

CONGRESSIONAL TESTIMONY

Recommendations for Government Reorganization And Lessons from Past Reorganization Efforts

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Why A Government-Wide Reorganization Is Necessary

Among many problems contributing to the federal government's inefficiencies, lack of accountability, and unwarranted costs are its excessive growth, diminished federalism, mission creep, scattering, and flawed personnel policies.

The federal government has grown too large. It directly employs over 4 million people and indirectly employs millions more contractors

and state and local government employees.¹ Moreover, the *Federal Register* lists 440 federal agencies and sub-agencies.² As federal government has grown, the role for state and local governments, as well as private-sector businesses, has diminished. Crime and poverty, for example, are better handled by state and local governments who are closer to the problems and can better address their residents' unique needs.

Not only are many of the functions the federal government performs unnecessary at the federal level, but they are scattered across the government. Despite proven ineffectiveness, the federal government continues to operate 47 different job-training programs dispersed across nine different agencies and departments.

¹David B. Muhlhausen, *Blueprint for Reform: Pathways to Reform and Cross-Cutting Issues*, Heritage Foundation *Special Report* No. 193, June 30, 2017, http://thf-reports.s3.amazonaws.com/2017/SR193_web.pdf.

²*Federal Register*, <https://www.federalregister.gov/agencies> (accessed September 6, 2017).

Another big source of inefficiency and waste in the federal government is its flawed civil service system as well as an overly generous and unresponsive compensation scheme. The federal government's hiring and firing and compensation structures neither reward hard work and success nor penalize low performance and failure. Consequently, the federal government does a great job attracting and retaining lower-performing and lower-skilled workers, but it has a much harder time employing high-performing and highly skilled workers.

Federal government activities should be strictly limited to those assigned by the Constitution and a single agency or department should be responsible for performing similar functions. Moreover, the federal government should reform its civil service laws and compensation structure to more closely resemble that of the private sector.

Summary of Blueprints for Reorganization

In response to the President's Executive Order No. 13781³ to reorganize the federal government—including a call for proposals from the public—the Heritage Foundation researched and compiled two Blueprint documents: *Blueprint for Reorganization: An Analysis of Federal Departments and Agencies*, and *Blueprint for Reorganization: Pathways to Reform and Cross-Cutting Issues*. The President's executive order effectively instructs the Office of Management and Budget (OMB) to make recommendations based on: (1) whether current functions are within the federal government's constitutionally assigned activities (or if they would be better left to state and local governments or to the private sector); (2)

whether functions or agency administration are redundant with other agencies; (3) whether the public benefits of an agency exceed its taxpayer costs; and (4) what it would cost to shut down, merge, or reorganize agencies.

The Heritage Foundation pursued a similar set of criteria when compiling our earlier *Blueprint for Balance* documents. We looked through all the programs and function of current departments and agencies and asked: (1) whether current federal functions would be more appropriately managed by state and local governments or the private sector; (2) whether current policies represent favoritism toward few instead of opportunity for all; and (3) whether current federal spending and policies are wasteful, inefficient, or duplicative. Many of the proposals we made in our *Blueprint for Balance* publication are also contained in our *Blueprint for Reform* document, but with specific note to what authority the President has or does not have to affect particular recommendations.

In compiling our *Blueprint for Reorganization*, we sought the advice of individuals with "in the trenches" federal government experience. While Heritage has many policy experts, including former federal government employees and agency officials, we are not experts in government organization, so we reached out to more than a dozen individuals who have substantial knowledge and experience in government-wide and agency-specific operations. These experts provided invaluable insight and recommendations, many of which are contained in our reports.

Our first report, *Blueprint for Reorganization: An Analysis of Federal Departments and Agencies*, contains about 110 specific

³News release, "Presidential Executive Order on a Comprehensive Plan for Reorganizing the Executive Branch," The White House, March 13, 2017,

<https://www.whitehouse.gov/the-press-office/2017/03/13/presidential-executive-order-comprehensive-plan-reorganizing-executive> (accessed September 6, 2017).

recommendations for agencies and departments. Many of these recommendations are to eliminate, reduce, or consolidate federal programs, offices, and agencies.

Our second report, *Blueprint for Reorganization: Pathways to Reform and Cross-Cutting Issues*, discusses the potential pathways to reform as well as recommendations for larger-scale, cross-cutting reforms that would affect most federal agencies and employees (such as regulatory and budget process as well as federal personnel reforms).

Highlights of Agency and Department Recommendations

Among our roughly 110 specific recommendations for departments and agencies are:

Eliminating Whole Departments and Functions. In many instances, the federal government has taken on functions that are unnecessary and often counterproductive. We recommend eliminating the Federal Housing Administration and Financing Agency and the Consumer Financial Protection Bureau. When necessary, core functions within these agencies should be transferred to other offices or departments.

