

118TH CONGRESS
1ST SESSION

H. R. 397

To require the evaluation of Federal agencies and programs for duplicative, wasteful, or outdated functions, and to recommend the elimination or realignment of such functions, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 17, 2023

Ms. VAN DUYNE (for herself, Mr. FINSTAD, and Mr. CARTER of Georgia) introduced the following bill; which was referred to the Committee on Oversight and Accountability, 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To require the evaluation of Federal agencies and programs for duplicative, wasteful, or outdated functions, and to recommend the elimination or realignment of such functions, and for other purposes.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.**

4 This Act may be cited as the “Government Office Re-
5 alignment And Closure Act of 2023” or the “GORAC
6 Act”.

1 **SEC. 2. EVALUATION OF FEDERAL AGENCIES AND PRO-**
2 **GRAMS FOR DUPLICATIVE, WASTEFUL, OR**
3 **OUTDATED FUNCTIONS.**

4 (a) **NON-FEDERAL AUDITOR REVIEW.**—The Comp-
5 troller General shall—

6 (1) procure the services of a non-Federal audi-
7 tor to—

8 (A) evaluate each Federal program carried
9 out in the 20-year period preceding the date of
10 the enactment of this Act;

11 (B) make recommendations, using the cri-
12 teria under subsection (b), on Federal agencies
13 and Federal programs that should be realigned
14 or eliminated; and

15 (C) submit to the Comptroller General a
16 report containing such recommendations; and

17 (2) take appropriate steps to assure that any
18 work performed by the non-Federal auditor complies
19 with the standards established by the Comptroller
20 General for audits of Federal establishments, organi-
21 zations, programs, activities, and functions.

22 (b) **CRITERIA.**—The non-Federal auditor shall rec-
23 ommend under subsection (a)(1)(B)—

24 (1) the realignment of 2 or more Federal agen-
25 cies or Federal programs into a single consolidated

1 or streamlined Federal agency or Federal program,
2 if—

3 (A) such Federal agencies or Federal pro-
4 grams have the same essential function; and

5 (B) such function can be carried out
6 through a single consolidated or streamlined
7 Federal agency or Federal program;

8 (2) the realignment or elimination of any Fed-
9 eral agency or Federal program that has wasted
10 Federal funds in the 20-year period preceding the
11 date of the enactment of this Act by—

12 (A) egregious spending;

13 (B) mismanagement of resources and per-
14 sonnel; or

15 (C) use of such funds for personal benefit
16 or the benefit of a special interest group; and

17 (3) the elimination of any Federal agency or
18 Federal program that during any time in the 20-
19 year period preceding the date of the enactment of
20 this Act—

21 (A) completed its intended purpose;

22 (B) became irrelevant; or

23 (C) failed to meet its objectives.

24 (c) PROPOSED LEGISLATION.—

1 (1) IN GENERAL.—The Comptroller General
2 shall propose legislation in accordance with para-
3 graphs (2) and (3) to implement the recommenda-
4 tions included in the report submitted under sub-
5 section (d).

6 (2) USE OF SAVINGS.—The legislation proposed
7 under paragraph (1) shall provide that all funds
8 saved by the implementation of the recommendations
9 described under subsection (a)(1)(B) shall be—

10 (A) used to support domestic programs; or

11 (B) pay down the national debt.

12 (3) RELOCATION OF FEDERAL EMPLOYEES.—
13 The legislation proposed under paragraph (1) shall
14 provide that if the position of an employee of a Fed-
15 eral agency is eliminated as a result of the imple-
16 mentation of the recommendations included in the
17 report, the head of the agency shall make reasonable
18 efforts to relocate such employee to another position
19 within the agency or within another Federal agency.

20 (d) REPORT.—Not later than 2 years after the date
21 of the enactment of this Act, the Comptroller General shall
22 submit to Congress a report that includes—

23 (1) the recommendations described under sub-
24 section (a)(1)(B), with supporting documentation for
25 all recommendations; and

1 (2) the proposed legislation described under
2 subsection (c).

3 (e) ADDITIONAL AUTHORITIES.—

4 (1) HEARINGS.—The non-Federal auditor may
5 request that the Comptroller General for the purpose
6 of carrying out this section require, by subpoena or
7 otherwise, the attendance and testimony of such wit-
8 nesses as any member of the Comptroller considers
9 advisable.

