

~~110601~~ 110601

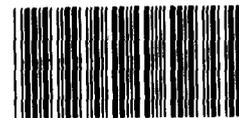
United States General Accounting Office  
Washington, D.C. 20548

For Release on Delivery  
Expected at 10:00 a.m.  
October 16, 1979

STATEMENT OF  
ELMER B. STAATS  
COMPTROLLER GENERAL OF THE UNITED STATES  
Before the  
SUBCOMMITTEE ON ENERGY, NUCLEAR PROLIFERATION,  
AND FEDERAL SERVICES OF THE COMMITTEE ON GOVERNMENTAL AFFAIRS  
UNITED STATES SENATE  
ON  
[Views on S. 1878, 96th Congress]

SEN 06608

007371



110601

Mr. Chairman and Members of the Subcommittee:

I am pleased to appear before you today to testify on S. 1878, the "General Accounting Office Act of 1979." I strongly support the bill and hope that it will be given prompt and favorable consideration by the Congress. With your permission, I would like first to offer our views on the bill and then, second, respond to any questions you may have on the bill.

Comments on S. 1878

Section 101 of the bill provides GAO authority to audit expenditures authorized by law to be accounted for solely on the approval or certificate of the President or other officials. These are so-called "unvouchered" or confidential funds provided to a number of Federal agencies. We would be authorized to examine records and other information necessary to determine and advise the cognizant congressional committees whether such expenditures were made for authorized purposes.

I believe the Congress should have the means, as provided in this bill, to assure that funds made available on a confidential basis are in fact used for authorized purposes. The bill would not grant us the authority to take exception to payments made pursuant to such certifications, and it protects the essential confidentiality of any underlying information involved by limiting the disclosure of our findings to the President and the head Executive branch agency concerned and to a

duly established committee or subcommittee of the Congress in the case of unresolved discrepancies. We believe such disclosure is entirely appropriate if the Executive branch is to be expected to take timely corrective action should our audits identify irregularities in an unvouchered account.

The bill extends to the new unvouchered account audits the existing statutory authority of the Director of the Central Intelligence Agency to exempt the financial transactions of that agency from GAO review. The bill also authorizes the President to exempt from the unvouchered account audits certain other activities relating to intelligence and counter-intelligence.

In my opinion the bill strikes a good balance between the need for accountability on the part of those who administer unvouchered accounts and the preservation of discretion and confidentiality in the use of unvouchered funds.

#### Access to Federal Agency Records

Section 102 of S. 1878 authorizes GAO to seek court enforcement of its legal rights to records of Federal departments and establishments and of non-Federal persons and organizations--including contractors, subcontractors, grantees, and other recipients of Federal assistance.

With regard to records of Federal agencies, the bill would permit the Comptroller General to apply for a court order in a U.S. District Court against any Federal department or agency which fails to grant us access to its records within

20 calendar days from receipt of a formal request for access and after an additional 20-days notice to the Attorney General. The bill would permit us to issue, and seek judicial enforcement of, subpoenas for the production of records by non-Federal entities where we currently have access rights by law or agreement.

I would like to emphasize that the enforcement provision of S. 1878 do not expand GAO's existing rights of access concerning either Federal agencies or non-Federal entities. Our basic access authority to Federal records is section 313 of the 1921 Budget and Accounting Act, which provides:

"All departments and establishments shall furnish to the Comptroller General such information regarding the powers, duties, activities, organization, financial transactions, and methods of business of their respective offices as he may from time to time require of them; and the Comptroller General, or any of his assistants or employees, when duly authorized by him, shall, for the purpose of securing such information, have access to and the right to examine any books, documents, papers, or records of any such department or establishment. \* \* \*"

Access to contractor records also is provided by statute, for example, 10 U.S.C. 2313 (Department of Defense negotiated contracts) and 41 U.S.C. 254 (negotiated contracts covered by the Federal Property and Administrative Services Act of 1949).

Numerous statutes give GAO access to grantee records. Examples of such laws are 21 U.S.C. 1003 (Alcohol and Drug Abuse Education

Act), 49 U.S.C. 1726 (Airport and Airway Development Act of 1970), and 42 U.S.C. 7611 (Air Quality Act of 1967). Our existing access rights generally afford us an adequate legal basis for accomplishing our work. The need is for a prompt judicial remedy to assure that those entities with whom we deal comply with their statutory or contractual obligations.

