

105TH CONGRESS
1ST SESSION

S. 266

To establish the Government 2000 Commission to increase the efficiency and effectiveness of the Government, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 5, 1997

Mr. ROTH introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

A BILL

To establish the Government 2000 Commission to increase the efficiency and effectiveness of the Government, 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 AND PURPOSES.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Government 2000 Act”.

6 (b) PURPOSES.—

7 (1) IN GENERAL.—The purpose of this Act is to
8 reduce the costs and increase the effectiveness of the
9 Federal Government by reorganizing departments
10 and agencies, consolidating redundant activities,

1 streamlining operations, and decentralizing service
2 delivery in a manner that promotes economy, effi-
3 ciency, and accountability in Government programs.
4 This Act is intended to result in a smaller Federal
5 workforce, but one provided with a better organiza-
6 tional environment in which to work, including the
7 more effective use of modern technology, in order to
8 provide better service to the public. There shall be
9 appropriate venues for the representation of con-
10 stituency interests in the policy formulation and
11 service delivery process.

12 (2) SPECIFIC GOALS.—This Act is intended to
13 achieve the following goals for improvements in the
14 performance of the Federal Government by fiscal
15 year 2004:

16 (A) An immediate reduction in the number
17 of cabinet departments to no more than 10.

18 (B) A reduction in the costs of administra-
19 tion by 35 percent.

20 (C) A ten-fold improvement in timely deliv-
21 ery of services to the public.

22 (D) A compound annual improvement in
23 productivity of 6 percent.

1 (E) Responsiveness and customer-service
2 levels comparable to those achieved in the pri-
3 vate sector.

4 **SEC. 2. THE COMMISSION.**

5 (a) ESTABLISHMENT.—There is established an inde-
6 pendent commission to be known as the Government 2000
7 Commission (hereafter in this Act referred to as the
8 “Commission”).

9 (b) DUTIES.—

10 (1) EXAMINATION AND RECOMMENDATIONS.—

11 The Commission shall—

12 (A) examine the issues related to the orga-
13 nization and operations of the departments and
14 agencies of the Federal Government; and

15 (B) develop recommendations to reduce the
16 costs, streamline the operations, and improve
17 the performance, responsiveness, and account-
18 ability of Federal departments, agencies, and
19 programs.

20 (2) LEGISLATIVE PROPOSAL.—The rec-
21 ommendations of the Commission shall be encom-
22 passed in a single legislative proposal that—

23 (A) implements a comprehensive reorga-
24 nization plan for the executive branch; and

1 (B) makes other institutional and oper-
2 ational changes to the Federal Government,
3 consistent with the purposes stated in section 1
4 and the requirements of section 3.

5 (c) APPOINTMENT.—

6 (1) COMPOSITION.—

7 (A) The Commission shall be composed of
8 9 members.

9 (B)(i) Two members shall be appointed by
10 the President.

11 (ii) Two members shall be appointed by
12 the Majority Leader of the Senate.

13 (iii) One member shall be appointed by the
14 Minority Leader of the Senate.

15 (iv) Two members shall be appointed by
16 the Speaker of the House of Representatives.

17 (v) One member shall be appointed by the
18 Minority Leader of the House of Representa-
19 tives.

20 (vi) One member shall be appointed by the
21 President, in concurrence with the Majority
22 Leader of the Senate and the Speaker of the
23 House of Representatives. That member shall
24 be the Chairman of the Commission.

1 (2) MEMBERSHIP.—A member of the Commis-
2 sion may be any citizen of the United States, includ-
3 ing any elected or appointed public official, career
4 civil servant, or private citizen.

5 (3) CONFLICT OF INTERESTS.—For purposes of
6 the provisions of chapter 11 of part I of title 18,
7 United States Code, a member of the Commission
8 (to whom such provisions would not otherwise apply
9 except for this paragraph) shall be a special Govern-
10 ment employee.

11 (4) DATE OF APPOINTMENTS.—All members of
12 the Commission, except the Chairman, shall be ap-
13 pointed no later than 25 calendar days after enact-
14 ment of this Act. The Chairman shall be appointed
15 no later than 40 calendar days after enactment of
16 this Act.

17 (d) TERMS.—Each member shall serve until the ter-
18 mination of the Commission.

19 (e) VACANCIES.—A vacancy on the Commission shall
20 be filled in the same manner as was the original appoint-
21 ment.

