

HR 2751

GAO Human Capital Reform Act of 2004

Congress: 108 (2003–2005, Ended)

Chamber: House

Policy Area: Government Operations and Politics

Introduced: Jul 16, 2003

Current Status: Became Public Law No: 108-271.

Latest Action: Became Public Law No: 108-271. (Jul 7, 2004)

Law: 108-271 (Enacted Jul 7, 2004)

Official Text: <https://www.congress.gov/bill/108th-congress/house-bill/2751>

Sponsor

Name: Rep. Davis, Jo Ann [R-VA-1]

Party: Republican • **State:** VA • **Chamber:** House

Cosponsors (2 total)

| Cosponsor | Party / State | Role | Date Joined |
|--------------------------------|---------------|------|--------------|
| Rep. Davis, Tom [R-VA-11] | R · VA | | Jul 16, 2003 |
| Rep. Putnam, Adam H. [R-FL-12] | R · FL | | Jul 25, 2003 |

Committee Activity

| Committee | Chamber | Activity | Date |
|--|---------|-----------------|--------------|
| Homeland Security and Governmental Affairs Committee | Senate | Discharged From | Jun 25, 2004 |
| Oversight and Government Reform Committee | House | Reported by | Jul 23, 2003 |

Subjects & Policy Tags

Policy Area:

Government Operations and Politics

Related Bills

| Bill | Relationship | Last Action |
|------------|--------------|---|
| 108 S 1522 | Related bill | Dec 9, 2003: By Senator Collins from Committee on Governmental Affairs filed written report. Report No. 108-216. |

(This measure has not been amended since it was reported to the House on November 19, 2003. The summary of that version is repeated here.)

GAO Human Capital Reform Act of 2004 - (Sec. 2) Amends Federal law to make permanent: (1) the entitlement of certain General Accounting Office (GAO) officers and employees who separate from service voluntarily to annuities under the Civil Service Retirement System or the Federal Employees' Retirement System; and (2) authority of the Comptroller General to provide voluntary separation incentive payments to GAO employees.

Expresses the sense of Congress that the implementation of the voluntary early retirement authority and the voluntary separation incentive payments is intended to reshape GAO workforce and not downsize it.

Makes an employee ineligible for a voluntary separation incentive payment who, during the 36-month period preceding such separation, performed service for which a student loan repayment benefit was or is to be paid.

(Sec. 3) Authorizes the Comptroller General, under specified conditions, to adjust annually the basic rates of GAO officers and employees whose performance is at a satisfactory level. Provides the same authority under the same conditions with respect to Senior Executive Service officers and employees. (Current law permits such adjustments only at the same time and to the same extent as basic pay rates of the General Schedule are adjusted.)

(Sec. 4) Requires the Comptroller General to prescribe regulations under which a GAO: (1) officer or employee shall be entitled to pay retention if, as a result of any reduction-in-force or other workforce adjustment procedure, position reclassification, or other appropriate circumstances, such officer or employee is placed in or holds a position in a lower grade or band with a maximum rate of basic pay that is less than the rate of basic pay payable to the officer or employee immediately before the reduction in grade or band; (2) officer or employee may, in appropriate circumstances, be reimbursed for certain relocation expenses for which they would not otherwise be eligible, but only if the Comptroller General determines that the transfer giving rise to such relocation is of sufficient benefit or value to GAO to justify such reimbursement; and (3) key officer or employee with less than three years of service may accrue six hours of annual leave biweekly in those circumstances appropriate for his or her recruitment or retention.

(Sec. 7) Authorizes the Comptroller General, by regulation, to establish an executive exchange program under which GAO officers and employees may be assigned to private sector organizations, and employees of private sector organizations may be assigned to GAO to further the institutional interests of GAO or Congress, including to provide training to GAO officers and employees.

Limits such assignments at any one time for GAO officers and employees to 15 and to 30 for employees from private sector organizations.

Prohibits employees from the private sector organizations from having access to any trade secrets or to any other nonpublic information which is of commercial value to such organizations.

Requires the Comptroller General, before approving the assignment of a GAO employee, to determine that it is an effective use of GAO funds, taking into account GAO's best interests and the costs and benefits of alternative methods of achieving the same results and objectives.

Limits assignments to five-years after the enactment of this Act.

(Sec. 8) Renames the General Accounting Office as the Government Accountability Office.

