

114TH CONGRESS
1ST SESSION

H. R. 586

To establish the Independent Government Waste Reduction Board to make recommendations to improve the economy, efficiency, and effectiveness of Federal programs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 28, 2015

Mrs. BUSTOS (for herself, Mr. FITZPATRICK, Ms. FRANKEL of Florida, Mr. DELANEY, Mr. LOEBSACK, Mr. CARNEY, Mr. ASHFORD, Mr. COOPER, Ms. KUSTER, Mr. COSTA, Mr. SCHRADER, Mr. MURPHY of Florida, Mr. CARSON of Indiana, Ms. BROWNLEY of California, and Ms. MICHELLE LUJAN GRISHAM of New Mexico) introduced the following bill; which was referred to the Committee on Oversight and Government Reform, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish the Independent Government Waste Reduction Board to make recommendations to improve the economy, efficiency, and effectiveness of Federal programs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Government Waste Reduction Act of 2015”.

1 (b) TABLE OF CONTENTS.—The table of contents for
 2 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Establishment of Board.
- Sec. 3. Duties of the Board.
- Sec. 4. Powers of the Board.
- Sec. 5. Board personnel matters.
- Sec. 6. Congressional consideration of Board recommendations.
- Sec. 7. Agency defined.
- Sec. 8. Termination of the Board.

3 **SEC. 2. ESTABLISHMENT OF BOARD.**

4 (a) ESTABLISHMENT.—There is established the Inde-
 5 pendent Government Waste Reduction Board (hereafter in
 6 this Act referred to as the “Board”).

7 (b) MEMBERSHIP.—

8 (1) IN GENERAL.—

9 (A) APPOINTMENT.—The Board shall be
 10 composed of 15 members appointed by the
 11 President, by and with the advice and consent
 12 of Congress.

13 (B) QUALIFICATIONS.—The members of
 14 the Board shall include individuals with na-
 15 tional recognition for their expertise in agen-
 16 cies, efficiency, waste reduction, finance and ec-
 17 nomics, actuarial sciences, who provide a mix
 18 of different professionals, broad geographic rep-
 19 resentation, and a balance between urban and
 20 rural representatives.

1 (C) ETHICAL DISCLOSURE.—The President
2 shall establish a system for public disclosure by
3 members of the Board of financial and other
4 potential conflicts of interest relating to such
5 members. Members of the Board shall be treat-
6 ed as officers in the executive branch for pur-
7 poses of applying title I of the Ethics in Gov-
8 ernment Act of 1978 (Public Law 95–521).

9 (D) CONFLICTS OF INTEREST.—No indi-
10 vidual may serve as a member of the Board if
11 that individual engages in any other business,
12 vocation, or employment.

13 (E) CONSULTATION WITH CONGRESS.—In
14 selecting individuals for nominations for ap-
15 pointments to the Board, the President shall
16 consult with—

17 (i) the majority leader of the Senate
18 concerning the appointment of 3 members;

19 (ii) the Speaker of the House of Rep-
20 resentatives concerning the appointment of
21 3 members;

22 (iii) the minority leader of the Senate
23 concerning the appointment of 3 members;
24 and

1 (iv) the minority leader of the House
2 of Representatives concerning the appoint-
3 ment of 3 members.

4 (2) TERM OF OFFICE.—Each member shall
5 hold office for the duration of the Board.

6 (3) CHAIRPERSON.—

7 (A) IN GENERAL.—The Chairperson shall
8 be appointed by the President, by and with the
9 advice and consent of the Senate, from among
10 the members of the Board.

11 (B) DUTIES.—The Chairperson shall be
12 the principal executive officer of the Board, and
13 shall exercise all of the executive and adminis-
14 trative functions of the Board, including func-
15 tions of the Board with respect to—

16 (i) the appointment and supervision of
17 personnel employed by the Board;

18 (ii) the distribution of business among
19 personnel appointed and supervised by the
20 Chairperson and among administrative
21 units of the Board; and

22 (iii) the use and expenditure of funds.