I have prepared for the record an attachment which provides an overview of the types of access problems we encounter and how the judicial remedies proposed in S. 1878 should help very substantially. I would like to highlight the points made in this attachment.

At the Federal agency level, we encounter access problems which are never resolved. Much more frequently, however, compromises are eventually reached--often after expensive and time-consuming negotiations--through which we get some form of limited access. Federal agencies resist granting us access for a variety of reasons. Sometimes the agencies raise legal issues or have other specified concerns. Unfortunately, agencies also engage in mere delaying tactics based on vague concerns or, perhaps, on nothing more than indifference or intransigence. Of particular concern are official guidelines issued by some agencies which tend to foster a negative approach to GAO's access needs.

I do not mean to suggest that negotiation and consultation with the Executive branch would cease once we have a judicial remedy. We are sensitive to the need to protect the confidentiality of certain information made available to

us, such as law enforcement files, and we will continue to seek arrangements with the agencies to achieve this objective. The benefit of the enforcement remedy here would be to put us on an equal footing with the agencies for purposes of negotiation and to speed up the process. Also, I anticipate that the existence of a judicial remedy would have a deterrent effect and thereby prevent many of the access problems we now face. In those probably rare instances where legal or other issues simply cannot be resolved satisfactorily by negotiation, recourse to a judicial resolution of such matters is clearly the best way to settle access disagreements. In fact it is the only means of finally and objectively resolving access issues. For this reason, we believe that section 102 represents a logical and necessary step in the resolution of our access to records difficulties.

*Federal  
non-Federal*

Access to Non-Federal Records

Our experience in pursuing access from non-Federal sources is generally similar to our experience at the Federal level. Here again, we expect that the existence of subpoena power would be most beneficial in avoiding the access problems and delays which now occur. As explained in detail in the attachment, this has been our experience with our existing subpoena power under the Energy Policy and Conservation Act and the Medicare-Medicaid Antifraud and Abuse Amendments.

I should also point out that providing the Comptroller General with subpoena power to enforce his right of access to records is consistent with Pub. L. No. 95-452, the recently enacted law that establishes an Office of Inspector General in many executive departments. Section 5 of that act authorizes each departmental inspector general to subpoena those documents he deems necessary to effectively carry out his duties. Two other Federal agencies--the Departments of Energy and Health, Education and Welfare--have Inspectors General with subpoena power. (See 42 U.S.C. 7138, and 42 U.S.C. 3425.) The similarity between the duties assigned to the group of Inspectors General and those assigned to the Comptroller General suggests that each should be given equally effective tools to carry out their respective responsibilities. More than 50 departments and agencies of the executive branch have been granted subpoena authority in the performance of their responsibilities.

#### Selection of Comptrollers General and Deputies

Section 103 would establish a new mechanism for the selection of future Comptrollers General and their Deputies. The bill provides for a Commission made up of the congressional leadership and the chairmen and ranking minority members of the House Government Operations and Senate Governmental Affairs Committees which would submit for the President's consideration the names of at least five potential nominees for the Office of Comptroller General. The President may, but need not,

request the submission of additional names. In addition, the bill provides that future Deputy Comptrollers General be similarly appointed with the addition of the Comptroller General as a member of the Commission.

Mr. Chairman, I can personally attest that having had the support of the Congress has proven to be of immense importance to the General Accounting Office. The Comptroller General, in order to effectively discharge his responsibilities, must enjoy a special relationship with the Congress. For this reason, I believe it is entirely appropriate that congressional officials of both Houses and political parties be given a formal role in the selection of the Comptroller General and his Deputy. With the degree of congressional involvement in the Comptroller General selection process proposed by S. 1878, I believe steps will have been taken to ensure that future Comptrollers General will continue to have the support of the Congress in the execution of their oversight and review responsibilities.

#### Authority to Establish Auditing Standards

Title II of S. 1878 requires that the Inspectors General of the Departments of Energy and Health, Education and Welfare comply with the Comptroller General's auditing standards. The same requirements were included in the recently enacted Inspector General Act of 1978, Pub. L. No. 95-452. Thus, the bill would conform the charters of the Departments of Energy and Health, Education and Welfare Inspectors

General in this regard to the more recent legislation. I might add that the Office of Management and Budget's Circular A-73 requires that internal audit operations of virtually all agencies conform to the GAO standards. Section 202 of the bill also includes requirements for the DOE Inspector General, in the areas of coordinating work with GAO and potential criminal referrals, which likewise conform this Office with other Inspectors General.