10 (2) PRODUCTION OF CERTAIN MATERIALS.—

11 (A) IN GENERAL.—The non-Federal audi-
12 tor may request that the Comptroller General
13 for the purpose of carrying out this section re-
14 quire, by subpoena or otherwise, the production
15 of such books, records, correspondence, memo-
16 randa, papers, documents, tapes, and other evi-
17 dentiary materials relating to any matter under
18 investigation by the non-Federal auditor.

19 (B) AUTHORITY TO DECLINE REQUEST.—
20 The Comptroller General may decline a request
21 described under subparagraph (A).

22 (C) ISSUANCE.—Subpoenas issued under
23 subparagraph (A) shall bear the signature of
24 the Comptroller General and shall be served by

1 any person or class of persons designated by
2 the chairperson for that purpose.

3 (D) ENFORCEMENT.—In the case of contu-
4 macy or failure to obey a subpoena issued
5 under subparagraph (A), the United States dis-
6 trict court for the judicial district in which the
7 subpoenaed person resides, is served, or may be
8 found, may issue an order requiring such per-
9 son to appear at any designated place to testify
10 or to produce documentary or other evidence.
11 Any failure to obey the order of the court may
12 be punished by the court as a contempt of that
13 court.

14 (E) INFORMATION FROM FEDERAL AGEN-
15 CIES.—The Comptroller General may secure di-
16 rectly from any Federal department or agency
17 such information as the non-Federal auditor
18 considers necessary to carry out this section.
19 Upon a request made to the Comptroller Gen-
20 eral from the non-Federal auditor, the head of
21 an agency shall furnish such information to the
22 auditor.

23 (f) DEFINITIONS.—In this section:

24 (1) ENTITLEMENT PROGRAM.—The term “enti-
25 tlement program” means any program that makes

1 payments (including loans and grants), the budget
2 authority for which is not provided for in advance by
3 appropriation Acts, to any person or government if,
4 under the provisions of the law containing such au-
5 thority, the United States is obligated to make such
6 payments to persons or governments who meet the
7 requirements established by such law.

8 (2) FEDERAL AGENCY.—

9 (A) IN GENERAL.—Except as provided in
10 subparagraph (B), the term “Federal agency”
11 has the meaning given the term “Executive
12 agency” under section 105 of title 5, United
13 States Code.

14 (B) EXCEPTIONS.—The term “Federal
15 agency” does not include—

16 (i) a military installation, as such
17 term is defined in section 2801(c)(4) of
18 title 10, United States Code; or

19 (ii) any agency that solely administers
20 entitlement programs.

21 (3) FEDERAL PROGRAM.—

22 (A) IN GENERAL.—Except as provided in
23 subparagraph (B), the term “program” means
24 any activity or function of an agency.

1 (B) EXCEPTION.—The term “program”
2 does not include entitlement programs.

3 (4) NON-FEDERAL AUDITOR.—The term “non-
4 Federal auditor” means the non-Federal auditor
5 from which the Comptroller General procures serv-
6 ices under subsection (a).

7 **SEC. 3. CONGRESSIONAL CONSIDERATION OF REFORM**
8 **PROPOSALS.**

9 (a) INTRODUCTION; REFERRAL; AND REPORT OR
10 DISCHARGE.—

11 (1) INTRODUCTION.—On the first calendar day
12 on which both Houses are in session, on or imme-
13 diately following the date on which the report is sub-
14 mitted to Congress under section 2, a single imple-
15 mentation bill shall be introduced (by request)—

16 (A) in the Senate by the Chair of the Com-
17 mittee on Homeland Security and Govern-
18 mental Affairs; and

19 (B) in the House of Representatives by the
20 Chair of the Committee on Oversight and Re-
21 form of the House of Representatives.

22 (2) REFERRAL.—

23 (A) TO THE APPROPRIATE COMMITTEE OF
24 JURISDICTION.—The implementation bills intro-
25 duced under paragraph (1) shall be referred to

1 any appropriate committee of jurisdiction in the
2 Senate and any appropriate committee of juris-
3 diction in the House of Representatives.

4 (B) AUTHORITY OVER IMPLEMENTATION
5 BILL.—A committee to which an implementa-
6 tion bill is referred under this paragraph may
7 review and report on such bill, may report such
8 bill to the respective House, and may not
9 amend such bill.

10 (3) REPORT OR DISCHARGE.—If a committee to
11 which an implementation bill is referred has not re-
12 ported such bill by the end of the 15th calendar day
13 after the date of the introduction of such bill, such
14 committee shall be immediately discharged from fur-
15 ther consideration of such bill, and upon being re-
16 ported or discharged from the committee, such bill
17 shall be placed on the appropriate calendar.