22 (f) MEETINGS.—The Commission shall meet as nec-
23 essary to carry out its responsibilities. The Commission
24 may conduct meetings outside the District of Columbia
25 when necessary.

1 (g) PAY AND TRAVEL EXPENSES.—

2 (1) PAY.—(A) Except for an individual who is
3 Chairman of the Commission and is otherwise a
4 Federal officer or employee, the Chairman shall be
5 paid at a rate equal to the daily equivalent of the
6 minimum annual rate of basic pay payable for level
7 III of the Executive Schedule under section 5314 of
8 title 5, United States Code, for each day (including
9 traveltime) during which the Chairman is engaged in
10 the performance of duties vested in the Commission.

11 (B) Except for the Chairman, each member of
12 the Commission who is not a Federal officer or em-
13 ployee shall be paid at a rate equal to the daily
14 equivalent of the minimum annual rate of basic pay
15 payable for level IV of the Executive Schedule under
16 section 5315 of title 5, United States Code, for each
17 day (including traveltime) during which the member
18 is engaged in the performance of duties vested in the
19 Commission.

20 (2) TRAVEL.—Members of the Commission
21 shall receive travel expenses, including per diem in
22 lieu of subsistence, in accordance with sections 5702
23 and 5703 of title 5, United States Code.

24 (h) DIRECTOR.—

1 (1) APPOINTMENT.—The Commission shall by
 2 an affirmative vote of at least 5 members appoint a
 3 Director of the Commission.

4 (2) PAY.—The Director shall be paid at the
 5 rate of basic pay payable for level IV of the Execu-
 6 tive Schedule under section 5315 of title 5, United
 7 States Code.

8 (i) STAFF.—

9 (1) APPOINTMENT.—The Director may, with
 10 the approval of the Commission, appoint and fix the
 11 pay of employees of the Commission without regard
 12 to the provisions of title 5, United States Code, gov-
 13 erning appointment in the competitive service, and
 14 any Commission employee may be paid without re-
 15 gard to the provisions of chapter 51 and subchapter
 16 III of chapter 53 of that title relating to classifica-
 17 tion and General Schedule pay rates, except that a
 18 Commission employee may not receive pay in excess
 19 of the annual rate of basic pay payable for level V
 20 of the Executive Schedule under section 5316 of title
 21 5, United State Code.

22 (2) DETAIL.—(A) Upon request of the Direc-
 23 tor, the head of any Federal department or agency
 24 may detail any of the personnel of the department

1 or agency to the Commission to assist the Commis-
2 sion in carrying out its duties under this Act.

3 (B) Upon request of the Director, a Member of
4 Congress or an officer who is the head of an office
5 of the Senate or House of Representatives may de-
6 tail an employee of the office or committee of which
7 such Member or officer is the head to the Commis-
8 sion to assist the Commission in carrying out its du-
9 ties under this Act.

10 (C) Any Federal Government employee may be
11 detailed to the Commission with or without reim-
12 bursement, and such detail shall be without inter-
13 ruption or loss of civil service status or privilege.

14 (j) SUPPORT.—

15 (1) SUPPORT SERVICES.—The Office of Man-
16 agement and Budget shall provide support services
17 to the Commission.

18 (2) ASSISTANCE.—The Comptroller General of
19 the United States may provide assistance, including
20 the detailing of employees, to the Commission in ac-
21 cordance with an agreement entered into with the
22 Commission.

23 (k) OTHER AUTHORITY.—The Commission may pro-
24 cure by contract, to the extent funds are available, the

1 temporary or intermittent services of experts or consult-
 2 ants pursuant to section 3109 of title 5, United States
 3 Code. The Commission shall give public notice of any such
 4 contract before entering into such contract.

5 (l) APPLICATION OF FEDERAL ADVISORY COMMIT-
 6 TEE ACT.—The Commission shall be subject to the provi-
 7 sions of the Federal Advisory Committee Act (5 U.S.C.
 8 App.).

9 (m) AUTHORIZATION OF APPROPRIATIONS.—There
 10 are authorized to be appropriated to the Commission
 11 \$5,000,000 for fiscal year 1998 to carry out its respon-
 12 sibilities under this Act.

13 (n) TERMINATION.—The Commission shall terminate
 14 no later than October 31, 1998.