\* \* \* \* \*

This concludes my prepared statement. I would be pleased to respond to any questions you may have at this time.

THE FOLLOWING MATERIAL IS  
SUBMITTED FOR THE RECORD

## OVERVIEW OF ACCESS TO RECORDS EXPERIENCE

On a number of occasions over the years the General Accounting Office has encountered difficulty in obtaining from Executive branch agencies and other organizations records to which we have a right of access by law or agreement. The following recent examples serve to illustrate this problem.

### Difficulties with Federal Agencies

1. We encountered serious access to records difficulties at the White House in connection with two audits requested by congressional sources. In one case the Chairman of the Subcommittee on Energy and Power of the House Commerce Committee had asked us to review Federal planning efforts in relation to the mid-winter coal strike that occurred during 1977-1978. The development and evaluation of unemployment estimates by the Council of Economic Advisers (CEA) was a key aspect of the audit. The White House refused our request for specific CEA records on this matter and we were forced to issue our report without the information. The refusal was said to be based on a Justice Department memorandum challenging our access rights. In fact, the Justice Department memorandum merely suggested that additional study might well provide a basis for the President's invoking "executive privilege" in response to our request.

"Executive privilege" was never invoked. Following issuance of our report and on the day before a Subcommittee hearing on the matter, CEA provided most of the records that had previously been denied to us.

The second case involved a request by Congressman Eldon Rudd that we review whether United States Metric Board members were appointed from segments of the concerned communities as required by statute. Despite repeated followup inquiries, we received no response to our request for access to the necessary records for several months. Finally, the White House denied this request on the basis of the same Justice Department memorandum. Thus we were unable to perform the audit. Again the Justice Department suggested a claim of "executive privilege" but, to the best of our knowledge, it was never invoked.

These cases illustrate the full range of our access problems. We encountered long delays in obtaining any response to our access requests. When the responses finally arrived in the form of denials, the legal basis was not articulated. In the Metric Board matter, the response alluded to areas of concern which might have been accommodated, but no serious effort was made to seek an accommodation. In the CEA matter, most of the information was provided after issuance of the report with no explanation as to why it could not have been furnished months earlier.

2. Pursuant to the requests of over 30 Members of Congress we initiated a review of the circumstances surrounding a grant by the Department of Labor to the United Farmworkers of America. Our initial requests for access to agency documents in connection with this review were denied. At one point, we were told that the grant in question had not been awarded. Later we were told, after the actual selection of the United Farmworkers had been made, that GAO access to all grant-related materials was being denied in order to maintain the confidentiality of the negotiations. A week later our request for access was once again denied by the Director, Office of National Programs of the Employment and Training Administration, and a representative of the DOL Solicitor's Office. To break this impasse, we finally had to write to the Secretary of Labor setting forth our difficulties and views on the matter. It was not until five weeks later that the Secretary responded and gave us full access. As a result of this impasse our work was delayed about two months.

3. On a number of occasions we have been denied access to records of military departments on sweeping and general grounds, such as the records are "internal working papers" that should not be released to the GAO or are not "official" agency documents. In one instance (February 1978) the Air Force refused to give us copies of certain

briefing documents. The denial was based on the fact that the documents were prepared in connection with the Fiscal Year 1980 budget which had not gone to Congress.

These are not merely ad hoc denials made by lower level officials, but reflect formal agency policy guidelines which can serve to engender a negative approach to GAO access. For example, a former version of Air Force regulation 11-8 (10 February 1978) acknowledged GAO's statutory right of access but then prescribed detailed procedures for handling requests for sensitive information or denials of GAO requests. Concerning this version of Air Force regulation 11-8, we repeatedly contacted Air Force to share with them our concern over its unjustified restrictions on GAO access. After working with Air Force for a considerable time, we received a copy of a revised regulation. Our reaction to this version is that Air Force has finally modified the regulation to accommodate our statutory rights and legitimate working needs, and to foster a positive working relationship between GAO and Air Force.

