

113TH CONGRESS
1ST SESSION

H. R. 530

To establish the Independent Government Waste Reduction Board.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 6, 2013

Mrs. BUSTOS 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.

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 2013”.

6 (b) TABLE OF CONTENTS.—The table of contents for
7 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. Termination of the Board.

1 **SEC. 2. ESTABLISHMENT OF BOARD.**

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

5 (b) MEMBERSHIP.—

6 (1) IN GENERAL.—

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

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

19 (C) ETHICAL DISCLOSURE.—The President
20 shall establish a system for public disclosure by
21 members of the Board of financial and other
22 potential conflicts of interest relating to such
23 members. Members of the Board shall be treat-
24 ed as officers in the executive branch for pur-

poses of applying title I of the Ethics in Government Act of 1978 (Public Law 95–521).

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

(E) CONSULTATION WITH CONGRESS.—In selecting individuals for nominations for appointments to the Board, the President shall consult with—

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

(ii) the Speaker of the House of Representatives concerning the appointment of 3 members;

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

(iv) the minority leader of the House of Representatives concerning the appointment of 3 members.

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

(3) CHAIRPERSON.—

1 (A) IN GENERAL.—The Chairperson shall
2 be appointed by the President, by and with the
3 advice and consent of the Senate, from among
4 the members of the Board.

5 (B) DUTIES.—The Chairperson shall be
6 the principal executive officer of the Board, and
7 shall exercise all of the executive and adminis-
8 trative functions of the Board, including func-
9 tions of the Board with respect to—

10 (i) the appointment and supervision of
11 personnel employed by the Board;

12 (ii) the distribution of business among
13 personnel appointed and supervised by the
14 Chairperson and among administrative
15 units of the Board; and

16 (iii) the use and expenditure of funds.

17 (C) GOVERNANCE.—In carrying out any of
18 the functions under subparagraph (B), the
19 Chairperson shall be governed by the general
20 policies established by the Board and by the de-
21 cisions, findings, and determinations the Board
22 shall by law be authorized to make.

23 (D) REQUESTS FOR APPROPRIATIONS.—
24 Requests or estimates for regular, supple-
25 mental, or deficiency appropriations on behalf

1 of the Board may not be submitted by the
2 Chairperson without the prior approval of a ma-
3 jority vote of the Board.

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

7 (c) VACANCIES; QUORUM; SEAL; VICE CHAIRPERSON;
8 VOTING ON REPORTS.—

9 (1) VACANCIES.—No vacancy on the Board
10 shall impair the right of the remaining members to
11 exercise all the powers of the Board.

12 (2) QUORUM.—A majority of the members of
13 the Board shall constitute a quorum for the trans-
14 action of business, but a lesser number of members
15 may hold hearings.

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

18 (4) VICE CHAIRPERSON.—The Board shall elect
19 a Vice Chairperson to act in the absence or disability
20 of the Chairperson or in case of a vacancy in the of-
21 fice of the Chairperson.

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

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

2 (a) SUBMISSION OF REPORT.—Not later than one
3 year after the date of the enactment of this Act, the Board
4 shall submit to Congress and the President a report that
5 advises specific implementation of the recommendations
6 from the March 2011 Government Accountability Office
7 report to Congress, entitled “Opportunities to Reduce Po-
8 tential Duplication in Government Programs, Save Tax
9 Dollars, and Enhance Revenue” (GAO–11–318SP) and
10 the February 2012 Government Accountability Office re-
11 port to Congress, entitled “Opportunities to Reduce Dupli-
12 cation, Overlap and Fragmentation, Achieve Savings, and
13 Enhance Revenue” (GAO–12–342SP) and shall include—

- 14 (1) a summary of the recommendations;
- 15 (2) an explanation of each recommendation con-
16 tained in the report and the reasons for including
17 such recommendation;
- 18 (3) an opinion by the Government Account-
19 ability Office on whether each recommendation is
20 consistent with the intent of such Government Ac-
21 countability Office reports;
- 22 (4) a legislative proposal that implements the
23 recommendations; and
- 24 (5) other information determined appropriate
25 by the Board.