15 **SEC. 3. LEGISLATIVE RECOMMENDATIONS.**

16 (a) REORGANIZATION PLAN.—The Commission shall
 17 develop and recommend a plan for reorganization of Fed-
 18 eral departments and agencies, consistent with the follow-
 19 ing provisions:

20 (1) EXECUTIVE DEPARTMENTS.—

21 (A) There shall be no more than 10 de-
 22 partments, which shall have responsibility for
 23 the development of, and ensuring the proper
 24 execution of, governmental and program policy.

1 (B) There shall be a reduction in the lay-
2 ers of organizational hierarchy and in the con-
3 centration of employees in staff and overhead
4 functions within departments and agencies to
5 achieve a substantial reduction in the total
6 number of mid-level supervisory and staff posi-
7 tions, administrative positions, and political em-
8 ployees.

9 (2) PROGRAM OPERATING UNITS.—

10 (A) There shall be an adequate number of
11 agencies and subdepartment bureaus, offices,
12 divisions, and other operating units having pri-
13 mary responsibility for program administration
14 and service delivery, as distinguished from pol-
15 icy development.

16 (B) The reorganization plan shall provide
17 for a substantial net reduction in the number of
18 program operating units, and in the total ad-
19 ministrative costs of the functions performed by
20 such units. The reduction shall be achieved
21 through the consolidation, integration, and re-
22 engineering of similar and related functions and
23 work activities throughout the Government.

1 (C) The Commission shall consider, and rec-
2 ommend where appropriate, the consolidation of pro-
3 gram administration and service delivery functions
4 into operating units that are independent of individ-
5 ual executive departments, to maximize the coordi-
6 nation of services to particular segments of the pub-
7 lic and to the public generally.

8 (3) LOCAL OFFICES.—

9 (A) There shall be an appropriate field of-
10 fice structure for Federal departments and
11 agencies in order to improve service delivery
12 and responsiveness while reducing costs.

13 (B) Among the alternatives considered by
14 the Commission shall be appropriate consolida-
15 tion of regional and field offices of various de-
16 partments and agencies that provide related
17 services into a system of local offices providing
18 one-stop services.

19 (4) CENTRALIZED ADMINISTRATION.—The
20 Commission shall consider whether substantial cost
21 savings and improved performance would result from
22 the centralization within one organization of primary
23 responsibility for particular government-wide admin-
24 istrative functions, and make appropriate rec-
25 ommendations in that regard.

1 (b) STRUCTURAL ARRANGEMENTS.—

2 (1) RECOMMENDATIONS.—The Commission
3 shall recommend structural arrangements of respon-
4 sibility and authority between and within the various
5 departments, agencies, and program operating units
6 in order to maximize accountability for performance.

7 (2) ACCOUNTABILITY.—Such arrangements
8 shall seek to clarify appropriate accountability for
9 policy development and for program administration
10 and service delivery.

11 (3) CONSIDERATIONS.—Among the alternatives
12 considered by the Commission shall be whether the
13 heads of program operating units described under
14 paragraph (a)(2) should be non-political, non-career
15 appointments hired for a fixed term under an em-
16 ployment contract with specific, measurable program
17 performance goals.

18 (c) TRANSITION PLAN.—The Commission shall rec-
19 ommend a plan for transition from the existing organiza-
20 tion of the executive branch to the proposed reorganization
21 plan, to minimize any disruption in program performance
22 and service and to maintain managerial accountability.

23 **SEC. 4. DEFINITION.**

24 For purposes of this Act the term “agency” means
25 each authority of the Federal Government, including all

1 departments, independent agencies, Government-spon-
 2 sored enterprises, and Government corporations, except
 3 the legislative branch, judicial branch, the governments of
 4 the territories or possessions of the United States, or the
 5 District of Columbia.

6 **SEC. 5. DEPARTMENT AND AGENCY COOPERATION.**

7 All Federal agencies and employees of all agencies
 8 shall cooperate fully with all requests for information from
 9 the Commission and shall respond to any such request for
 10 information within 30 calendar days or such other time
 11 agreed upon by the requesting and requested parties.

12 **SEC. 6. PROCEDURES FOR MAKING RECOMMENDATIONS.**

13 (a) SUBMISSION OF RECOMMENDATIONS.—No later
 14 than June 1, 1998, the Commission shall submit to the
 15 Congress—

16 (1) a single legislative proposal to implement its
 17 recommendations developed pursuant to section 3 of
 18 this Act, with an explanation of the reasons for such
 19 recommendations; or

20 (2) a message that the Commission was unable
 21 to agree on such a proposal.