4. Even more recently (November 13, 1978) we were distressed to learn that the Deputy Assistant Secretary of Defense (Installations and Housing) issued guidelines sharply restricting access by non-Defense personnel to records regarding base closures. This instruction states that prior clearance by the Office of the Secretary of Defense will have to be obtained before giving materials

to GAO staff. Like the former version of Air Force regulation 11-8, this instruction engenders a negative view of GAO records requests and could well serve to delay our ultimate receipt of requested documents.

5. The former version of Air Force regulation 11-8, referred to above, adversely impacted on our review of the EF-111A Tactical Jamming System. In that review we encountered serious delays and, in some cases, outright denials of our requests for access to records, based upon the regulation. In this instance, the Air Force refused to provide us with daily flight reports on the basis that the records were preliminary test reports insulated from disclosure pursuant to paragraph 18k of regulation 11-8, and should not be released outside of DOD. Thus, while we visited EF-111A test sites, development and operational test officials would not give us any test results or even discuss them.

6. In connection with our review of the World Wide Military Command and Control System (WWMCCS) we have experienced three types of access to records difficulties: outright denials of access to records; delayed access to records; and denial of access to principal responsible officials. The goal of this congressionally requested review is to assess the ability of the WWMCCS system to satisfy military command and control requirements during a time of crisis. We began our work in early September 1978 when initial contact was made

with the Office of the Joint Chiefs of Staff (JCS). In response to repeated written requests for access, JCS wrote that there were problems in releasing the requested information to GAO-- in fact, that certain information was possibly not disclosable at all.

In summary, we have encountered outright denials of access as well as delays in getting documents. For example, one set of materials was not received until 36 days after our request; another records request took 44 days before we received the documents. And, in one case, over 100 days have elapsed and we still have yet to receive requested materials. Other documents have been denied on the basis they are "draft" documents since they were yet to be approved by JCS. The Command and Control Technical Center approved the "draft" on August 21, 1978, and the document is available to other U.S. Government agencies upon request.

We also have been flatly denied access to the comments of command participants during exercises. We sought these materials to see how the WWMCCS data processing systems supports the needs of the decision makers. On December 20, 1978, JCS told us the request was denied because the comments are considered internal documents and represent the opinion of the participants.

7. An access problem with NASA arose in July of 1978. Initially NASA would not grant us full access to the records

of the NASA Council which we need to effectively perform two assignments. One of these assignments is a survey of NASA's planning and selection of projects to meet national needs. The other is to respond to a request from the Chairman, Subcommittee on Federal Spending Practices and Open Government, Committee on Governmental Affairs, to review civil agencies' progress in implementing OMB Circular A-109. NASA officials stated that they were reluctant to grant us full access to the records because they did not want to prematurely expose "pre-decisional material," and because of the need to preserve uninhibited freedom of expression by NASA personnel. In recognition of NASA's concerns we agreed to attempt performing our assignments with less than full access to needed records. We found that our restricted access to records was not satisfactory. In his letter of November 9, 1978, the NASA Administrator, proposed a solution to GAO's problem under which NASA would (1) screen material prior to its release to GAO, and (2) withhold "informal" materials such as that prepared by "working-level" personnel if release of such would damage mechanisms for the internal communication of candid personal viewpoints.

By letter of December 12, 1978, we informed the NASA Administrator that his November 9 proposal was unacceptable. Our letter (1) reaffirmed GAO's right to examine planning and budgetary data, (2) explained GAO's policy of judicious

handling of such data, and (3) rejected NASA's proposal that GAO accept information which had been screened. The letter also asked for a prompt resolution of all data requests made by GAO on the two assignments. We received a response by letter from the Administrator dated January 18, 1979, indicating that the requested documents would be provided. Although we ultimately obtained the materials in March 1979, we encountered a delay of about 9 months between our initial request and actual receipt of the materials.

8. We were unable to complete certain portions of a congressionally requested review of foreign military sales activities, specifically, various aspects of the Executive branch policy and decision-making process on conventional arms transfers, because the Executive branch denied us necessary information. Furthermore, the Executive branch would not provide us with the legal basis for the denial. Not only were serious restrictions placed on our records examination by the Executive branch but we also were denied access to a significant number of documents related to the decision-making process and variations in that process. Some of the officials involved in the process said they were not even permitted to discuss the details of individual decisions with us. In essence, the Department of State was only willing to describe to us the arms transfer decision-making process in the abstract and provide us chronologies of specific arms sales cases. It

was unwilling to discuss certain matters relating to these cases. Furthermore, the Department would not permit us to verify the decision-making process or variations in the process by tracing any case to the actual decision. Our difficulties in completing this assignment were noted both in our report to the Congress and in testimony before two congressional committees.

