

The bill also increases transparency by requiring each agency to make available on their Web site the committee and its activities.

I urge our Members to support this. It has wide support and has had it in the Oversight and Government Reform Committee. I urge its passage. I again thank Mr. CLAY, Mr. CONNOLLY, and others who were working on this issue. I reserve the balance of my time.

Mr. CLAY. Mr. Speaker, I yield 3 minutes to the gentleman from Virginia (Mr. CONNOLLY), a colleague, friend, and cohort on the Oversight and Government Reform Committee.

Mr. CONNOLLY. Mr. Speaker, I thank the gentleman from Missouri (Mr. CLAY) for his leadership on this very important piece of legislation. I also thank the distinguished chairman of our full committee for his leadership in moving this through.

The Federal Advisory Committee Act Amendments of 2017, I think, fall under the umbrella of good government, which the Oversight and Government Reform Committee, at its best, strives to promote on a bipartisan basis. I am proud, as Mr. CLAY indicated, to be an original cosponsor of the bill.

We welcome consideration of the Federal Advisory Committee Act Amendments, which would improve the transparency and accountability of Federal advisory committees, often arcane, Byzantine parts of the government most of the public can't access.

This crucial piece of legislation ensures that the selection process of advisory committee members takes place without regard to political affiliation and requires the disclosure of potential conflicts of interest.

The Federal Advisory Committee Act, FACA, enacted on October 6, 1972, formalized the process for establishing, operating, overseeing, and terminating Federal advisory committees. Federal advisory committees provide a mechanism for government officials to gain knowledge from Federal and non-Federal experts on key policy matters. FACA ensures Federal advisory committees, however, are both transparent and accessible.

FACA was enacted in response to concerns that Federal advisory committees were becoming increasingly common but had little oversight or accountability. The then-House Committee on Government Operations listened to concerns over the lack of transparency and formalized a governance process for these advisory bodies by establishing the Committee Management Secretariat within the General Services Administration to monitor compliance with the new law. The intent of that law was to make Federal advisory committees more accountable, more transparent, balanced, and independent from the influence of special interests.

This bill before us today, inspired by Mr. LACY's leadership, will help strengthen the independence of those advisory committees by requiring

members to be selected without regard to partisan affiliation. It is imperative that the recommendations and guidance of the committees be provided free of political influence, pressure, and intervention.

The bill closes the loophole that allows subcommittees to operate outside of the regulations of FACA. It also improves the transparency of advisory committees by requiring agency heads to obtain conflict of interest disclosures from all committee members serving as individual experts.

H.R. 2347 builds upon the accountability of the advisory committees by explicitly stating that committees established by contractors must comply with the law and that individuals who regularly attend and participate as if they are members are considered members regardless of their ability to vote.

This bill also calls on the Government Accountability Office to review and report regularly on agency compliance.

The SPEAKER pro tempore (Mr. BYRNE). The time of the gentleman has expired.

Mr. CLAY. Mr. Speaker, I yield the gentleman from Virginia an additional 30 seconds.

Mr. CONNOLLY. Mr. Speaker, last Congress, the Committee on Oversight and Government Reform reported this bill favorably by unanimous consent.

I urge my colleagues to continue Congress' longstanding support of oversight, accountability, and transparency and vote for this thoughtful and important piece of legislation.

Mr. CHAFFETZ. Mr. Speaker, I have no additional speakers. I continue to reserve the balance of my time.

Mr. CLAY. Mr. Speaker, I have no additional speakers. I would urge the House to adopt this legislation.

I yield back the balance of my time.

Mr. CHAFFETZ. Mr. Speaker, it is a good piece of legislation. I again thank Mr. CLAY and Mr. CONNOLLY for their work on this, and I urge its passage.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill, H.R. 70.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

GAO ACCESS AND OVERSIGHT ACT OF 2017

Mr. CHAFFETZ. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 72) to ensure the Government Accountability Office has adequate access to information.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 72

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "GAO Access and Oversight Act of 2017".

SEC. 2. ACCESS TO CERTAIN INFORMATION.