22 (b) COMMISSION VOTES.—No legislative proposal
 23 may be submitted by the Commission without the affirma-
 24 tive vote of at least 6 members.

1 **SEC. 7. CONGRESSIONAL CONSIDERATION OF REFORM**

2 **PROPOSAL.**

3 (a) DEFINITIONS.—For purposes of this section—

4 (1) the term “implementation bill” means only
5 a bill which is introduced as provided under sub-
6 section (b), and contains the proposed legislation
7 submitted by the Commission under section 6 with-
8 out modification.

9 (2) the term “calendar day of session” means
10 a calendar day other than one on which either
11 House is not in session because of an adjournment
12 of more than three days to a date certain.

13 (b) INTRODUCTION, REFERRAL, AND REPORT OR
14 DISCHARGE.—

15 (1) INTRODUCTION.—On the first calendar day
16 of session on which both Houses are in session, on
17 or immediately following the date on which a pro-
18 posal is submitted to the Congress under section
19 6(a)(1), an implementation bill shall be introduced—

20 (A) in the Senate by the Majority Leader
21 of the Senate, for himself and the Minority
22 Leader of the Senate, or by Members of the
23 Senate designated by the Majority Leader and
24 Minority Leader of the Senate; and

1 (B) in the House of Representatives by the
2 Majority Leader of the House of Representa-
3 tives, for himself and the Minority Leader of
4 the House of Representatives, or by Members of
5 the House of Representatives designated by the
6 Majority Leader and Minority Leader of the
7 House of Representatives.

8 (2) REFERRAL.—The implementation bill intro-
9 duced in the Senate under paragraph (1) shall be re-
10 ferred concurrently to the Committee on Govern-
11 mental Affairs of the Senate, and other committees
12 with jurisdiction. The implementation bill introduced
13 in the House of Representatives shall be referred
14 concurrently to the Committee on Government Re-
15 form and Oversight of the House of Representatives,
16 and other committees with jurisdiction. A committee
17 to which an implementation bill is referred under
18 this paragraph may report such bill to the respective
19 House with amendments proposed to be adopted. No
20 such amendment may be proposed unless such pro-
21 posed amendment is germane to such bill.

22 (3) REPORT OR DISCHARGE.—If any committee
23 to which an implementation bill is referred has not
24 reported such bill by the end of the 30th calendar
25 day of session after the date of the introduction of

1 such bill, such committee shall be immediately dis-
2 charged from further consideration of such bill, and
3 upon being reported or discharged from all commit-
4 tees, such bill shall be placed on the appropriate cal-
5 endar of the House involved.

6 (c) SENATE CONSIDERATION.—

7 (1) IN GENERAL.—On or after the second cal-
8 endar day of session after the date on which an im-
9 plementation bill is placed on the Senate calendar
10 under subsection (b)(3), it is in order (even if a pre-
11 vious motion to the same effect has been disagreed
12 to) for any Senator to make a privileged motion to
13 proceed to the consideration of the implementation
14 bill (but only on the day after the calendar day of
15 session on which such Senator announces on the
16 floor of the Senate an intention to make such a mo-
17 tion). This motion is subject to debate which shall
18 be confined to 2 hours, to be equally divided. All
19 points of order against the implementation bill (and
20 against consideration of the implementation bill)
21 other than points of order under Senate Rule 15,
22 16, or for failure to comply with requirements of
23 this section are waived. The motion is not subject to
24 a motion to postpone. A motion to reconsider the
25 vote by which the motion to proceed is agreed to or

1 disagreed to shall not be in order. If a motion to
2 proceed to the consideration of the implementation
3 bill is agreed to, the Senate shall immediately pro-
4 ceed to consideration of the implementation bill.

5 (2) DEBATE.—In the Senate, no amendment
6 which is not germane shall be in order. A motion to
7 postpone or a motion to recommit the implementa-
8 tion bill is not in order. A motion to reconsider the
9 vote by which the implementation bill is agreed to or
10 disagreed to is not in order.

11 (3) MOTION TO SUSPEND OR WAIVE APPLICA-
12 TION.—No motion to suspend or waive the applica-
13 tion of this subsection shall be in order, except by
14 unanimous consent.

15 (4) APPEALS FROM CHAIR.—Appeals from the
16 decisions of the Chair relating to the application of
17 the rules of the Senate to the procedure relating to
18 an implementation bill shall be subject to debate
19 confined to 1 hour, to be equally divided.