23 (C) GOVERNANCE.—In carrying out any of
24 the functions under subparagraph (B), the
25 Chairperson shall be governed by the general

1 policies established by the Board and by the de-
2 cisions, findings, and determinations the Board
3 shall by law be authorized to make.

4 (D) REQUESTS FOR APPROPRIATIONS.—
5 Requests or estimates for regular, supple-
6 mental, or deficiency appropriations on behalf
7 of the Board may not be submitted by the
8 Chairperson without the prior approval of a ma-
9 jority vote of the Board.

10 (4) REMOVAL.—Any member may be removed
11 by the President for neglect of duty or malfeasance
12 in office, but for no other cause.

13 (c) VACANCIES; QUORUM; SEAL; VICE CHAIRPERSON;
14 VOTING ON REPORTS.—

15 (1) VACANCIES.—No vacancy on the Board
16 shall impair the right of the remaining members to
17 exercise all the powers of the Board.

18 (2) QUORUM.—A majority of the members of
19 the Board shall constitute a quorum for the trans-
20 action of business, but a lesser number of members
21 may hold hearings.

22 (3) SEAL.—The Board shall have an official
23 seal, of which judicial notice shall be taken.

24 (4) VICE CHAIRPERSON.—The Board shall elect
25 a Vice Chairperson to act in the absence or disability

1 of the Chairperson or in case of a vacancy in the of-
2 fice of the Chairperson.

3 (5) VOTING ON PROPOSALS.—Any proposal of
4 the Board must be approved by the majority of
5 members present.

6 **SEC. 3. DUTIES OF THE BOARD.**

7 (a) IN GENERAL.—The Board shall—

8 (1) review the reports described in subsection
9 (b)(1);

10 (2) analyze organizational practices and man-
11 agement challenges of agencies and make rec-
12 ommendations;

13 (3) assess Federal programs for economy, effi-
14 ciency, and effectiveness, and identify best practices
15 of agencies;

16 (4) establish a process for prioritizing the ac-
17 tivities described in paragraphs (1), (2), and (3), in-
18 cluding establishing criteria and a schedule for car-
19 rying out the activities;

20 (5) consult with appropriate agencies and pro-
21 vide opportunities for individuals to make rec-
22 ommendations that support the work of the Board;
23 and

24 (6) serve as a repository for best practices to
25 support agencies in efforts to improve effectiveness.

1 (b) SUBMISSION OF REPORT.—Not later than one
2 year after the date of the enactment of this Act, the Board
3 shall submit to Congress and the President a report that
4 includes the following:

5 (1) Recommendations for specific implementa-
6 tion of the recommendations from each of the fol-
7 lowing:

8 (A) The March 2011 Government Account-
9 ability Office report to Congress, entitled “Op-
10 portunities to Reduce Potential Duplication in
11 Government Programs, Save Tax Dollars, and
12 Enhance Revenue” (GAO–11–318SP).

13 (B) The February 2012 Government Ac-
14 countability Office report to Congress, entitled
15 “Opportunities to Reduce Duplication, Overlap
16 and Fragmentation, Achieve Savings, and En-
17 hance Revenue” (GAO–12–342SP).

18 (C) The April 2013 Government Account-
19 ability Office report to Congress, entitled “Ac-
20 tions Needed to Reduce Fragmentation, Over-
21 lap, and Duplication and Achieve Other Finan-
22 cial Benefits” (GAO–13–279SP).

23 (D) The April 2014 Government Account-
24 ability Office report to Congress, entitled “Ad-
25 ditional Opportunities to Reduce Fragmenta-

1 tion, Overlap, and Duplication and Achieve
2 Other Financial Benefits” (GAO–14–343SP).

3 (2) A summary of the recommendations.

4 (3) An explanation of each recommendation
5 contained in the report and the reasons for including
6 such recommendation.

