

Calendar No. 576

114TH CONGRESS }
2d Session }

SENATE

{ REPORT
114-305 }

GAO MANDATES REVISION ACT OF 2016

R E P O R T

OF THE

COMMITTEE ON HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS
UNITED STATES SENATE

TO ACCOMPANY

S. 2964

TO ELIMINATE OR MODIFY CERTAIN MANDATES OF THE
GOVERNMENT ACCOUNTABILITY OFFICE



AUGUST 30, 2016.—Ordered to be printed
Filed, under authority of the order of the Senate of July 14, 2016

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—————
Mr. JOHNSON, from the Committee on Homeland Security and
Governmental Affairs, submitted the following

R E P O R T

[To accompany S. 2964]

The Committee on Homeland Security and Governmental Affairs, to which was referred the bill (S. 2964) to eliminate or modify certain mandates of the Government Accountability Office, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

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I. PURPOSE AND SUMMARY

S. 2964, the GAO Mandates Revision Act of 2016, seeks to save money and make the Government Accountability Office (GAO) more efficient and effective by eliminating or modifying ten statutorily-mandated GAO reports, audits, and examinations that are no longer necessary or are outdated. Specifically the bill repeals five mandates and modifies the frequency, deadline, or structure of five other mandates.

II. BACKGROUND AND THE NEED FOR LEGISLATION

The GAO supports Congress in its responsibilities to ensure the accountability of the Federal Government as it spends taxpayer dollars.¹ Congress traditionally directs GAO to examine problems in government programs and operations. These inquiries are initiated through requests from Members of Congress and result in published reports.² Congress can also enact legislation mandating that particular inquiries be conducted.

Sometimes these reporting requirements become unnecessary, duplicative, or are difficult to effectively carry out. For instance, the Medicare, Medicaid, and SCHIP, Benefits Improvement, and Protection Act of 2000 required the GAO to determine whether the reduction in beneficiary coinsurance resulted in savings to Medicare beneficiaries.³ Unfortunately, GAO was unable to complete the study because it was methodologically difficult, if not impossible, to isolate the effect of the reduction of beneficiary coinsurance on actual savings for Medicare beneficiaries.⁴

Reoccurring mandates may pose a challenge for GAO and should be reevaluated periodically to assess their scope, frequency, and necessity.⁵ For example, the Emergency Economic Stabilization Act of 2008 included a provision requiring GAO to issue an oversight report every 60 days on the Troubled Asset Relief Program (TARP).⁶ GAO has issued 56 reports in response to this mandate. Although many of the TARP programs have been terminated or are in the process of winding down, GAO is still legally required to release a report every 60 days on this issue.⁷ Reevaluating and eliminating recurring mandates that may no longer be necessary would save money and allow GAO to better utilize its limited resources.

The GAO regularly evaluates its statutorily-mandated reports to identify those relating to programs at a low risk of mismanagement or other problems, or where GAO's recurring work otherwise generally added little value to the administration or oversight of the program. In 2012, GAO identified eight statutorily-mandated reports to eliminate or modify, and worked with Congress to pass the GAO Mandates Revision Act of 2012 to enact these changes.⁸

In November 2015, GAO reviewed its current statutorily-mandated reports and provided the Committee with a list of recommended changes.⁹ GAO worked with the various congressional committees of jurisdiction to ensure that changes to these mandates would not interfere with ongoing congressional oversight. S. 2964 repeals or modifies ten congressionally mandated reporting requirements from the list compiled by GAO in November 2015. If enacted, the bill would save money and make GAO more efficient by repealing and modifying mandates that are no longer necessary, or are necessary, but on a less frequent basis. While the bill modi-

¹ 31 U.S.C. § 717 (1982).

² Gov't Accountability Office, *About GAO Reports*, <http://www.gao.gov/about/products/about-gao-reports.html>.

³ Pub. L. No. 106-554, 114 Stat. 2763.

⁴ Document from Staff, Gov't Accountability Office, to Staff, S. Comm. on Homeland Security and Governmental Affairs (Nov. 13, 2015) (on file with Committee staff) (hereinafter, 2015 GAO Document).

⁵ *Id.*

⁶ Pub. L. No. 110-343, 122 Stat. 3765.

