of the financial statements (or
5 any part thereof) and related schedules of such agency or
6 component performed by the Comptroller General.

7 “(2) Reimbursements required by paragraph (1) shall
8 be credited to the appropriation account ‘Salaries and Ex-
9 penses, Government Accountability Office’ current when
10 the reimbursement is received and shall remain available
11 until expended.”.

12 (b) CONFORMING AMENDMENT.—Section 1401 of
13 title I of Public Law 108–83 (31 U.S.C. 3521 note) is
14 repealed.

15 (c) EFFECTIVE DATE.—This section and the amend-
16 ments made by this section shall take effect on October
17 1, 2009.

18 **SEC. 9. FINANCIAL DISCLOSURE REQUIREMENTS.**

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

21 (1) in clause (i), by inserting “(except any offi-
22 cer or employee of the Government Accountability
23 Office)” after “legislative branch”, and by striking
24 “and” at the end;

1 (2) by redesignating clause (ii) as clause (iii);

2 and

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

4 “(ii) each officer or employee of the Gov-
5 ernment Accountability Office who, for at least
6 60 consecutive days, occupies a position for
7 which the rate of basic pay, minus the amount
8 of locality pay authorized under section 5304 of
9 title 5, United States Code, for the locality
10 within which the position of such officer or em-
11 ployee is located (as determined by the Comp-
12 troller General), is equal to or greater than 120
13 percent of the minimum rate of basic pay pay-
14 able for GS–15 of the General Schedule; and”.

15 **SEC. 10. HIGHEST BASIC PAY RATE.**

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

21 **SEC. 11. ADDITIONAL AUTHORITIES.**

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

23 (1) by repealing subsection (d);

24 (2) in subsection (e)—

1 (A) in the matter before paragraph (1), by
2 striking “maximum daily rate for GS–18 under
3 section 5332 of such title” and inserting “daily
4 rate for level IV of the Executive Schedule”;
5 and

6 (B) by striking “more than—” and all that
7 follows and inserting the following: “more than
8 20 experts and consultants may be procured for
9 terms of not more than 3 years, but which shall
10 be renewable.”; and

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

12 “(j) Funds appropriated to the Government Account-
13 ability Office for salaries and expenses are available for
14 meals and other related reasonable expenses incurred in
15 connection with recruitment.”.

16 (b) CONFORMING AMENDMENTS.—(1) Section
17 732a(b) is amended by striking “section 731(d), (e)(1),
18 or (e)(2)” and inserting “paragraph (1) or (2) of section
19 731(e)”.

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

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

23 **SEC. 12. VOLUNTARY SEPARATION INCENTIVE PAYMENTS.**

24 Section 2 of Public Law 106–303 (5 U.S.C. 5597
25 note) is amended—

1 (1) in subsection (b)(1), by striking “subsection
2 (a)(2)(D)” and inserting “subsections (a)(2)(D),
3 (c)(2)(D), and (d)”,

4 (2) in subsection (b)(4), by inserting “and” at
5 the end;

6 (3) in subsection (b)(5), by striking the semi-
7 colon at the end and inserting a period;

8 (4) by striking paragraphs (6) and (7) of sub-
9 section (b);

10 (5) by repealing subsection (c);

11 (6) in subsection (d)—

12 (A) in the subsection heading, by striking
13 “DEFINITIONS” and inserting “DEFINITION”;

14 (B) by striking paragraph (1) and the
15 matter in paragraph (2) before “As used”; and

16 (C) by running in (after the em-dash in
17 the subsection heading) the text of paragraph
18 (2) (as amended by subparagraph (B)); and

19 (7) in the first sentence of subsection (f), by
20 striking “, excluding subsection (c)”.

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