(Sec. 9) Modifies requirements of the GAO personnel management system to include: (1) a link between the performance management system and the agency's strategic plan; (2) adequate training and retraining for supervisors, managers, and employees in the implementation and operation of the system; (3) a process for ensuring ongoing performance feedback and dialogue between supervisors, managers, and employees throughout the appraisal period and setting timetables for review; (4) effective transparency and accountability measures to ensure that the management of the system is fair, credible, and equitable, including appropriate independent reasonableness, reviews, internal assessments, and employee surveys; and (5) a means to ensure that adequate agency resources are allocated for the design, implementation, and administration of the system.

(Sec. 10) Requires the Comptroller General, before implementation of any changes authorized under this Act, to consult with any interested groups or associations representing GAO officers and employees.

(Sec. 11) Requires the Comptroller General to include in GAO's annual report to Congress, during the five-year period beginning on the enactment of this Act, a summary review of actions taken with respect to: (1) GAO's permanent authority to offer voluntary early retirements and voluntary separation payments to certain officers and employees; (2) annual pay adjustments; (3) pay retention; (4) increased annual leave for key employees; (5) the executive exchange program; (6) the performance management system; and (7) GAO's consultation with interested groups or associations that represent GAO employees before the implementation of any changes authorized under this Act.

Actions Timeline

- **Jul 7, 2004:** Signed by President.
- **Jul 7, 2004:** Signed by President.
- **Jul 7, 2004:** Became Public Law No: 108-271.
- **Jul 7, 2004:** Became Public Law No: 108-271.
- **Jun 25, 2004:** Message on Senate action sent to the House.
- **Jun 25, 2004:** Presented to President.
- **Jun 25, 2004:** Presented to President.
- **Jun 24, 2004:** Senate Committee on Governmental Affairs discharged by Unanimous Consent.
- **Jun 24, 2004:** Senate Committee on Governmental Affairs discharged by Unanimous Consent.
- **Jun 24, 2004:** Passed/agreed to in Senate: Passed Senate without amendment by Unanimous Consent.(consideration: CR 6/25/2004 S7499)
- **Jun 24, 2004:** Passed Senate without amendment by Unanimous Consent. (consideration: CR 6/25/2004 S7499)
- **Feb 26, 2004:** Received in the Senate and Read twice and referred to the Committee on Governmental Affairs.
- **Feb 25, 2004:** Consideration initiated by previous order of the House.
- **Feb 25, 2004:** Considered by previous order of the House. (consideration: CR H579-583; text of measure as introduced: CR H579-580)
- **Feb 25, 2004:** DEBATE - The House proceeded with one hour of debate on H.R. 2751.
- **Feb 25, 2004:** The previous question was ordered pursuant to a previous order of the House.
- **Feb 25, 2004:** POSTPONED PROCEEDINGS - Pursuant to a previous order of the House, the Chair put the question on adoption of H.R. 2751, as amended, and by voice vote, announced that the yeas had prevailed. Mrs. Davis of Virginia demanded the yeas and nays and the Chair postponed further proceedings on the question of adoption of the bill, as amended, until later in the legislative day.
- **Feb 25, 2004:** Considered as unfinished business. (consideration: CR H595-596)
- **Feb 25, 2004:** Passed/agreed to in House: On passage Passed by the Yeas and Nays: 382 - 43 (Roll no. 28).
- **Feb 25, 2004:** On passage Passed by the Yeas and Nays: 382 - 43 (Roll no. 28).
- **Feb 25, 2004:** Motion to reconsider laid on the table Agreed to without objection.
- **Nov 19, 2003:** Reported (Amended) by the Committee on Government Reform. H. Rept. 108-380.
- **Nov 19, 2003:** Reported (Amended) by the Committee on Government Reform. H. Rept. 108-380.
- **Nov 19, 2003:** Placed on the Union Calendar, Calendar No. 223.
- **Nov 6, 2003:** Committee Consideration and Mark-up Session Held.
- **Nov 6, 2003:** Ordered to be Reported (Amended) by Voice Vote.
- **Jul 23, 2003:** Subcommittee Consideration and Mark-up Session Held.
- **Jul 23, 2003:** Forwarded by Subcommittee to Full Committee (Amended) by Voice Vote.
- **Jul 22, 2003:** Referred to the Subcommittee on Civil Service and Agency Organization.
- **Jul 16, 2003:** Introduced in House
- **Jul 16, 2003:** Introduced in House
- **Jul 16, 2003:** Referred to the House Committee on Government Reform.