26 (b) RECOMMENDATIONS REQUIREMENTS.—

1 (1) REQUIREMENTS.—Each recommendation in
2 the report submitted under subsection (a)—

3 (A) shall result in a decrease of overall
4 Government spending or an increase of Govern-
5 ment revenue; and

6 (B) shall not result in—

7 (i) any cut in benefits for veterans,
8 members of the Armed Forces, or their
9 families; or

10 (ii) any cut in benefits for seniors, in-
11 cluding—

12 (I) the elimination of guaranteed
13 health insurance benefits for seniors
14 or people with disabilities;

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

21 (III) cuts in Medicaid health in-
22 surance benefits;

23 (IV) cuts in nursing home care;
24 or

1 (V) privatization of Social Secu-
2 rity benefits.

3 (2) CONSULTATION WITH OTHER AGENCIES.—

4 The Board shall consult regularly with the Govern-
5 ment Accountability Office and other agencies in
6 making the recommendations required under this
7 section.

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

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

13 (b) OBTAINING OFFICIAL DATA.—The Board may
14 secure directly from any department or agency informa-
15 tion necessary to enable it to carry out this section. Upon
16 request of the Chairperson, the head of that department
17 or agency shall furnish that information to the Board on
18 an agreed upon schedule.

19 (c) POSTAL SERVICES.—The Board may use the
20 United States mails in the same manner and under the
21 same conditions as other agencies of the Federal Govern-
22 ment.

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

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

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

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

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

22 (c) STAFF.—

23 (1) IN GENERAL.—The Chairperson may, with-
24 out regard to the civil service laws and regulations,
25 appoint and terminate an executive director and

1 such other additional personnel as may be necessary
2 to enable the Board to perform its duties. The em-
3 ployment of an executive director shall be subject to
4 confirmation by the Board.

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

14 (d) DETAIL OF GOVERNMENT EMPLOYEES.—Any
15 Federal Government employee may be detailed to the
16 Board without reimbursement, and such detail shall be
17 without interruption or loss of civil service status or privi-
18 lege.

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

1 **SEC. 6. CONGRESSIONAL CONSIDERATION OF BOARD REC-**
2 **COMMENDATIONS.**

3 (a) INTRODUCTION.—

4 (1) IN GENERAL.—On the day on which the re-
5 port is submitted by the Board to the Congress
6 under section 3(a), the legislative proposal (de-
7 scribed in section 3(a)(4)) contained in the report
8 shall be introduced (by request) in the Senate by the
9 majority leader of the Senate or by Members of the
10 Senate designated by the majority leader of the Sen-
11 ate and shall be introduced (by request) in the
12 House by the majority leader of the House or by
13 Members of the House designated by the majority
14 leader of the House.

15 (2) NOT IN SESSION.—If either House is not in
16 session on the day on which such legislative proposal
17 is submitted, the legislative proposal shall be intro-
18 duced in that House, as provided in subparagraph
19 (A), on the first day thereafter on which that House
20 is in session.

21 (3) ANY MEMBER.—If the legislative proposal is
22 not introduced in either House within 5 days on
23 which that House is in session after the day on
24 which the legislative proposal is submitted, then any
25 Member of that House may introduce the legislative
26 proposal.

1 (4) REFERRAL.—The legislation introduced
2 under this subsection in the House of Representa-
3 tives shall be referred to the Committee on Over-
4 sight and Government Reform of the House of Rep-
5 resentatives. The legislation introduced under this
6 subsection in the Senate shall be referred to the
7 Committee on Homeland Security and Governmental
8 Affairs of the Senate.

9 (b) DISCHARGE.—If the committee to which a legisla-
10 tive proposal described in subsection (a) is referred has
11 not reported the bill containing such proposal by the end
12 of the 20-day period beginning on the date on which the
13 Board submits the report to Congress under section 3(a),
14 such committee shall be, at the end of such period, dis-
15 charged from further consideration of such bill, and such
16 bill shall be placed on the appropriate calendar of the
17 House involved.

