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

IN REPLY REFER TO: B-115398-33

May 10, 1978

The Honorable Frank Horton  
House of Representatives

Dear Frank:

Thank you for your letter of April 19, 1978, responding to our recent suggestion (March 17, 1978) that legislation be enacted to provide for prior congressional review and disapproval of executive branch decisions to curtail certain Federal programs.

Mr. Dick Thompson of the House Committee on Government Operations minority staff requested that we provide you with draft legislative language that accomplishes the purposes outlined in our March 17, 1978, letter. Our respective staffs could then further consider the issues raised by the suggestion and proposed remedial legislation.

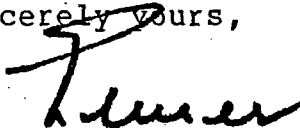
To this end, we have drafted legislation under which the executive branch would be required to submit to the Congress its decisions to curtail those programs that have been made expressly subject to the congressional review procedure of the draft bill. These decisions could not be implemented for a period of, for example, 14 legislative days during which time the Congress would have an opportunity to review them. If, within the 14-day period, a concurrent resolution of disapproval were passed opposing a curtailment decision, the decision could not be implemented. Provisions are made in the draft bill to allow the Comptroller General to bring a civil action to compel the implementation of a program as required by the bill, as well as for the Comptroller General to report to Congress executive branch decisions to curtail programs that should have been, but were not, submitted by the President. The draft legislation and an explanatory statement are enclosed.

You will note that the draft bill does not include the detailed parliamentary procedure by which the Congress would review curtailment plans. We believe this is an area that

should be decided by the Congress. We point out, however, that such a procedure could be patterned after section 1017 of the Impoundment Control Act of 1974, 31 U.S.C 1407.

Should you have any questions or wish to discuss the matter further, please do not hesitate to call upon us.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Turner".

Comptroller General  
of the United States

Enclosures - 2