⁷ 2015 GAO Document.

⁸ Pub. L. No. 112-234, 126 Stat. 1624.

⁹ 2015 GAO Document.

fies existing statutorily-mandated reports, it does not create new congressionally-mandated reports for GAO.

LIST OF REPORTS AND REASONING FOR THE CHANGE

The bill would repeal or modify the following congressionally-mandated reports:

Single Audit Act Monitoring and Reporting (Repeal)

The Single Audit Act requires any non-Federal entity that receives \$750,000 or more in Federal award money each fiscal year to undergo a compliance audit, or “single audit”.¹⁰ GAO is required to report on any bills and resolutions that are inconsistent with the Single Audit Act.¹¹ In the nearly 20 years of carrying out this requirement, GAO has identified inconsistencies in only a handful of instances, thus providing little benefit to Congress while using significant personnel resources.¹² The bill repeals this reporting requirement to make GAO more efficient.

Review of Medigap Premium Levels (Repeal)

The law currently requires GAO to issue a report that would examine whether a change in Medicare coinsurance for certain outpatient hospital services in the early 2000’s led to a change in Medigap premiums.¹³ GAO attempted to complete the mandate, but found it was methodologically difficult, if not impossible, to isolate the effect of the reduction of beneficiary coinsurance on actual savings for Medicare beneficiaries.¹⁴ Since the report cannot be completed, GAO recommended removing the mandate from statute, and the bill thus repeals this report.

Report on a Federal Emergency Management Agency (FEMA) Dispute Resolution Pilot Program (Repeal)

The law currently requires GAO to review and report on the Dispute Resolution Pilot Program within 270 days after the end of the program on December 31, 2015.¹⁵ FEMA and GAO confirmed that no cases were filed under the pilot program by the deadline. GAO has no material on which to report. Thus, the bill repeals this reporting requirement.¹⁶

Biennial Survey Regarding Transportation Intelligence Reports (Repeal)

The GAO is required by Congress to conduct a study and report on a survey of recipient satisfaction with transportation intelligence reports.¹⁷ Two reports and two e-supplements were issued by GAO.¹⁸ Furthermore, the Transportation Security Administra-

¹⁰ 31 U.S.C. § 7506 (1984).

¹¹ *Id.*

¹² 2015 GAO Document.

¹³ Pub. L. No. 106–554, Appendix F; 114 Stat. 2763A–473.

¹⁴ 2015 GAO Document.

¹⁵ 42 U.S.C. § 5189a note (1988).

¹⁶ 2015 GAO Document.

¹⁷ 49 U.S.C. § 114(u) (2001).

¹⁸ GOV’T ACCOUNTABILITY OFFICE, GAO–12–44, TRANSPORTATION SECURITY INFORMATION SHARING: STAKEHOLDERS GENERALLY SATISFIED BUT TSA COULD IMPROVE ANALYSIS, AWARENESS AND ACCOUNTABILITY (2011), available at <http://www.gao.gov/new.items/d1244.pdf>; GOV’T ACCOUNTABILITY OFFICE, GAO–12–67SP, TRANSPORTATION SECURITY INFORMATION SHARING: RESULTS OF GAO’S SURVEY OF STAKEHOLDER SATISFACTION WITH TSA PRODUCTS AND MECHA-

tion's (TSA) response to the 2014 GAO report suggests that many of the issues were addressed, and the recommendation follow-up process will allow GAO to continue to monitor TSA's progress. The bill repeals the reporting requirement.

Report on New Oyster Safety Regulations (Repeal)

Thirty days after the U.S. Department of Health and Human Services (HHS) issues proposed regulations or guidance on oyster safety, the GAO is required under the law to compare proposed regulations to similar rules for other regulated foods and evaluate the impact of post-harvest processing on the competitiveness of the domestic oyster industry.¹⁹ This requires GAO to constantly monitor new regulations, and should the trigger event occur, any interested member can request the study from GAO. The bill repeals the requirement.

TARP Review (Modify)

The law requires GAO to report on the activities and performance of TARP.²⁰ Because most TARP programs are completed or about to end, this report does not need to be completed as often. S. 2946 changes the reporting requirement from every 60 days to annually.