(a) ACCESS TO CERTAIN INFORMATION.—Subchapter II of chapter 7 of title 31, United States Code, is amended by adding at the end the following:

"§ 721. Access to certain information

"(a) No provision of the Social Security Act, including section 453(1) of that Act (42 U.S.C. 653(1)), shall be construed to limit, amend, or supersede the authority of the Comptroller General to obtain any information or to inspect any record under section 716 of this title.

"(b) The specific reference to a statute in subsection (a) shall not be construed to affect access by the Government Accountability Office to information under statutes that are not so referenced."

(b) AGENCY REPORTS.—Section 720(b) of title 31, United States Code, is amended—

(1) in the matter preceding paragraph (1), by inserting "or planned" after "action taken"; and

(2) by striking paragraph (1) and inserting the following:

"(1) the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Government Reform of the House of Representatives, the congressional committees with jurisdiction over the agency program or activity that is the subject of the recommendation, and the Government Accountability Office before the 61st day after the date of the report; and"

(c) AUTHORITY TO OBTAIN RECORDS.—Section 716 of title 31, United States Code, is amended in subsection (a)—

(1) by striking "(a)" and inserting "(2)"; and

(2) by inserting after the section heading the following:

"(a)(1) The Comptroller General is authorized to obtain such agency records as the Comptroller General requires to discharge the duties of the Comptroller General (including audit, evaluation, and investigative duties), including through the bringing of civil actions under this section. In reviewing a civil action under this section, the court shall recognize the continuing force and effect of the authorization in the preceding sentence until such time as the authorization is repealed pursuant to law."

(d) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 7 of title 31, United States Code, is amended by inserting after the item relating to section 720 the following:

"721. Access to certain information."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. CHAFFETZ) and the gentleman from Missouri (Mr. CLAY) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

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GENERAL LEAVE

Mr. CHAFFETZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. CHAFFETZ. Mr. Speaker, I thank the Committee on Ways and Means for their work on the bill, and I include the committee exchange of letters into the RECORD.

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,

Washington, DC, January 4, 2017.

Hon. KEVIN BRADY,
Chairman, Committee on Ways and Means,
Washington, DC.

DEAR MR. CHAIRMAN: On January 3, 2017, H.R. 72, the GAO Access and Oversight Act of 2017, was introduced by Rep. Earl L. "Buddy" Carter (R-GA-1). The bill was referred primarily to the Committee on Oversight and Government Reform, with an additional referral to the Committee on Ways and Means.

I ask that you allow the Ways and Means Committee to be discharged from further consideration of the bill so that it may be scheduled by the Majority Leader. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on Ways and Means represented on the conference committee. Finally, I would be pleased to include this letter and any response in the bill report filed by the Committee on Oversight and Government Reform, as well as in the Congressional Record during floor consideration, to memorialize our understanding.

Thank you for your consideration of my request.

Sincerely,

JASON CHAFFETZ,
Chairman.

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, January 4, 2017.

Hon. JASON CHAFFETZ,
Chairman, Committee on Oversight and Government Reform, Washington, DC.

DEAR CHAIRMAN CHAFFETZ, I am writing concerning H.R. 72, the "GAO Access and Oversight Act of 2017." This bill amends access to the National Directory of New Hires (42 U.S.C. 653(I)) which is within the jurisdiction of the Committee on Ways and Means. As a result of your having consulted with me concerning the provision of the bill that falls within our Rule X jurisdiction, I agree not to seek a sequential referral so that the bill may proceed expeditiously to the House floor.

The Committee on Ways and Means takes this action with the mutual understanding that, by forgoing consideration of H.R. 72 at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and we will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues that fall within our Rule X jurisdiction. The Committee on Ways and Means also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for such request.

Finally, I would appreciate your response to this letter confirming this understanding, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration thereof.

Sincerely,

KEVIN BRADY,
Chairman.

Mr. CHAFFETZ. Mr. Speaker, I yield such time as he may consume to the gentleman from Georgia (Mr. CARTER), the original cosponsor of the bill. I want to thank the gentleman for his championing this bill through.