18 (b) FLOOR CONSIDERATION.—

19 (1) IN GENERAL.—When the committee to
20 which an implementation bill is referred has re-
21 ported, or has been discharged under subsection
22 (b)(3), it is at any time thereafter in order (even
23 though a previous motion to the same effect has
24 been disagreed to) for any Member of the respective
25 House to move to proceed to the consideration of the

1 implementation bill, and all points of order against
2 the implementation bill (and against consideration of
3 the implementation bill) are waived. The motion is
4 highly privileged in the House of Representatives
5 and is privileged in the Senate and is not debatable.
6 The motion is not subject to amendment, or to a
7 motion to postpone, or to a motion to proceed to the
8 consideration of other business. A motion to recon-
9 sider the vote by which the motion is agreed to or
10 disagreed to shall not be in order. If a motion to
11 proceed to the consideration of the implementation
12 bill is agreed to, the implementation bill shall remain
13 the unfinished business of the respective House until
14 disposed of.

15 (2) AMENDMENTS.—An implementation bill
16 may not be amended in the Senate or the House of
17 Representatives.

18 (3) DEBATE.—Debate on the implementation
19 bill, and on all debatable motions and appeals in
20 connection therewith, shall be limited to not more
21 than 10 hours, which shall be divided equally be-
22 tween those favoring and those opposing the resolu-
23 tion. A motion further to limit debate is in order and
24 not debatable. An amendment to, or a motion to
25 postpone, or a motion to proceed to the consider-

1 ation of other business, or a motion to recommit the
2 implementation bill is not in order. A motion to re-
3 consider the vote by which the implementation bill is
4 agreed to or disagreed to is not in order.

5 (4) VOTE ON FINAL PASSAGE.—Immediately
6 following the conclusion of the debate on an imple-
7 mentation bill, and a single quorum call at the con-
8 clusion of the debate if requested in accordance with
9 the rules of the appropriate House, the vote on final
10 passage of the implementation bill shall occur.

11 (5) RULINGS OF THE CHAIR ON PROCEDURE.—
12 Appeals from the decisions of the Chair relating to
13 the application of the rules of the Senate or the
14 House of Representatives, as the case may be, to the
15 procedure relating to an implementation bill shall be
16 decided without debate.

17 (c) COORDINATION WITH ACTION BY OTHER
18 HOUSE.—If, before the passage by 1 House of an imple-
19 mentation bill of that House, that House receives from
20 the other House an implementation bill, then the following
21 procedures shall apply:

22 (1) NONREFERRAL.—The implementation bill
23 of the other House shall not be referred to a com-
24 mittee.

25 (2) VOTE ON BILL OF OTHER HOUSE.—

1 (A) IN GENERAL.—If prior to the passage
2 by one House of an implementing bill of that
3 House, that House receives the same imple-
4 menting bill from the other House, then—

5 (i) the procedure in that House shall
6 be the same as if no implementing bill had
7 been received from the other House; but

8 (ii) the vote on final passage shall be
9 on the implementing bill of the other
10 House.

11 (B) EXCEPTION FOR REVENUE MEASURES
12 RECEIVED IN SENATE.—The provisions of sub-
13 paragraph (A) shall not apply in the Senate to
14 an implementing revenue bill.

15 (d) RULES OF SENATE AND HOUSE OF REPRESENT-
16 ATIVES.—This section is enacted by Congress—

17 (1) as an exercise of the rulemaking power of
18 the Senate and House of Representatives, respec-
19 tively, and as such it is deemed a part of the rules
20 of each House, respectively, but applicable only with
21 respect to the procedure to be followed in that
22 House in the case of an implementation bill de-
23 scribed in subsection (a), and it supersedes other
24 rules only to the extent that it is inconsistent with
25 such rules; and

1 (2) with full recognition of the constitutional
2 right of either House to change the rules (so far as
3 relating to the procedure of that House) at any time,
4 in the same manner, and to the same extent as in
5 the case of any other rule of that House.

6 (e) DEFINITIONS.—In this section:

7 (1) CALENDAR DAY.—The term “calendar day”
8 means a calendar day other than 1 on which either
9 House is not in session because of an adjournment
10 of more than 3 days to a date certain.

11 (2) IMPLEMENTATION BILL.—The term “imple-
12 mentation bill” means only a bill which is introduced
13 as provided under subsection (a), and contains the
14 proposed legislation included in the report submitted
15 to Congress under section 2(d), without modifica-
16 tion.

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