Study on Financial Services Regulations (Modify)

The law currently requires GAO to conduct an annual study of financial services regulations, analyzing the rules' impact on the financial marketplace, along with the rulemaking agencies' efforts to avoid issuing duplicative or conflicting rules.²¹ Four comprehensive reports have been released with agency recommendations focusing on aspects of the nearly 400 rulemakings required by the Dodd-Frank Act.²² GAO believes more meaningful analyses can be provided on the rules' impact if it is done on a selective and targeted basis, and since the majority of Dodd-Frank rules have now been proposed or finalized, further GAO study of the agencies' rulemaking process will soon be moot.²³ The bill modifies the reporting requirement to allow the Comptroller General the ability to review financial service regulations periodically as determined appropriate.

NISMS (2011), available at <http://www.gao.gov/products/GAO-12-67SP>; GOV'T ACCOUNTABILITY OFFICE, GAO-14-506, *Transportation Security Information Sharing: Stakeholder Satisfaction Varies: TSA Could Take Additional Actions To Strengthen Efforts* (2014), available at <http://www.gao.gov/products/gao-14-506>; GOV'T ACCOUNTABILITY OFFICE, GAO-14-488SP, *TRANSPORTATION SECURITY INFORMATION SHARING: RESULTS OF GAO'S SURVEY OF STAKEHOLDER SATISFACTION WITH TSA PRODUCTS AND MECHANISMS* (2014), available at <http://www.gao.gov/products/GAO-14-488SP>.

¹⁹ 21 U.S.C. § 342 note (2011).

²⁰ 12 U.S.C. § 5226(a)(3) (2011).

²¹ 12 U.S.C. § 5496b(a) (2012).

²² GOV'T ACCOUNTABILITY OFFICE, GAO 12-151, *DODD-FRANK ACT REGULATIONS: IMPLEMENTATION COULD BENEFIT FROM ADDITIONAL ANALYSES AND COORDINATION* (2011), available at <http://www.gao.gov/new.items/d12151.pdf>; GOV'T ACCOUNTABILITY OFFICE, GAO 14-67, *DODD-FRANK REGULATIONS: AGENCIES CONDUCTED REGULATORY ANALYSES AND COORDINATED BUT COULD BENEFIT FROM ADDITIONAL GUIDANCE ON MAJOR RULES* (2013) available at <http://www.gao.gov/assets/660/659586.pdf>; GOV'T ACCOUNTABILITY OFFICE, GAO 15-81, *DODD-FRANK REGULATIONS: REGULATORS' ANALYTICAL AND COORDINATION EFFORTS* (2014) available at <http://www.gao.gov/assets/670/667633.pdf>; GOV'T ACCOUNTABILITY OFFICE, GAO 16-169, *DODD-FRANK REGULATIONS: IMPACTS ON COMMUNITY BANKS, CREDIT UNIONS AND SYSTEMICALLY IMPORTANT INSTITUTIONS* (2015), available at <http://www.gao.gov/assets/680/674459.pdf>.

²³ 2015 GAO Document.

Report on Conflict Minerals (Modify)

The law requires GAO to report annually on the effectiveness of U.S. Securities and Exchange Commission rules meant to prohibit the trade and exploitation of conflict minerals originating in the Congo from financing or benefitting armed groups who commit violence in the region.²⁴ The bill will require that annual reports be issued through 2020, and then in 2022 and 2024.²⁵

Update on Medicare ESRD Bundled Payment System (Modify)

The law requires GAO to examine the inclusion of “oral-only” end-stage renal disease (ESRD) drugs as they relate to Medicare’s bundled payments.²⁶ The inclusion of “oral-only” ESRD drugs in Medicare’s bundled payment, originally set for 2015, has been delayed to 2023.²⁷ To reflect the delay, the bill will mandate a reporting deadline of December 31, 2023.²⁸

Alternatives to Medical Tort Litigation (Modify)

The law requires the Comptroller General to appoint, lead, and support an expert panel to advise the Secretary of HHS on the award of grants to states for the development, implementation, and evaluation of alternatives to medical tort litigation.²⁹ The bill addresses independence and budget concerns for GAO by only requiring the Comptroller General to appoint members of the review panel rather than lead it.³⁰

III. LEGISLATIVE HISTORY

The GAO Mandates Revision Act of 2016, S. 2964, was introduced on May 19, 2016, by Chairman Ron Johnson (R-WI) and Ranking Member Tom Carper (D-DE). The bill was referred to the Committee on Homeland Security and Governmental Affairs.