Mr. CARTER of Georgia. Mr. Speaker, I rise today in support of H.R. 72,

the GAO Access and Oversight Act of 2017.

The GAO is one of the most important tools taxpayers and Congress have to keep the Federal Government accountable. Without complete information, GAO is limited in their ability to prevent waste, fraud, abuse, and mismanagement.

This bill clarifies that GAO has access to data, such as the National Directory of New Hires, which will better equip GAO to audit key Federal programs on behalf of taxpayers. Every day, GAO handles the government's most sensitive information in a responsible manner, and GAO provides trusted recommendations for improving the Federal Government's operations.

The Federal Government reported \$137 billion in improper payments in fiscal year 2015, the largest ever reported. Total improper payments for the Federal Government over the past 10 years exceeds \$1 trillion. This bill will increase the effectiveness of GAO to help reduce improper payments, dollars that could be used to better fund the programs that ultimately serve the people. This bill takes an important step forward by providing GAO with an additional tool to ensure GAO's effectiveness in preventing fraud, waste, and abuse.

I urge my colleagues to support this bipartisan legislation.

Mr. CLAY. Mr. Speaker, I yield myself such time as I may consume.

GAO provides an invaluable aid to Congress in conducting our constitutional duty to oversee and evaluate the executive branch. To do its job effectively, GAO needs timely access to agency documents, materials, and other information.

The bill before us would ensure GAO's access to the National Directory of New Hires, a valuable database of wage and employment information. Access to this database would assist GAO in its improper payment and fraud work, as well as its evaluation of programs in which eligibility is means tested. The bill would also explicitly provide GAO with standing to pursue litigation if an entity in the executive branch improperly denies the GAO access to information.

Mr. Speaker, similar bills have passed the House by wide margins in a number of previous Congresses. These are needed reforms. I urge my colleagues to support this bill.

Mr. Speaker, I yield back the balance of my time.

Mr. CHAFFETZ. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I rise in support of H.R. 72, the GAO Access and Oversight Act of 2017, and its chief sponsor, Mr. BUDDY CARTER of Georgia.

We have a duty to ensure that taxpayer money is spent efficiently and effectively. One of the key ways we carry out this duty is through the key watchdog of the government, the Government Accountability Office. The GAO has a proven track record of excel-

lence, and we rely heavily on this group, thousands of professionals who pour their heart and soul into diving deep into organizations and understanding how they function. But as this bill states, we need some more openness and transparency.

In the past 6 years alone, it has identified more than 200 areas of duplication, overlap, and fragmentation. They have made recommendations on 600 actions to make our government more effective and efficient. We need to listen to them and understand them. We also, I would argue, Mr. Speaker, have a duty and an obligation to give them the tools and access that they need in order to do their jobs even better. We must put GAO in the best position possible to rout out and deter waste, fraud, and abuse.

Today, we have an opportunity to better arm the GAO by clarifying its right to access data contained in the National Directory of New Hires. This gives GAO access to the most up-to-date data to ensure Federal program dollars go to the folks Congress intended to receive them. Doing so, we will help GAO better investigate potential fraud and improper payments, including those overextended disability insurance programs. The GAO's objectives are hindered without access to the data, and taxpayer dollars are not as well protected.

This bill has previously received overwhelming support in the House, and it is time for us to finish the job and pass the bill to the Senate and get it to the President's desk.

On September 16, the House approved this important bill by a vote of 404-0. The language in this bill was also included in bipartisan legislation that was approved unanimously by the full House in the 113th Congress. Again, it is time to send this bill to the President.

I would like to thank my colleagues, and Representative BUDDY CARTER in particular, for sponsoring this legislation and believing in it so wholeheartedly. I would also like to thank Senator BEN SASSE of Nebraska as the lead sponsor in the United States Senate.

I urge passage of this bill. I have no additional speakers.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. CHAFFETZ) that the House suspend the rules and pass the bill, H.R. 72.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

THOROUGHLY INVESTIGATING RETALIATION AGAINST WHISTLE-BLOWERS ACT

Mr. CHAFFETZ. Mr. Speaker, I move to suspend the rules and pass the bill