Perhaps the most frequent delay situations we encounter, and the most difficult to deal with, are those in which it is unclear whether a real access problem even exists. We may get no specific response to a request for access within a reasonable time. Follow-up inquiries may elicit that the request is being processed through various channels within the agency or there may be vague allusions to "possible problems" which are under consideration. Unlike situations in which the agency at least articulates specific objections or concerns, we have nothing to respond to here in terms of attempting a resolution. In all probability the records will be provided eventually; but in the meantime assignments have been set back for unclear reasons or, perhaps, for no reason other than indifference or foot-dragging.

We anticipate that the existence of a judicial enforcement remedy would have a very substantial and beneficial impact on each type of delay discussed above. The deterrent

effect alone should instill in agencies a greater sensitivity to the need for prompt responses to our access requests, thereby generally speeding up the process. It should also encourage agencies to quickly focus upon and articulate any real problems which do exist, so that they can at least be approached in a constructive manner.

We recognize that agencies may have sincere and legitimate concerns for the protection of sensitive information. We have always respected these concerns, and we have not hesitated to seek accommodations which afford maximum protection to the agency's information while assuring that our audit responsibilities are carried out effectively. Enactment of the judicial enforcement remedy would not change this fundamental approach. It would, however, effect more subtle changes by placing us on an equal footing with the agencies for purposes of negotiation. While this will probably result in some differences from current practice in the substance of access arrangements, we anticipate that the most significant effect will be to reduce substantially the time required for the negotiation process.

#### Difficulties with Non-Federal Organizations

The previous discussion centers on our access experiences with Federal agencies and the anticipated effects of a judicial enforcement remedy. Generally, this discussion

applies as well to access problems involving non-Federal organizations, such as contractors and grantees, and to the proposed subpoena authority which would provide the remedy here.

While cooperation is quite good as a general rule, access problems do arise in the form of challenges to GAO's legal authority, delays due to the informal resolution of stated issues, and delays involving uncertain factors. One possible difference in approach is that non-Federal organizations tend to be less familiar with GAO's functions and authorities. Issues are more likely to arise concerning the basis and scope of our legal access rights, and, in effect, our access rights are more varied than at the Federal level. Also, State laws and procedures may come into play.

As a result, we have encountered delays caused merely by the need to provide organizations--particularly grantees--with detailed statements of our authority. For example, the grantee (or its attorneys) may be entirely willing to cooperate, but may still insist on a formal statement of authority for its own protection in releasing information to us. Thus in a non-Federal context, the presence of a subpoena power on the statute books should be most useful as a means of avoiding access delays at the outset, particularly where the potential problem is lack of familiarity with GAO rather than a desire to resist.

At the risk of stating the obvious, our overriding interest in dealing with non-Federal organizations (as it is, of course, with Federal agencies) is to obtain the access necessary to accomplish our functions as promptly as possible. This can best be achieved by approaching such organizations in a non-adversary manner, but with the necessary legal remedies to support our access authority and evidence our ability to pursue access.

Our experience under title V of the Energy Policy and Conservation Act, 42 U.S.C. §§6381 et seq., illustrates the success of this approach. Title V grants GAO subpoena authority in the conduct of verification examinations of energy information. Since the statute was enacted in December 1975, we have obtained company information under title V from 68 different energy companies and conducted on-site audits of certain books and records of 32 companies. All of this has been accomplished without the need to issue a single subpoena. Some companies have been defensive about our involvement and sensitive about complying with our requests for information, especially where we sought proprietary or competitive data. Nevertheless, voluntary compliance has enabled us to obtain the necessary information to complete our reviews. We are convinced that the existence of our title V subpoena authority is, in large measure, responsible for these results.

Two title V reviews in particular illustrates the importance of having subpoena power. One involved a review of coal operators' books and records supporting coal reserve estimates on public lands. This review involved the top 20 leaseholders of Federal coal and required access to information which was of a very confidential and proprietary nature. Our requests initially drew resistance from several of the companies. Officials of several companies acknowledged that the only reason they would give us the information is because they knew that through our enforcement powers we would, in all likelihood, obtain it in the long run. In another instance, we requested access to management and financial information regarding the construction of the trans-Alaskan pipeline. Although Alyeska--the service company representing several major petroleum companies--never acknowledged our rights under title V, they did give us the information we requested. Again, it appears, this was because of our enforcement powers and the company's interest in avoiding a court battle.

