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

IN THE SENATE OF THE UNITED STATES

Mr. JOHNSON (for himself and Mr. LANKFORD) introduced the following bill; which was read twice and referred to the Committee on

A BILL

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

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

SECTION 1. SHORT TITLE.

This Act may be cited as the “Reforming Government Act of 2018”.

SEC. 2. PROVIDING CONSOLIDATION AUTHORITY.

(a) DEFINITIONS.—Section 902 of title 5, United States Code, is amended—


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(1) by redesignating paragraph (2) as paragraph (4) and moving that paragraph to appear after paragraph (3);

(2) by inserting after paragraph (1) the following:

“(2) ‘efficiency-enhancing plan’ means a reorganization plan that the Director of the Office of Management and Budget determines will result in, or is likely to result in—

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

or

“(B) cost savings in performing the functions that are the subject of that plan’’;

(3) in paragraph (3), by striking the period and inserting ‘‘; and’’; and

(4) in paragraph (4), as so redesignated—

(A) by striking ‘‘or abolition’’ and inserting ‘‘abolition, or creation’’; and

(B) by striking ‘‘; and’’ and inserting a period.

(b) Modernizing Reorganization Authority.—

(1) Limitation on powers.—Section 905(a) of title 5, United States Code, is amended—

(A) by amending paragraph (1) to read as follows:
“(1) abolishing or transferring an independent regulatory agency, or all the functions thereof, or consolidating 2 or more independent regulatory agencies, or all the functions thereof;”;

(B) by striking paragraph (5); and

(C) by redesignating paragraphs (6) and (7) as paragraphs (5) and (6), respectively.

(2) REORGANIZATION PLANS.—Section 903(a) of title 5, United States Code, is amended—

(A) in paragraph (5), by striking “or”;

(B) in paragraph (6), by striking the period and inserting “; or”; and

(C) by inserting after paragraph (6) the following:

“(7) the creation of a new agency that is not a component or part of an existing executive department or independent agency.”.

SEC. 3. DURATION AND SCOPE OF AUTHORITY.

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

“(1) transmitted to Congress (in accordance with section 903(b)) on or before the date that is 2 years after the date of enactment of the Reforming Government Act of 2018; and
“(2) an efficiency-enhancing plan.”.

(b) EXERCISE OF RULEMAKING POWER.—Section 908(1) of title 5, United States Code, is amended by striking “chapter) on or before December 31, 1984” and inserting “title) on or before the date that is 2 years after the date of enactment of the Reforming Government Act of 2018”.

(c) TERMS OF RESOLUTION.—Section 909 of title 5, United States Code, is amended—

(1) by striking “the matter after the resolving clause” and all that follows through “such modifications” and inserting “the matter after the resolving clause of which is as follows: ‘That Congress approves the reorganization plan numbered ________ transmitted to Congress by the President on ________________ ,’ and includes such modifications”; and

(2) by striking “chapter” and inserting “title”.

SEC. 4. SEVERABILITY.

If any provision of this Act, an amendment made by this Act, or the application of such provision or amendment to any person or circumstance is held to be unconstitutional, the remainder of this Act, the amendments made by this Act, and the application of the provisions of such
1 to any person or circumstance shall not be affected there-
2 by.