The Committee considered S. 2964 at a business meeting on May 25, 2016. No amendments were offered. The Committee ordered the bill reported favorably en bloc by voice vote on May 25, 2016. Senators present for the vote on the bill were Senators Johnson, Portman, Paul, Lankford, Ayotte, Ernst, Sasse, Carper, McCaskill, Tester, Baldwin, Heitkamp, Booker, and Peters.

IV. SECTION-BY-SECTION ANALYSIS OF THE BILL, AS REPORTED

Section 1. Short title

This section establishes the short title of the bill as the “GAO Mandates Revision Act of 2016.”

Section 2. Reports eliminated

This section repeals five statutory mandates currently imposed on GAO.

Subsection (a) repeals GAO’s requirement to monitor and report on legislation that is not consistent with the Single Audit Act of

²⁴ 15 U.S.C. § 78m note (2011).

²⁵ 2015 GAO Document.

²⁶ Pub. L. No. 112–240, 126 Stat. 2354.

²⁷ Pub. L. No. 113–93, 128 Stat. 1061; Pub L. No. 113–295, 128 Stat. 4065.

²⁸ 2015 GAO Document.

²⁹ 42 U.S.C. § 280g–15 (2011).

³⁰ 2015 GAO Document.

1984 and the Single Audit Act Amendments of 1996, and makes a technical and conforming amendment.

Subsection (b) repeals a GAO report on whether a change in Medicare coinsurance led to a change in Medigap premiums.

Subsection (c) repeals a GAO report on a FEMA appeals pilot program.

Subsection (d) repeals a GAO report on a survey of recipient satisfaction with transportation intelligence reports.

Subsection (e) repeals a law that requires GAO to create a report comparing new oyster regulations to similar rules for other regulated foods, and the impact of the regulations on the domestic oyster industry.

Section 3. Reports modified

This section modifies five congressionally required GAO reports.

Subsection (a) modifies the frequency of audits of the TARP from every 60 days to every year.

Subsection (b) modifies the frequency of a GAO study of financial services regulations from annually to periodically as determined appropriate by the Comptroller General.

Subsection (c) modifies the frequency of a GAO report on the effectiveness of Securities and Exchange Commission rules meant to prohibit the trade and exploitation of conflict minerals originating in the Congo from financing or benefitting armed groups from annual reports, to annual reports through 2020, and reports in 2022 and 2024.

Subsection (d) amends the due date of a report examining the inclusion of oral-only end-stage renal disease drugs as they relate to Medicare's bundled payments from December 31, 2015 to December 31, 2023.

Subsection (e) modifies GAO's role in leading an expert panel on alternatives to medical tort litigation.

V. EVALUATION OF REGULATORY IMPACT

Pursuant to the requirements of paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee has considered the regulatory impact of this bill and determined that the bill will have no regulatory impact within the meaning of the rules. The Committee agrees with the Congressional Budget Office's statement that the bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.

VI. CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

JUNE 22, 2016.

Hon. RON JOHNSON,
Chairman, Committee on Homeland Security and Governmental Affairs, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 2964, the GAO Mandates Revision Act of 2016.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Matthew Pickford.

Sincerely,

KEITH HALL.

Enclosure.

S. 2964—GAO Mandates Revision Act of 2016

The Congress often requires that the Government Accountability Office (GAO) perform an annual examination of a program, agency, or other federal activity. S. 2964 would modify or repeal 10 of those activities.

Based on information from GAO, CBO estimates that implementing the legislation would reduce discretionary costs by about \$1 million over the 2017–2021 period; any such reductions would be subject to future appropriations actions consistent with the provisions of this bill. GAO has an annual budget of more than \$500 million and prepares hundreds of products for the Congress each year. CBO expects that implementing S. 2964 would not have a significant effect on the agency’s overall workload.