7 (4) An opinion by the Government Account-
8 ability Office on whether each recommendation is
9 consistent with the intent of such Government Ac-
10 countability Office reports.

11 (5) A legislative proposal that implements the
12 recommendations.

13 (6) Recommendations for organizational prac-
14 tices and management challenges of agencies ana-
15 lyzed in subsection (a)(2).

16 (7) Recommendations for implementing the best
17 practices of agencies identified in subsection (a)(3)
18 in other agencies.

19 (8) Proposals for administrative action or exec-
20 utive action that include recommendations—

21 (A) for improvement or investment in Fed-
22 eral programs; or

23 (B) achieving efficiency and effectiveness
24 in Federal programs.

1 (9) Other information determined appropriate
2 by the Board.

3 (c) RECOMMENDATIONS REQUIREMENTS.—

4 (1) REQUIREMENTS.—Each recommendation in
5 the report submitted under subsection (b)—

6 (A) shall result in a decrease of overall
7 Government spending or an increase of Govern-
8 ment revenue; and

9 (B) shall not result in—

10 (i) any cut in benefits for veterans,
11 members of the Armed Forces, or their
12 families; or

13 (ii) any cut in benefits for seniors, in-
14 cluding—

15 (I) the elimination of guaranteed
16 health insurance benefits for seniors
17 or people with disabilities;

18 (II) the conversion of Medicare
19 into a voucher plan that provides lim-
20 ited payments to seniors or people
21 with disabilities to purchase health
22 care in the private health insurance
23 market;

24 (III) cuts in Medicaid health in-
25 surance benefits;

1 (IV) cuts in nursing home care;
2 or
3 (V) privatization of Social Secu-
4 rity benefits.

5 (2) CONSULTATION WITH OTHER AGENCIES.—
6 The Board shall consult regularly with the Govern-
7 ment Accountability Office and other agencies in
8 making the recommendations required under this
9 section.

10 (d) PUBLIC AVAILABILITY OF REPORTS.—Not later
11 than 90 days after the date on which a report is submitted
12 under subsection (b), the report shall be made available
13 to the public.

14 **SEC. 4. POWERS OF THE BOARD.**

15 (a) HEARINGS.—The Board may hold such hearings,
16 sit and act at such times and places, take such testimony,
17 and receive such evidence as the Board considers advisable
18 to carry out this Act.

19 (b) OBTAINING OFFICIAL DATA.—The Board may
20 secure directly from any agency information necessary to
21 enable it to carry out this section. Upon request of the
22 Chairperson, the head of that agency shall furnish that
23 information to the Board on an agreed upon schedule.

1 (c) POSTAL SERVICES.—The Board may use the
2 United States mails in the same manner and under the
3 same conditions as other agencies.

4 (d) GIFTS.—The Board may accept, use, and dispose
5 of gifts or donations of services or property.

6 (e) OFFICES.—The Board shall maintain a principal
7 office and such field offices as it determines necessary, and
8 may meet and exercise any of its powers at any other
9 place.

10 **SEC. 5. BOARD PERSONNEL MATTERS.**

11 (a) COMPENSATION OF MEMBERS AND CHAIR-
12 PERSON.—Each member of the Board, other than the
13 Chairperson, shall be compensated at a rate equal to the
14 annual rate of basic pay prescribed for level III of the Ex-
15 ecutive Schedule under section 5315 of title 5, United
16 States Code. The Chairperson shall be compensated at a
17 rate equal to the daily equivalent of the annual rate of
18 basic pay prescribed for level II of the Executive Schedule
19 under section 5315 of title 5, United States Code.

20 (b) TRAVEL EXPENSES.—The members of the Board
21 shall be allowed travel expenses, including per diem in lieu
22 of subsistence, at rates authorized for employees of agen-
23 cies under subchapter I of chapter 57 of title 5, United
24 States Code, while away from their homes or regular

1 places of business in the performance of services for the
2 Board.