20 (5) FINAL PASSAGE.—Immediately following
21 the conclusion of the debate on an implementation
22 bill and a single quorum call at the conclusion of the
23 debate if requested in accordance with the rules of
24 the Senate, the vote on final passage of the imple-
25 mentation bill shall occur.

1 (d) CONSIDERATION IN THE HOUSE OF REPRESENT-
2 ATIVES.—

3 (1) IN GENERAL.—At any time on or after the
4 second session day after the date on which each
5 committee of the House of Representatives to which
6 an implementation bill is referred has reported that
7 bill, or has been discharged under subsection (b)(3)
8 from further consideration of that bill, the Speaker
9 may, pursuant to clause 1(b) of rule XIII, declare
10 the House resolved into the Committee of the Whole
11 house on the State of the Union for the consider-
12 ation of that bill. All points of order against the bill,
13 the consideration of the bill, and provisions of the
14 bill shall be waived, and the first reading of the bill
15 shall be dispensed with. After general debate, which
16 shall be confined to 10 hours, to be equally divided
17 and controlled by the Majority Leader and the Mi-
18 nority Leader, the bill shall be considered for
19 amendment by title under the five-minute rule and
20 each title shall be considered as having been read.

21 (2) AMENDMENTS.—Each amendment shall be
22 considered as having been read, shall not be subject
23 to a demand for a division of the question in the
24 House or in the Committee of the Whole, and shall
25 be debatable for not to exceed 30 minutes, equally

1 divided and controlled by the proponent and a Mem-
 2 ber opposed thereto, except that the time for consid-
 3 eration, including debate and disposition, of all
 4 amendments to the bill shall not exceed 20 hours.

5 (3) FINAL PASSAGE.—At the conclusion of the
 6 consideration of the bill, the Committee shall rise
 7 and report to the House with such amendments as
 8 may have been agreed to, and the previous question
 9 shall be considered as ordered on the bill and
 10 amendments thereto to final passage without inter-
 11 vening motion except one motion to recommit.

12 (e) CONFERENCE.—

13 (1) APPOINTMENT OF CONFEREES.—In the
 14 Senate, a motion to elect or authorize the appoint-
 15 ment of conferees shall not be debatable.

16 (2) CONFERENCE REPORT.—No later than 20
 17 calendar days of session after the appointment of
 18 conferees, the conferees shall report to the respective
 19 Houses.

20 (f) RULES OF THE SENATE AND HOUSE.—This sec-
 21 tion is enacted by Congress—

22 (1) as an exercise of the rulemaking power of
 23 the Senate and House of Representatives, respec-
 24 tively, and as such it is deemed a part of the rules
 25 of each House, respectively, but applicable only with

1 respect to the procedure to be followed in that
2 House in the case of an implementation bill de-
3 scribed in subsection (a), and it supersedes other
4 rules only to the extent that it is inconsistent with
5 such rules; and

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

11 **SEC. 8. IMPLEMENTATION.**

12 (a) **RESPONSIBILITY FOR IMPLEMENTATION.**—The
13 Director of the Office of Management and Budget shall
14 have primary responsibility for implementation of the
15 Commission's recommendations and the Act enacted
16 under section 7 (unless such Act provides otherwise). The
17 Director of the Office of Management and Budget shall
18 notify and provide direction to heads of affected depart-
19 ments, agencies, and programs. The head of an affected
20 department, agency, or program shall be responsible for
21 implementation and shall proceed with the recommenda-
22 tions provided under subsection (b).

1 (b) DEPARTMENTS AND AGENCIES.—After the enact-
 2 ment of an Act under section 7, each affected Federal de-
 3 partment and agency as a part of its annual budget re-
 4 quest shall transmit to the appropriate committees of Con-
 5 gress its schedule for implementation of the provisions of
 6 the Act.

7 (c) GAO OVERSIGHT.—The Comptroller General
 8 shall have oversight responsibility over the implementation
 9 of the Commission’s recommendations and the Act en-
 10 acted under section 7. The Comptroller General shall peri-
 11 odically report to the Congress and the President regard-
 12 ing the accomplishment, the costs, the timetable, and ef-
 13 fectiveness of the implementation

14 **SEC. 9. DISTRIBUTION OF ASSETS.**

15 Any proceeds from the sale of assets of any depart-
 16 ment or agency resulting from the enactment of an Act
 17 under section 7 shall be—

- 18 (1) applied to reduce the Federal deficit; and
- 19 (2) deposited in the Treasury and treated as
- 20 general receipts.

○