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COMPTROLLER GENERAL OF THE UNITED STATES
WASHINGTON, D.C. 20548

B-139052
CED9-354

August 13, 1979

The Honorable Howard W. Cannon
Chairman, Committee on Commerce,
Science, and Transportation
United States Senate

See 11,129

Dear Mr. Chairman:

On August 1, 1979, the Senate passed a bill, S.712, to amend the Rail Passenger Service Act to extend the authorization of appropriations for AMTRAK and for other purposes. The House had previously passed a similar bill, H.R. 3996, which contains an auditing and reporting requirement which we believe is unnecessary and undesirable.

[Amendment to]

Title II of the House bill would amend section 202 of the Regional Rail Reorganization Act of 1973 to require the United States Railway Association to report quarterly to the Congress on the proceedings before the special court to determine the value of rail properties conveyed to Conrail. Title II also would provide that:

"The Comptroller General shall transmit to the Congress, no later than 90 days after the end of each fiscal year, a report with respect to the use of Federal funds in connection with the proceedings before the special court to determine the valuation of rail properties conveyed to the Corporation under section 303 of this Act. Each such report shall contain the Comptroller General's evaluation with respect to each matter referred to in subparagraphs (A) through (C) of paragraph (3) of this subsection."

The requirement for an annual General Accounting Office audit and report is unnecessary. Our office already has sufficient authority to carry out such audits, and alternative methods exist for congressional committees to obtain needed information with less risk of precluding or disrupting our other work.

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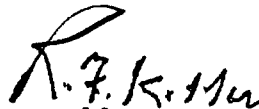
As you know, under section 204 of the Legislative Reorganization Act of 1970, as amended, we perform requested reviews for committees having jurisdiction. We believe use of this provision is preferable to a legislative requirement, because it permits us to agree on specific interests and thereby concentrate on the matters of greatest concern. Further, our report timing can be more flexible and may, as a result, be more helpful than a fixed reporting requirement.

The problem, simply stated, is this. Existing provisions allow committee chairmen having jurisdiction to request that we prepare a report similar to that required in H.R. 3996 whenever they feel such a report is needed. If the problems now envisioned diminish in the future, we would not be required to carry out the audit. But if the requirement were enacted into law, we will have to draw on our limited staff resources annually whether or not the matter is of any particular interest at the time. Such a requirement might prevent us from being able to take on work of much greater interest sometime in the future.

We believe that retaining flexibility in our relationship with the various congressional committees is in both our interests, and we would appreciate your help in ensuring that the legislation agreed upon by the conference committee does not contain the provision requiring an annual Comptroller General evaluation and report.

We are sending a copy of this letter to Senator Russell B. Long, Chairman, Subcommittee on Surface Transportation. We also plan to send copies of the letter to each member of the conference committee after they are appointed.

Sincerely yours,



Acting Comptroller General
of the United States