GAO was also given subpoena power relating to social security programs by the Medicare-Medicaid Antifraud and Abuse Amendments, 42 U.S.C. §1320a-4. We have not developed as much experience under this subpoena provision. We believe that it will prove to be equally useful. Likewise, we are confident

that affirmative results could be obtained if GAO is provided general subpoena power to enforce its existing access rights by law or agreement to records of non-Federal organizations.

FEDERAL DEPARTMENTS, AGENCIES, OFFICES, COMMISSIONS,  
AND INDEPENDENT ESTABLISHMENTS WITH AUTHORITY TO  
ISSUE AND SIGN SUBPOENAS

<u>Agency/Activity</u>	<u>United States Code</u>
Agriculture (Department of)	
Pesticides and environmental pesticide control	7 U.S.C. §136d
Packers and stockyards	7 U.S.C. §222
Perishable agricultural commodities	7 U.S.C. §499m
Tobacco inspection	7 U.S.C. §511n
Seed inspection	7 U.S.C. §1603
Cotton research and promotion	7 U.S.C. §2115
Potato research and promotion	7 U.S.C. §2622
American Indian Policy Review Commission	25 U.S.C. §174 note
Civil Aeronautics Board	49 U.S.C. §1484
Civil Rights Commission	42 U.S.C. §§1975a, 1975d
Civil Service Commission	
Political activities of State and local employees	5 U.S.C. §1507
Enforcement of Voting Rights Act of 1965	42 U.S.C. §1973g

<u>Agency/Activity</u>	<u>United States Code</u>
Commerce (Department of)	
Weather modification	15 U.S.C. §330c
Flammability standards	15 U.S.C. §1193
Interstate land sales	15 U.S.C. §1714(c)
Shrimp fisheries log books	16 U.S.C. §1100b-5
Port safety	33 U.S.C. §1223
Shipping	46 U.S.C. §1124
Commission on Security and Cooperation in Europe	22 U.S.C. §3004
Consumer Products Safety Commission	
Hazardous substances	15 U.S.C. §1262 note
General	15 U.S.C. §2076
Council on Wage and Price Stability	12 U.S.C. §1904 note
Detention Review Board	50 U.S.C. §819
Energy (Department of)	
General	Pub. L. No. 95-91, title VI, §645
Powers of Secretary (formerly powers of Federal Energy Administration)	15 U.S.C. §772
Administration of Atomic Energy Act (formerly Energy Research and Development Agency)	42 U.S.C. §5814 (42 U.S.C. §2201(c))
Consumer Products (formerly Federal Energy Administration)	42 U.S.C. §6299

Agency/ActivityUnited States Code

## Environmental Protection Agency

General

33 U.S.C. §1369

Noise Control Act

42 U.S.C. §4915

Equal Employment Opportunity  
Commission

42 U.S.C. §2000e-9

Federal Communications Commission

47 U.S.C. §409

Federal Home Loan Bank Board

12 U.S.C. §1464(d)(9)

Federal Maritime Commission

46 U.S.C. §1124

Federal Metal and Non-Metallic  
Mine Safety Board

30 U.S.C. §729(i)

Federal Paperwork Commission

44 U.S.C. §3501 note

Federal Power Commission

Natural gas companies

15 U.S.C. §717m

Water power

16 U.S.C. §825f

Federal Savings and Loan  
Insurance Corporation

12 U.S.C. §1730a(h)

Federal Trade Commission

General

15 U.S.C. §§45, 49

Consumer products

42 U.S.C. §6302

Foreign Claims Settlement  
Commission

Foreign claims

22 U.S.C. §1623

War Claims Settlement

50 U.S.C. (App.) §2001

Agency/ActivityUnited States Code

## General

Secretary of Department for which  
Coast Guard is operating (inves-  
tigations of safety and environ-  
mental quality of ports, harbors,  
and navigable waters)

33 U.S.C. §1223

Secretary of Department adminis-  
tering Export Regulation Act

50 U.S.C. (App.) §2406

## General Accounting Office

Department of Energy Organization  
Act and Federal Energy Adminis-  
tration Act of 1974 (upon the  
adoption of a resolution by the  
appropriate congressional com-  
mittee)