18 (c) EXPEDITED CONSIDERATION.—

19 (1) CONSIDERATION.—On or after the third
20 day after the date on which the committee to which
21 such a bill is referred has reported, or has been dis-
22 charged (under subsection (b)) from further consid-
23 eration of, such a bill, it is in order (even though a
24 previous motion to the same effect has been dis-
25 agreed to) for any Member of the respective House

1 to move to proceed to the consideration of the bill.
2 A member may make the motion only on the day
3 after the calendar day on which the Member an-
4 nounces to the House concerned the Member's inten-
5 tion to make the motion, except that, in the case of
6 the House of Representatives, the motion may be
7 made without such prior announcement if the mo-
8 tion is made by direction of the committee to which
9 the bill was referred. The motion is highly privileged
10 in the House of Representatives and is privileged in
11 the Senate and is not debatable. The motion is not
12 subject to amendment, or to a motion to postpone,
13 or to a motion to proceed to the consideration of
14 other business. A motion to reconsider the vote by
15 which the motion is agreed to or disagreed to shall
16 not be in order. If a motion to proceed to the consid-
17 eration of the bill is agreed to, the respective House
18 shall immediately proceed to consideration of the bill
19 without intervening motion, order, or other business,
20 and the bill shall remain the unfinished business of
21 the respective House until disposed of.

22 (2) DEBATE.—Debate on the bill, and on all
23 debatable motions and appeals in connection there-
24 with, shall be limited to not more than 2 hours,
25 which shall be divided equally between those favoring

1 and those opposing the bill. An amendment to the
2 bill is not in order. A motion further to limit debate
3 is in order and not debatable. A motion to postpone,
4 or a motion to proceed to the consideration of other
5 business, or a motion to recommit the bill is not in
6 order. A motion to reconsider the vote by which the
7 bill is agreed to or disagreed to is not in order.

8 (3) VOTE ON FINAL PASSAGE.—Immediately
9 following the conclusion of the debate on the bill and
10 a single quorum call at the conclusion of the debate
11 if requested in accordance with the rules of the ap-
12 propriate House, the vote on final passage of the bill
13 shall occur.

14 (4) APPEALS.—Appeals from the decisions of
15 the Chair relating to the application of the rules of
16 the Senate or the House of Representatives, as the
17 case may be, to the procedure relating to the bill
18 shall be decided without debate.

19 (d) CONSIDERATION BY OTHER HOUSE.—

20 (1) BEFORE PASSAGE.—If, before the passage
21 by one House of a bill of that House described in
22 subsection (b), that House receives from the other
23 House a bill described in subsection (b), then the
24 following procedures shall apply—

1 (A) the bill of the other House shall not be
2 referred to a committee and may not be consid-
3 ered in the House receiving it except in the case
4 of final passage as provided in subparagraph
5 (B)(ii); and

6 (B) with respect to a bill described in sub-
7 section (b) of the House receiving the bill (i)
8 the procedure in that House shall be the same
9 as if no bill had been received from the other
10 House; but (ii) the vote on final passage shall
11 be on the bill of the other House.

12 (2) AFTER PASSAGE.—Upon disposition of the
13 bill received from the other House, it shall no longer
14 be in order to consider the bill that originated in the
15 receiving House.

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

18 (1) as an exercise of the rulemaking power of
19 the Senate and House of Representatives, respec-
20 tively, and as such it is deemed a part of the rules
21 of each House, respectively, but applicable only with
22 respect to the procedure to be followed in that
23 House in the case of a bill described in subsection
24 (b), and it supersedes other rules only to the extent
25 that it is inconsistent with 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 (f) CALENDAR DAY DEFINED.—In this section, the
7 term “calendar day” means a calendar day other than one
8 on which either House is not in session because of an ad-
9 journment of more than three days to a date certain.

10 **SEC. 7. TERMINATION OF THE BOARD.**

11 The Board shall terminate 120 days after the date
12 on which the Board submits the report under section 3(a).

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