Enacting S. 2964 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply. CBO estimates that enacting S. 2964 would not increase direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2027.

S. 2964 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

The CBO staff contact for this estimate is Matthew Pickford. The estimate was approved by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

VII. CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by S. 2964 as reported are shown as follows (existing law proposed to be omitted is enclosed in brackets, new matter is printed in italic, and existing law in which no change is proposed is shown in roman):

UNITED STATES CODE

* * * * *

TITLE 12—BANKS AND BANKING

* * * * *

CHAPTER 52—EMERGENCY ECONOMIC STABILIZATION

* * * * *

Subchapter I—Troubled Assets Relief Program

* * * * *

SEC. 5226. OVERSIGHT AND AUDITS

(a) COMPTROLLER GENERAL OVERSIGHT.—

(1) * * *

(2) * * *

(3) REPORTING.—The Comptroller General shall submit reports of findings under this section, regularly and no less frequently than once every 60 days, annually to the appropriate committees of Congress, and the Special Inspector General for the Troubled Asset Relief Program established under this chapter on the activities and performance of the TARP. The Comptroller may also submit special reports under this subsection as warranted by the findings of its oversight activities.

* * * * *

CHAPTER 53—WALL STREET REFORM AND CONSUMER PROTECTION

* * * * *

Subchapter V—Bureau of Consumer Financial Protection

* * * * *

PART A—BUREAU OF CONSUMER FINANCIAL PROTECTION

* * * * *

SEC. 5496b. GAO STUDY OF FINANCIAL REGULATIONS

(a) STUDY[Not later than the end of the 180-day period beginning on the date of the enactment of this Act, and annually thereafter, the] The Comptroller General of the United States shall periodically, as the Comptroller General determines is appropriate, conduct a study of financial services regulations, including activities of the Bureau. Such study shall include an analysis of—

(1) the impact of regulation on the financial marketplace, including the effects on the safety and soundness of regulated entities, cost and availability of credit, savings realized by consumers, reductions in consumer paperwork burden, changes in personal and small business bankruptcy filings, and costs of compliance with rules, including whether relevant Federal agencies are applying sound cost-benefit analysis in promulgating rules; and;

[(2) efforts to avoid duplicative or conflicting rulemakings, including an evaluation of the consultative process under subparagraphs (B) and (C) of section 5512(b)(2) of this title, information requests, and examinations; and]

[(3)] (2) other matters related to the operations of financial services regulations deemed by the Comptroller General to be appropriate.

* * * * *

TITLE 15—COMMERCE AND TRADE

* * * * *

CHAPTER 2B—SECURITIES EXCHANGES

* * * * *

SEC. 78M. PERIODICAL AND OTHER REPORTS

* * * * *

CONFLICT MINERALS

(a) * * *

(b) * * *

(c) * * *

(d) **REPORTS.—**

(1) **BASELINE REPORT.**—Not later than 1 year after the date of the enactment of this Act (July 21, 2010) and annually thereafter [until the termination of the disclosure requirements under section 13(p) of the Securities Exchange Act of 1934] *through 2020, in 2022, and in 2024*, the Comptroller General of the United States shall submit to appropriate congressional committees a report that includes an assessment of the rate of sexual- and gender-based violence in war-torn areas of the Democratic Republic of the Congo and adjoining countries.

(2) **REGULAR REPORT ON EFFECTIVENESS.**—Not later than 2 years after the date of the enactment of this Act (July 21, 2010) and annually thereafter *through 2020, in 2022, and in 2024*, the Comptroller General of the United States shall submit to the appropriate congressional committees a report that includes the following:

* * * * *

TITLE 21—FOOD AND DRUGS

* * * * *

CHAPTER 9—FEDERAL FOOD, DRUG, AND COSMETIC ACT

* * * * *

Subchapter IV—Food

* * * * *

SEC. 342. ADULTERATED FOOD

* * * * *

GUIDANCE RELATING TO POST HARVEST PROCESSING OF RAW OYSTERS

(a) * * *

(b) * * *

[(c) REVIEW AND EVALUATION.—Not later than 30 days after the Secretary issues a proposed regulation or guidance described in subsection (a), the Comptroller General of the United States shall—

[(1) review and evaluate the report described in (a) and report to Congress on the findings of the estimates and analysis in the report;

[(2) compare such proposed regulation or guidance to similar regulations or guidance with respect to other regulated foods, including a comparison of risks the Secretary may find associated with seafood and the instances of those risks in such other regulated foods; and

[(3) evaluate the impact of post harvest processing on the competitiveness of the domestic oyster industry in the United States and in international markets.]