Transferring Non-Federal Functions. The federal government has taken on too many appropriately state and local government functions. Although federal intervention or financial assistance is often done in an altruistic spirit of trying to help, the result is often more costly and less effective services. Functions such as low-income housing assistance and local fire protection should be fully transferred to state and local governments, which have better knowledge of how best to finance and implement these programs to serve their unique communities.

Eliminating Offices and Departments Within Agencies. Even where departments and agencies have proper federal roles, certain offices and functions within them are often unnecessary or duplicative. For example, Veterans Affairs (VA) has at least 42 different offices—including 14 health-related ones—that create a bureaucratic nightmare for veterans who need integrated services and responses instead of isolated ones. We recommend eliminating unnecessary offices and streamlining necessary ones.

Closing and Consolidating Physical Office Space. Without shutting down entire agencies or units, we recommend closing certain physical offices, such as the Department of Education's 24 regional and field offices. The rise of technology and the Internet make these additional locations unnecessary and inefficient.

Streamlining Functions. Some functions are needlessly scattered across agencies and departments, requiring more labor and paperwork and making it harder to coordinate efforts. For example, the Department of Justice has four separate criminal sections spread over four different divisions. Those criminal sections should all be located together in the criminal division.

Moving Functions to Their Appropriate Department. In some cases, programs lack efficiency because they are housed in the wrong agency altogether. That is why we recommend things like moving the Food and Nutrition Services—a welfare program—from the Agriculture Department to the Department of Health and Human Services, and putting Student Aid programs in the Treasury, which has both the financial information and the funds necessary to service student loans.

Defense Optimization. While we do not recommend overall cuts to defense spending, there are areas in which the Department of

Defense (DOD) could optimize spending by focusing on its highest priorities. For example, it should eliminate excess infrastructure that is costly to maintain and the DOD should not spend money on non-defense items such as research on ovarian and prostate cancer or pursuing Obama-era environmental and energy initiatives.

Ending Programs that Favor a Select Few.

Too many of the federal government's programs benefit a select few. That is why we recommend eliminating programs that unjustly subsidize certain industries and businesses over others. Instead, the private sector should fully finance these programs and services based on market demand. Some of those programs include: the Corporation for National and Community Services; the Corporation for Public Broadcasting; the National Foundation on the Arts and Humanities; the Export-Import Bank; the Minority Business Development Agency; and the Department of Energy's loan programs.

Oversight and Accountability. Efficiency is not just about right-sizing government—it is also about making sure government is doing its job through oversight and accountability. That is why we recommend making regulations subject to meaningful review, including tax regulations by the IRS that currently have a special exemption. Programs that have proven ineffective at accomplishing their goals should be eliminated. Furthermore, accountability programs that do exist should be run efficiently. There is no reason for the VA to have at least 31 different performance analysis and accountability offices. Those offices should be merged to better serve veterans and taxpayers.

⁴Impoundment authority allowed Presidents to eliminate or reduce spending on programs they deemed unnecessary or too costly. This authority ended in 1974.

⁵Unauthorized programs are those whose authorization has expired. In 2016, Congress appropriated \$310 billion for unauthorized programs.

Highlights of Cross-Cutting Issues

Some of our recommended cross-cutting reforms include:

Budget Process Reform. Much of the growth and inefficiency in federal agencies can be attributed to Congress's effective abandonment of the budget process and regular order. By enforcing budget discipline and accountability, several reforms could help achieve the President's reorganization plans. Those include: (1) reauthorizing the President's Reorganization Authority (discussed in more detail in the following section); (2) restoring Presidential impoundment;⁴ (3) subjecting federal agency collections and user fees to the appropriations process so that Congress has a say in how federal revenues are spent; (4) enacting a statutory spending cap with an automatic sequestration mechanism in order to force fiscal discipline upon Congress; (5) beginning the process towards a balanced budget amendment; and (6) stopping the practice of providing funds for unauthorized spending programs.⁵

Regulatory Reform. Federal regulations cost Americans an estimated \$2 trillion annually and require 9.8 billion hours per year in paperwork.⁶ The Obama Administration issued more than 23,000 new regulations, leaving the Trump Administration with 1,985 regulations in the rulemaking pipeline. The Trump Administration should put the brakes on new regulations and withdraw or postpone unnecessary and costly regulations that remain in the pipeline. Furthermore, any major regulations: (1) should be subject to congressional approval (with regulatory

⁶Office of Management and Budget, Office of Information and Regulatory Affairs, "Information Collection Budget of the United States Government," 2016, https://obamawhitehouse.archives.gov/sites/default/files/omb/inforeg/icb/icb_2016.pdf (accessed June 19, 2017).

analysis capabilities given to Congress); (2) independent agencies of the executive branch should be subject to regulatory review; (3) “sue and settle” practices should be reformed; (4) and professional staff levels for the OMB’s Office of Information and Regulatory Affairs (OIRA) should be increased.