3 (c) STAFF.—

4 (1) IN GENERAL.—The Chairperson may, with-
5 out regard to the civil service laws and regulations,
6 appoint and terminate an executive director and
7 such other additional personnel as may be necessary
8 to enable the Board to perform its duties. The em-
9 ployment of an executive director shall be subject to
10 confirmation by the Board.

11 (2) COMPENSATION.—The Chairperson may fix
12 the compensation of the executive director and other
13 personnel without regard to chapter 51 and sub-
14 chapter III of chapter 53 of title 5, United States
15 Code, relating to classification of positions and Gen-
16 eral Schedule pay rates, except that the rate of pay
17 for the executive director and other personnel may
18 not exceed the rate payable for level V of the Execu-
19 tive Schedule under section 5316 of such title.

20 (d) DETAIL OF GOVERNMENT EMPLOYEES.—Any
21 Federal Government employee may be detailed to the
22 Board without reimbursement, and such detail shall be
23 without interruption or loss of civil service status or privi-
24 lege.

1 (e) PROCUREMENT OF TEMPORARY AND INTERMIT-
2 TENT SERVICES.—The Chairperson may procure tem-
3 porary and intermittent services under section 3109(b) of
4 title 5, United States Code, at rates for individuals which
5 do not exceed the daily equivalent of the annual rate of
6 basic pay prescribed for level V of the Executive Schedule
7 under section 5316 of such title.

8 **SEC. 6. CONGRESSIONAL CONSIDERATION OF BOARD REC-**
9 **COMMENDATIONS.**

10 (a) INTRODUCTION.—

11 (1) IN GENERAL.—On the day on which the re-
12 port is submitted by the Board to the Congress
13 under section 3(b), the legislative proposal (de-
14 scribed in section 3(a)(5)) contained in the report
15 shall be introduced (by request) in the Senate by the
16 majority leader of the Senate or by Members of the
17 Senate designated by the majority leader of the Sen-
18 ate and shall be introduced (by request) in the
19 House by the majority leader of the House or by
20 Members of the House designated by the majority
21 leader of the House.

22 (2) NOT IN SESSION.—If either House is not in
23 session on the day on which such legislative proposal
24 is submitted, the legislative proposal shall be intro-
25 duced in that House, as provided in subparagraph

1 (A), on the first day thereafter on which that House
2 is in session.

3 (3) ANY MEMBER.—If the legislative proposal is
4 not introduced in either House within 5 days on
5 which that House is in session after the day on
6 which the legislative proposal is submitted, then any
7 Member of that House may introduce the legislative
8 proposal.

9 (4) REFERRAL.—The legislation introduced
10 under this subsection in the House of Representa-
11 tives shall be referred to the Committee on Over-
12 sight and Government Reform of the House of Rep-
13 resentatives. The legislation introduced under this
14 subsection in the Senate shall be referred to the
15 Committee on Homeland Security and Governmental
16 Affairs of the Senate.

17 (b) DISCHARGE.—If the committee to which a legisla-
18 tive proposal described in subsection (a) is referred has
19 not reported the bill containing such proposal by the end
20 of the 20-day period beginning on the date on which the
21 Board submits the report to Congress under section 3(b),
22 such committee shall be, at the end of such period, dis-
23 charged from further consideration of such bill, and such
24 bill shall be placed on the appropriate calendar of the
25 House involved.