[(d)] (c) WAIVER.—The requirement of preparing a report under subsection (a) shall be waived if the Secretary issues a guidance that is adopted as a consensus agreement between Federal and State regulators and the oyster industry, acting through the Interstate Shellfish Sanitation Conference.

[(e)] (d) PUBLIC ACCESS.—Any report prepared under this section shall be made available to the public.

* * * * *

TITLE 31—MONEY AND FINANCE

* * * * *

SUBTITLE V—General Assistance Administration

* * * * *

CHAPTER 75—REQUIREMENTS FOR SINGLE AUDITS

* * * * *

Sec.

7501. Definitions.

7502. Audit requirements; exemptions.

7503. Relation to other audit requirements.

7504. Federal agency responsibilities and relations with non-Federal entities.

7505. Regulations.

7506. Monitoring responsibilities of the Comptroller General.]

7507] 7506. *Effective date*

[SEC. 7506. MONITORING RESPONSIBILITIES OF THE COMPTROLLER GENERAL.

[(a) The Comptroller General shall review provisions requiring financial audits of non-Federal entities that receive Federal awards that are contained in bills and resolutions reported by the committees of the Senate and the House of Representatives.

[(b) If the Comptroller General determines that a bill or resolution contains provisions that are inconsistent with the requirements of this chapter, the Comptroller General shall, at the earliest practicable date, notify in writing—

[(1) the committee that reported such bill or resolution; and

[(2)(A) the Committee on Governmental Affairs of the Senate (in the case of a bill or resolution reported by a committee of the Senate); or

[(B) the Committee on Government Reform and Oversight of the House of Representatives (in the case of a bill or resolution reported by a committee of the House of Representatives).]

SEC. [7507] 7506. EFFECTIVE DATE.

This chapter shall apply to any non-Federal entity with respect to any of its fiscal years which begin after June 30, 1996.

* * * * *

TITLE 42—THE PUBLIC HEALTH AND WELFARE

* * * * *

CHAPTER 6A—PUBLIC HEALTH SERVICE

* * * * *

Subchapter II—General Powers and Duties

* * * * *

PART P—ADDITIONAL PROGRAMS

* * * * *

SEC. 280g-15. STATE DEMONSTRATION PROGRAMS TO EVALUATE ALTERNATIVES TO CURRENT MEDICAL TORT LITIGATION.

(a) * * *

* * * * *

(d) APPLICATION.—

(1) * * *

(2) REVIEW PANEL.—

(A) * * *

(B) * * *

(C) CHAIRPERSON.—The Comptroller General, or an individual within the Government Accountability Office designated by the Comptroller General, shall *shall designate a member of the review panel to be the chairperson of the review panel.*

(D) AVAILABILITY OF INFORMATION.—The Comptroller General Secretary shall make available to the review panel such information, personnel, and administrative services and assistance as the review panel may reasonably require to carry out its duties.

* * * * *

CHAPTER 68—DISASTER RELIEF

* * * * *

Subchapter IV—Major Disaster Assistance Programs

* * * * *

SEC. 5189a. APPEALS OF ASSISTANCE DECISIONS.

* * * * *

DISPUTE RESOLUTION PILOT PROGRAM

(a) * * *

(b) * * *

(c) * * *

(d) REPORT.—

(1) IN GENERAL.—Not later than 270 days after the termination of authority under this section under subsection (c), the Comptroller General of the United States shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report analyzing the effectiveness of the program under this section.

