

118TH CONGRESS
1ST SESSION

H. R. 5300

To amend provisions relating to the Office of the Inspector General of the Government Accountability Office, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 29, 2023

Mr. ROBERT GARCIA of California introduced the following bill; which was referred to the Committee on Oversight and Accountability

A BILL

To amend provisions relating to the Office of the Inspector General of 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.**

4 This Act may be cited as the “GAO Inspector Gen-
5 eral Parity Act”.

6 **SEC. 2. OFFICE OF THE INSPECTOR GENERAL OF THE GOV-**
7 **ERNMENT ACCOUNTABILITY OFFICE.**

8 Section 705 of title 31, United States Code, is
9 amended—

10 (1) in subsection (b)—

1 (A) in paragraph (2)—

2 (i) by inserting “(A)” before “The In-
3 spector General”;

4 (ii) in subparagraph (A), as so des-
5 ignated, by striking the second sentence;

6 and

7 (iii) by adding at the end the fol-
8 lowing:

9 “(B) If the Inspector General is removed from
10 office or is transferred to another position or loca-
11 tion within the Government Accountability Office,
12 the Comptroller General shall communicate in writ-
13 ing the substantive rationale, including detailed and
14 case-specific reasons, for any such removal or trans-
15 fer to both Houses of Congress (including to the ap-
16 propriate congressional committees), not later than
17 30 days before the removal or transfer.

18 “(C) If there is an open or completed inquiry
19 into the Inspector General that relates to the re-
20 moval or transfer of the Inspector General under
21 subparagraph (A), the written communication re-
22 quired under subparagraph (B) shall—

23 “(i) identify each entity that is conducting,
24 or that conducted, the inquiry; and

1 “(ii) in the case of a completed inquiry,
2 contain the findings made during the inquiry.

3 “(D) Nothing in this paragraph shall prohibit a
4 personnel action otherwise authorized by law, other
5 than transfer or removal.”;

6 (B) by redesignating paragraph (3) as
7 paragraph (4);

8 (C) by inserting after paragraph (2) the
9 following:

10 “(3)(A) Subject to the other provisions of this
11 paragraph, only the Comptroller General may place
12 the Inspector General on non-duty status.

13 “(B) If the Comptroller General places the In-
14 spector General on non-duty status, the Comptroller
15 General shall communicate in writing the sub-
16 stantive rationale, including detailed and case-spe-
17 cific reasons, for the change in status to both
18 Houses of Congress (including to the appropriate
19 congressional committees) not later than 15 days be-
20 fore the date on which the change in status takes ef-
21 fect, except that the Comptroller General may sub-
22 mit that communication not later than the date on
23 which the change in status takes effect if—

24 “(i) the Comptroller General has made a
25 determination that the continued presence of

1 the Inspector General in the workplace poses a
2 specific threat; and

3 “(ii) in the communication, the Comp-
4 troller General includes a report on the deter-
5 mination described in clause (i), which shall in-
6 clude—

7 “(I) the substantive rationale, includ-
8 ing detailed and case-specific reasons, for
9 the determination made under clause (i);

10 “(II) an identification of each entity
11 that is conducting, or that conducted, any
12 inquiry upon which the determination
13 under clause (i) was made; and

14 “(III) in the case of an inquiry de-
15 scribed in subclause (II) that is completed,
16 the findings made during that inquiry.

17 “(C) The Comptroller General may not place
18 the Inspector General on non-duty status during the
19 30-day period preceding the date on which the In-
20 spector General is removed or transferred under
21 paragraph (2)(A) unless the Comptroller General—

22 “(i) has made a determination that the
23 continued presence of the Inspector General in
24 the workplace poses a specific threat; and

1 “(ii) not later than the date on which the
2 change in status takes effect, submits to both
3 Houses of Congress (including to the appro-
4 priate congressional committees) a written com-
5 munication that contains the information re-
6 quired under subparagraph (B), including the
7 report required under clause (ii) of that sub-
8 paragraph.

9 “(D) Nothing in this paragraph may be con-
10 strued to limit or otherwise modify any statutory
11 protection that is afforded to the Inspector General
12 or a personnel action that is otherwise authorized by
13 law.”; and

14 (D) in paragraph (4), as so designated—

15 (i) by inserting “(A)” before “The In-
16 spector General”;

17 (ii) in subparagraph (A), as so des-
18 ignated, by striking “be paid at an annual
19 rate of pay equal to \$5,000 less than the
20 annual rate of pay of the Comptroller Gen-
21 eral” and inserting “have a rate of basic
22 pay that is not less than the average rate
23 of basic pay of all other employees of the
24 Government Accountability Office in posi-

1 tions established under section 732a or
2 733 of this title”; and

3 (iii) by adding at the end the fol-
4 lowing:

5 “(B) The Comptroller General shall establish
6 the amount of the annual adjustment of the rate of
7 basic pay for the Inspector General in an amount
8 equal to the average of the annual adjustments in
9 the rate of basic pay provided pursuant to section
10 733(a)(3)(b) of this title to all other employees in
11 positions established under section 732a or 733 of
12 this title.”;

13 (2) in subsection (f)—

14 (A) by striking “The Comptroller General”
15 and inserting the following:

16 “(1) PROHIBITION.—The Comptroller General”;

17 and

18 (B) by adding at the end the following:

19 “(2) BUDGET INDEPENDENCE.—The Comp-
20 troller General shall include the annual budget re-
21 quest of the Inspector General in the budget of the
22 Government Accountability Office without change.”;

23 and

24 (3) in subsection (g)—

1 (A) in paragraph (1), in the second sen-
2 tence, by striking “, except that no personnel of
3 the Office may be paid at an annual rate great-
4 er than \$1,000 less than the annual rate of pay
5 of the Inspector General”; and

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

7 “(5) LEGAL ADVICE.—The Inspector General
8 shall, in accordance with applicable laws and regula-
9 tions governing selections, appointments, and em-
10 ployment at the Government Accountability Office,
11 obtain legal advice from a counsel reporting directly
12 to the Inspector General or another Inspector Gen-
13 eral.”.

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