Restructure Financial Regulators. The current financial regulatory structure has become increasingly obstructive as it has seven financial regulators on top of state regulators, with the Federal Reserve—intended only as a monetary authority—also regulating financial firms. The President and Congress should work together to establish two entities: (1) a single capital-markets regulator by merging the Consumer Financial Protection Agency and the Securities and Exchange Commission and (2) a single bank and credit union supervisor, merging the Office of the Comptroller of the Currency, the Federal Deposit Insurance Corporation, and the National Credit Union Administration while transferring the Federal Reserve’s regulatory and supervisory functions to that supervisor.

Human Resources. As the saying goes in Washington, “personnel is policy.” Consequently, a comprehensive government reorganization must address the flawed, inflexible, and inefficient structure and systems that govern federal employees. For starters, Congress needs to bring federal compensation in line with the private sector so that the government can attract and retain high-quality workers without overpaying lower-skilled ones and needlessly retaining poor-performing employees. Furthermore, federal managers need to have the ability to do their jobs, which includes: a less burdensome process for dismissing low performers; sustaining adequate non-career staff; improving and expanding pay-for-performance compensation; and seeking

opportunities to modernize and economize federal functions.

Reducing the Federal Government’s Footprint. The federal government owns and operates far too many private-sector endeavors. Congress and the President should work together to privatize: the Power Marketing Administrations; the Tennessee Valley Authority; the Strategic Petroleum Reserve; the Northeast Home Heating Oil Reserve; the Gasoline Supply Reserves; commercial nuclear waste management; Amtrak; Air Traffic Control; the Saint Lawrence Seaway Development Corporation; and Inland Waterways. The federal government should also seek pathways to shift retirement and disability insurance programs such as the Pension Benefit Guaranty Corporation and Disability Insurance programs to the private sector and it should sell off costly and underutilized federal lands and real estate.

Brief History of Executive Authority

In 1932, a heavily Democratic Congress passed legislation to grant Republican President Herbert Hoover the authority to draft a government reorganization plan to be considered under expedited procedures. From 1932 to 1983, Congress reauthorized this presidential reorganization authority 16 times (granting it to all Presidents from Hoover to Reagan, with the exception of Ford),⁷ but tied increasing restrictions to that authority along the way.

During that time, presidential reorganization authority was a frequently used tool, with Presidents submitting an average of four reorganization plans per year. Most presidential reorganization plans—73 percent of them—went into effect, in part, because the default, if Congress did not act to disapprove of the plans, was for them to go into effect.

⁷Gerald Ford did not have reorganization authority.

That changed in 1983 because of the Supreme Court's ruling in *Immigration and Naturalization Services (INS) v. Chadha*, which deemed the legislative veto, and hence, Congress's check against a presidential reorganization they did not specifically approve of, unconstitutional. Thus, Congress amended the Reorganization Act to require both houses of Congress to vote to approve a President's plans before they could be enacted. The higher hurdle for enacting Presidential reorganization plans made Executive Reorganization Authority less valuable, which is likely part of the reason Congress did not reauthorize the Reorganization Act in 1984. The act does, however, remain on the books and could be reinstated by changing just two lines in the act to reflect the new date.

The fact that Congress creates agencies, specifies their functions and missions, and establishes their internal organization leaves little room for the executive to manage the federal government's operations. So without statutory reorganization authority, what power does the President have to implement reorganizational reforms?

Pathways to Reform

Executive-Only Reorganization. Without Congress, the President has limited means to reorganize the federal government, but his efforts could still result in positive, consequential reforms. Using his existing authority, the President has some power to: (1) reassign functions; (2) relocate an agency; and (3) reallocate human resources. These shifts within or across agencies are all subject to statutory limits; however, if Congress has already specified in statute a particular function that an agency must perform, the President cannot reassign that function.

⁸In general, however, if the office or agency being eliminated is responsible for carrying out a regulation,

Already, the President and his appointees have undertaken some of these actions within the Departments of State and Interior.

Additionally, if a particular agency or office has not been created by an act of Congress, is not mentioned anywhere in statute, and does not have a line item in the last budget, the President can eliminate that office or agency without congressional action.⁸ Some examples include the Department of Energy's Office of Civil Rights and the Energy Policy and Systems Analysis Office.