(2) CONTENTS.—The report submitted under paragraph (1) shall include—

[(A) a determination of the availability of data required to complete the report;

[(B) an assessment of the effectiveness of the program under this section, including an assessment of whether the program expedited or delayed the disaster recovery process;

[(C) an assessment of whether the program increased or decreased costs to administer section 403, 406, or 407 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170b, 5172, 5173);

[(D) an assessment of the procedures and safeguards that the independent review panels established to ensure objectivity and accuracy, and the extent to which they followed those procedures and safeguards;

[(E) a recommendation as to whether any aspect of the program under this section should be made a permanent authority; and

[(F) recommendations for any modifications to the authority or the administration of the authority under this section in order to improve the disaster recovery process.]

* * * * *

TITLE 49—TRANSPORTATION

* * * * *

Subtitle I—Department of Transportation

* * * * *

CHAPTER 1—ORGANIZATION

* * * * *

SEC. 114. TRANSPORTATION SECURITY ADMINISTRATION.

(a) * * *

* * * * *

(u) **TRANSPORTATION SECURITY INFORMATION SHARING PLAN.—**

(1) **DEFINITIONS.—**In this subsection:

(A) **APPROPRIATE CONGRESSIONAL COMMITTEES.—**The term “appropriate congressional committees” has the meaning given that term in [subsection (t)] *subsection (s)(4)(E)*.

* * * * *

[(7) **SURVEY AND REPORT.—**

[(A) **IN GENERAL.—**The Comptroller General of the United States shall conduct a biennial survey of the satisfaction of recipients of transportation intelligence reports disseminated under the Plan.

[(B) **INFORMATION SOUGHT.—**The survey conducted under subparagraph (A) shall seek information about the quality, speed, regularity, and classification of the transportation security information products disseminated by the Department of Homeland Security to public and private stakeholders.

[(C) REPORT.—Not later than 1 year after the date of the enactment of the Implementing Recommendations of the 9/11 Commission Act of 2007, and every even numbered year thereafter, the Comptroller General shall submit to the appropriate congressional committees, a report on the results of the survey conducted under subparagraph (A). The Comptroller General shall also provide a copy of the report to the Secretary.]

[(8) (7) SECURITY CLEARANCES.—The Secretary shall, to the greatest extent practicable, take steps to expedite the security clearances needed for designated public and private stakeholders to receive and obtain access to classified information distributed under this section, as appropriate.

[(9) (8) CLASSIFICATION OF MATERIAL.—The Secretary, to the greatest extent practicable, shall provide designated public and private stakeholders with transportation security information in an unclassified format.

* * * * *

AMERICAN TAXPAYER RELIEF ACT OF 2012

* * * * *

SEC. 632. REVISIONS TO THE MEDICARE ESRD BUNDLED PAYMENT SYSTEM TO REFLECT FINDINGS IN THE GAO REPORT.

- (a) * * *
- (b) * * *
- (c) * * *

(d) UPDATED GAO REPORT.—Not later than [December 31, 2015] *December 31, 2023*, the Comptroller General of the United States shall submit to Congress a report that updates the report submitted to Congress under section 10336 of the Patient Protection and Affordable Care Act (Public Law 111–148; 124 Stat. 974). The updated report shall include an analysis of how the Secretary of Health and Human Services has addressed points raised in the report submitted under such section 10336 with respect to the Secretary’s preparations to implement payment for oral-only ESRD-related drugs in the bundled prospective payment system under section 1881(b)(14) of the Social Security Act (42 U.S.C. 1395rr(b)(14)).

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MEDICARE, MEDICAID, AND SCHIP BENEFITS IMPROVEMENT AND PROTECTION ACT OF 2000

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SEC. 111. ACCELERATION OF REDUCTION OF BENEFICIARY COPAYMENT FOR HOSPITAL OUTPATIENT DEPARTMENT SERVICES.

- (a) * * *
- (b) * * *

[(c) GAO STUDY OF REDUCTION IN MEDIGAP PREMIUM LEVELS RESULTING FROM REDUCTIONS IN COINSURANCE.—The Comptroller General of the United States shall work, in concert with the National Association of Insurance Commissioners, to evaluate the ex-

tent to which the premium levels for medicare supplemental policies reflect the reductions in coinsurance resulting from the amendment made by subsection (a). Not later than April 1, 2004, the Comptroller General shall submit to Congress a report on such evaluation and the extent to which the reductions in beneficiary coinsurance effected by such amendment have resulted in actual savings to medicare beneficiaries.】

