

112TH CONGRESS
2D SESSION

S. 2129

To provide for reforming and consolidating agencies of the Federal Government to improve efficiency and effectiveness.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 17, 2012

Mr. LIEBERMAN (for himself and Mr. WARNER) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To provide for reforming and consolidating agencies of the Federal Government to improve efficiency and effectiveness.

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 “Reforming and Con-
5 solidating Government Act of 2012”.

6 **SEC. 2. PROVIDING CONSOLIDATION AUTHORITY.**

7 (a) DEFINING AN EFFICIENCY-ENHANCING PLAN.—

8 Section 902 of title 5, United States Code, is amended—

9 (1) in paragraph (2), by striking “and” after
10 the semicolon;

1 (2) in paragraph (3), by striking the period and
2 inserting “; and”; and

3 (3) by adding at the end the following:

4 “(4) ‘efficiency-enhancing plan’ means a reorga-
5 nization plan that the Director of the Office of Man-
6 agement and Budget determines will result in, or is
7 likely to result in—

8 “(A) a decrease in the number of agencies;

9 or

10 “(B) cost savings in performing the func-
11 tions that are the subject of that plan.”.

12 (b) MODERNIZING REORGANIZATION AUTHORITY.—
13 Section 905(a) of title 5, United States Code, is amend-
14 ed—

15 (1) by amending paragraph (1) to read as fol-
16 lows:

17 “(1) abolishing or transferring an independent
18 regulatory agency, or all the functions thereof, or
19 consolidating 2 or more independent regulatory
20 agencies, or all the functions thereof;”;

21 (2) by striking paragraph (5); and

22 (3) by redesignating paragraphs (6) and (7) as
23 paragraphs (5) and (6), respectively.

1 **SEC. 3. DURATION AND SCOPE OF AUTHORITY.**

2 (a) IN GENERAL.—Section 905(b) of title 5, United
3 States Code, is amended by striking “if the plan” and all
4 that follows and inserting the following: “if the plan is—

5 “(1) transmitted to Congress (in accordance
6 with section 903(b)) on or before the date that is 2
7 years after the date of enactment of the Reforming
8 and Consolidating Government Act of 2012; and

9 “(2) an efficiency-enhancing plan.”.

10 (b) EXERCISE OF RULEMAKING POWER.—Section
11 908(1) of title 5, United States Code, is amended by strik-
12 ing “December 31, 1984” and inserting “the date that
13 is 2 years after the date of enactment of the Reforming
14 and Consolidating Government Act of 2012”.

15 (c) TERMS OF RESOLUTION.—Section 909 of title 5,
16 United States Code, is amended by striking “the matter
17 after the resolving clause” and all that follows through
18 “such modifications” and inserting “the matter after the
19 resolving clause of which is as follows: ‘That Congress ap-
20 proves the reorganization plan numbered _____
21 transmitted to Congress by the President on
22 _____.’, and includes such modifica-
23 tions”.

24 **SEC. 4. SEVERABILITY.**

25 If any provision of this Act, an amendment made by
26 this Act, or the application of such provision or amend-

1 ment to any person or circumstance is held to be unconsti-
2 tutional, the remainder of this Act, the amendments made
3 by this Act, and the application of the provisions of such
4 to any person or circumstance shall not be affected there-
5 by.

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