1 (c) EXPEDITED CONSIDERATION.—

2 (1) CONSIDERATION.—On or after the third
3 day after the date on which the committee to which
4 such a bill is referred has reported, or has been dis-
5 charged (under subsection (b)) from further consid-
6 eration of, such a bill, it is in order (even though a
7 previous motion to the same effect has been dis-
8 agreed to) for any Member of the respective House
9 to move to proceed to the consideration of the bill.
10 A member may make the motion only on the day
11 after the calendar day on which the Member an-
12 nounces to the House concerned the Member's inten-
13 tion to make the motion, except that, in the case of
14 the House of Representatives, the motion may be
15 made without such prior announcement if the mo-
16 tion is made by direction of the committee to which
17 the bill was referred. The motion is highly privileged
18 in the House of Representatives and is privileged in
19 the Senate and is not debatable. The motion is not
20 subject to amendment, or to a motion to postpone,
21 or to a motion to proceed to the consideration of
22 other business. A motion to reconsider the vote by
23 which the motion is agreed to or disagreed to shall
24 not be in order. If a motion to proceed to the consid-
25 eration of the bill is agreed to, the respective House

1 shall immediately proceed to consideration of the bill
2 without intervening motion, order, or other business,
3 and the bill shall remain the unfinished business of
4 the respective House until disposed of.

5 (2) DEBATE.—Debate on the bill, and on all
6 debatable motions and appeals in connection there-
7 with, shall be limited to not more than 2 hours,
8 which shall be divided equally between those favoring
9 and those opposing the bill. An amendment to the
10 bill is not in order. A motion further to limit debate
11 is in order and not debatable. A motion to postpone,
12 or a motion to proceed to the consideration of other
13 business, or a motion to recommit the bill is not in
14 order. A motion to reconsider the vote by which the
15 bill is agreed to or disagreed to is not in order.

16 (3) VOTE ON FINAL PASSAGE.—Immediately
17 following the conclusion of the debate on the bill and
18 a single quorum call at the conclusion of the debate
19 if requested in accordance with the rules of the ap-
20 propriate House, the vote on final passage of the bill
21 shall occur.

22 (4) APPEALS.—Appeals from the decisions of
23 the Chair relating to the application of the rules of
24 the Senate or the House of Representatives, as the

1 case may be, to the procedure relating to the bill
2 shall be decided without debate.

3 (d) CONSIDERATION BY OTHER HOUSE.—

4 (1) BEFORE PASSAGE.—If, before the passage
5 by one House of a bill of that House described in
6 subsection (b), that House receives from the other
7 House a bill described in subsection (b), then the
8 following procedures shall apply—

9 (A) the bill of the other House shall not be
10 referred to a committee and may not be consid-
11 ered in the House receiving it except in the case
12 of final passage as provided in subparagraph
13 (B)(ii); and

14 (B) with respect to a bill described in sub-
15 section (b) of the House receiving the bill (i)
16 the procedure in that House shall be the same
17 as if no bill had been received from the other
18 House; but (ii) the vote on final passage shall
19 be on the bill of the other House.

20 (2) AFTER PASSAGE.—Upon disposition of the
21 bill received from the other House, it shall no longer
22 be in order to consider the bill that originated in the
23 receiving House.

24 (e) RULES OF THE SENATE AND HOUSE.—This sec-
25 tion is enacted by Congress—

1 (1) as an exercise of the rulemaking power of
2 the Senate and House of Representatives, respec-
3 tively, and as such it is deemed a part of the rules
4 of each House, respectively, but applicable only with
5 respect to the procedure to be followed in that
6 House in the case of a bill described in subsection
7 (b), and it supersedes other rules only to the extent
8 that it is inconsistent with such rules; and

9 (2) with full recognition of the constitutional
10 right of either House to change the rules (so far as
11 relating to the procedure of that House) at any time,
12 in the same manner, and to the same extent as in
13 the case of any other rule of that House.

14 (f) **CALENDAR DAY DEFINED.**—In this section, the
15 term “calendar day” means a calendar day other than one
16 on which either House is not in session because of an ad-
17 journment of more than three days to a date certain.

18 **SEC. 7. AGENCY DEFINED.**

19 In this Act, the term “agency” has the meaning given
20 that term under section 551 of title 5, United States Code.

21 **SEC. 8. TERMINATION OF THE BOARD.**

22 The Board shall terminate 120 days after the date
23 on which the Board submits the report under section 3(b).

○