Pub. L. No. 95-91,  
title II, §207, 91 Stat.  
565, 574; 15 U.S.C. §771

Energy Policy and Conservation  
Act

42 U.S.C. §§6382, 6384

Medicare-Medicaid Antifraud and Abuse  
Amendments

42 U.S.C. 1320A-1

Health, Education and Welfare  
(Department of)

Old-age survivors and disability  
insurance benefits

42 U.S.C. §405(d)

Housing and Urban Development  
(Department of)

Interstate land sales

15 U.S.C. §1714

Discriminatory housing practices

42 U.S.C. §3611

Immigration and Naturalization Service

Immigration

8 U.S.C. §1225

Naturalization

8 U.S.C. §1446(b)

Indian Claims Commission

25 U.S.C. §70g

<u>Agency/Activity</u>	<u>United States Code</u>
Interior (Department of)	
Coal mines	30 U.S.C. §813
Public lands	43 U.S.C. §102
Internal Revenue Service	26 U.S.C. §§7602-7603
Interstate Commerce Commission	
Explosives transport	18 U.S.C. §835
Common carriers	49 U.S.C. §§12. 46
Motor vehicles	49 U.S.C. §305(d)
Joint Federal-State Land Use Planning Commission for Alaska	43 U.S.C. §1619(d)
Labor (Department of)	
Workmen's compensation	5 U.S.C. §8126
Farm labor contractors	7 U.S.C. §2046
Fair labor standards	29 U.S.C. §209
Longshoremen	33 U.S.C. §927
Government contracts	41 U.S.C. §39
Law Enforcement Assistance Administration	42 U.S.C. §3754
National Commission on Electronic Fund Transfers	12 U.S.C. §2404(d)
National Credit Union Administration	
Examination of insured credit unions	12 U.S.C. §1784

Agency/Activity

United States Code

National Labor Relations Board

Determination of bargaining  
units; investigations into  
the fairness of elections;  
and unfair labor practices

29 U.S.C. §161

National Mediation Board

Mediating disputes between  
carriers and their employees

45 U.S.C. §157

Pension Benefit Guaranty Corporation

29 U.S.C. §1303

President

Enforcement of Defense Production  
Act

50 U.S.C. (App.) §2155

Railroad Retirement Board

Railroad unemployment insurance  
claims

45 U.S.C. §362

Securities and Exchange Commission

Security Exchange Act

15 U.S.C. §78u

Public utility holding companies

15 U.S.C. §79r

Investment companies

15 U.S.C.: §80a-41

Small Business Administration

Assistance recipients

15 U.S.C. §634

Investment company licensing

15 U.S.C. §§687a,  
687b

Tariff Commission

19 U.S.C. §1333

Agency/ActivityUnited States Code

Technology Assessment Board

2 U.S.C: §473

Transportation (Department of)

Safety standards

15 U.S.C: §1401

Tolls in navigable waters

33 U.S.C: §506

Transportation Safety Board

49 U.S.C: §1903(b)

Treasury (Department of)

Marijuana investigations

21 U.S.C: §§198a,  
198b, 198c

Enforcement of narcotics laws

31 U.S.C: §1034

United States Railway Association

45 U.S.C: §713

War Production Board

Audits of defense contractors

50 U.S.C: (App:) §643a

Procurement and repair of naval  
vessels

50 U.S.C: (App:) §1152(4)

## EXPIRED AUTHORITY

Agency/ActivityUnited States Code

Commission on Consumer Finance

15 U.S.C: §1601 note

Commission on Food Marketing

7 U.S.C: §1621 note

Commission on the Organization of the  
Government for the Conduct of Foreign  
Policy

22 U.S.C: §2824

Agency/Activity

United States Code

Commission for the Review of Federal  
and State Laws Relating to Wire-  
tapping and Electronic Surveillance

18 U.S.C. §2510 note

Commission on the Review of the National  
Policy toward Gambling

18 U.S.C. §1955 note

Public Land Law Review Commission

43 U.S.C. §1398

Subversive Activities Control Board

Investigations on communist-  
action-front groups or infil-  
trated organizations\*/

50 U.S.C. §792

Transportation (auto insurance  
investigation)

49 U.S.C. §1653 note

---

\*/ The Board's funding ceased on June 30, 1973. See 50 U.S.C. §791.