

## Calendar No. 191

118TH CONGRESS  
1ST SESSION**S. 1510****[Report No. 118–88]**

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

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## IN THE SENATE OF THE UNITED STATES

MAY 10, 2023

Mr. BRAUN (for himself and Mr. PETERS) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

AUGUST 22, 2023

Reported under authority of the order of the Senate of July 27, 2023, by Mr. PETERS, without amendment

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**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”.

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

3 Section 705 of title 31, United States Code, is  
4 amended—

5 (1) in subsection (b)—

6 (A) in paragraph (2)—

7 (i) by inserting “(A)” before “The In-  
8 spector General”;

9 (ii) in subparagraph (A), as so des-  
10 ignated, by striking the second sentence;  
11 and

12 (iii) by adding at the end the fol-  
13 lowing:

14 “(B) If the Inspector General is removed from  
15 office or is transferred to another position or loca-  
16 tion within the Government Accountability Office,  
17 the Comptroller General shall communicate in writ-  
18 ing the substantive rationale, including detailed and  
19 case-specific reasons, for any such removal or trans-  
20 fer to both Houses of Congress (including to the ap-  
21 propriate congressional committees), not later than  
22 30 days before the removal or transfer.

23 “(C) If there is an open or completed inquiry  
24 into the Inspector General that relates to the re-  
25 moval or transfer of the Inspector General under

1        subparagraph (A), the written communication re-  
2        quired under subparagraph (B) shall—

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

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

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

10                (B) by redesignating paragraph (3) as  
11        paragraph (4);

12                (C) by inserting after paragraph (2) the  
13        following:

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

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

1 mit that communication not later than the date on  
2 which the change in status takes effect if—

3 “(i) the Comptroller General has made a  
4 determination that the continued presence of  
5 the Inspector General in the workplace poses a  
6 specific threat; and

7 “(ii) in the communication, the Comp-  
8 troller General includes a report on the deter-  
9 mination described in clause (i), which shall in-  
10 clude—

11 “(I) the substantive rationale, includ-  
12 ing detailed and case-specific reasons, for  
13 the determination made under clause (i);

14 “(II) an identification of each entity  
15 that is conducting, or that conducted, any  
16 inquiry upon which the determination  
17 under clause (i) was made; and

18 “(III) in the case of an inquiry de-  
19 scribed in subclause (II) that is completed,  
20 the findings made during that inquiry.

21 “(C) The Comptroller General may not place  
22 the Inspector General on non-duty status during the  
23 30-day period preceding the date on which the In-  
24 spector General is removed or transferred under  
25 paragraph (2)(A) unless the Comptroller General—

1 “(i) has made a determination that the  
 2 continued presence of the Inspector General in  
 3 the workplace poses a specific threat; and

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

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

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

18 (i) by inserting “(A)” before “The In-  
 19 spector General”;

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

1 of basic pay of all other employees of the  
 2 Government Accountability Office in posi-  
 3 tions established under section 732a or  
 4 733 of this title”; and

5 (iii) by adding at the end the fol-  
 6 lowing:

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

15 (2) in subsection (f)—

16 (A) by striking “The Comptroller General”  
 17 and inserting the following:

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

19 and

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

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

25 and

1           (3) in subsection (g)—

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

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

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

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