Finally, the President could form a commission or task force to study and make recommendations to Congress related to government reorganization. Without any binding constraint to vote on these recommendations, and with the ability to pick and choose recommendations as opposed to accepting or denying the whole package, any such commission is unlikely to result in anything other than a dead-on-arrival document.

Re-enacted Executive Authority. Congress could reenact the previous, post-*Chadha* executive authority that remains in the U.S. code by changing the two lines that designate December 31, 1984, as the expiration date. In doing so, the cumulative limits that developed over the five decades of the executive authority's existence would still be in place and both houses of Congress would have to proactively approve of the President's plan for it to be enacted (failure to vote would prevent its implementation).

Enhanced Executive Authority. Instead of reenacting the most recent and more limited version of executive authority that existed in 1984, Congress could enact more meaningful executive authority such as allowing the President to submit plans that address more

enforcement of that regulation must be passed to another office or agency.

than one “logically consistent matter,” as specified by statute in the most recent version of Executive Authority, and allowing him to consolidate departments.⁹ Senator Lieberman introduced a bill in 2012—the Reforming and Consolidating Government Act (RCGA) of 2012—that would grant presidential reorganization authority with many of the provisions and powers that existed in the original 1932 legislation.

Congressionally Led Reorganization.

Instead of the President submitting a plan to Congress, he could propose a set of priorities and direct Congress to specify the details of a government reorganization, or request Congress to take up a reorganization effort on its own. This would alleviate partisan resistance to a presidentially led reorganization. However, attempting a congressionally led reorganization through the dozens of authorizing committees would do little or nothing to solve the current problems of inefficiency, duplication, and incoherence that plagues the federal government as each committee has a narrow focus and a tendency to protect its own turf. That is why a congressionally led reorganization effort would need to be assigned to committees with government-wide perspectives, such as the Senate Committee on Homeland Security and Governmental Affairs and the House Committee on Oversight and Government Reform.

A Congressionally Created Reorganization Commission with Fast-Track Authority.

Instead of taking the reins itself, or designating the President to do so, Congress could create an independent, BRAC-like Government Reorganization Commission to evaluate and propose a comprehensive set of recommendations. The Commission could be made up of individuals with prior executive-level experience in various agencies and departments under previous Administrations

and both Democrats and Republicans in Congress could appoint members in equal representation, perhaps with the President appointing the chair of the commission. The process could provide an opportunity for Congress and the President to make recommendations to the commission, but the commission would have the final say in its recommendations, which would be subject to approval or denial by the President. With fast-track authority, Congress would then have a specified period of time in which it could pass a joint resolution of disapproval to prevent the recommendations from taking effect, but the President would have to sign that resolution of disapproval to prevent enactment.

A reorganization commission would eliminate some of the partisan opposition to granting the President Executive Reorganization Authority. By putting the decisions about which specific programs and offices to cut or merge in the hands of independent experts, a commission would also avoid the pitfalls of leaving reorganization to congressional committees. Furthermore, the specified process would prohibit amendments, so that no one lawmaker could tie up the entire package with requirements of special favors regarding his or her concerns. Similarly, a commission’s recommendations would also avoid the potential pitfalls of having to go through the regular committee process. Finally, the requirement of approval or denial of the package as a whole—as opposed to piecemeal legislation—would create wider support by making the vote about improving the efficiency and accountability of the federal government as opposed to eliminating a particular agency or changing a particular policy or process.

To help ensure meaningful reforms actually take place, a similar measure used in the Budget Control Act of 2011 could be taken, tying disapproval of the commission’s reforms

⁹5 U.S. Code § 905 (a)(7).

to some form of sequestration. The federal government has so much room for improvement that real reforms would generate significant savings (and just as importantly, better services). Thus, Congress could specify that if the commission's recommendations are not enacted, all agencies and departments would be subject to a specified sequester, which could include both overall budgets as well as personnel reductions.

Past Efforts: Why They Failed and How to Learn from Their Mistakes

While ample opportunities exist for significant, even bipartisan, reorganizational reforms, such efforts will not be without significant obstacles.

Iron Triangles. Perhaps the most significant obstacle to reform today is iron triangles—that is, the threesome of federal agency administrators, congressional committees that oversee each agency, and interest groups served by the agencies. For members of the iron triangle, changes to or elimination of specific agencies or departments could result in the loss of government-protected jobs, special taxpayer-funded benefits and services, and power.

Agency Administrators. Agency administrators, as well as career bureaucrats, are likely to resist change and to outright oppose eliminations. Thus, when tasked with developing reorganization plans of their own, they are more likely to propose plans that protect their jobs, defend their turf, and allow them to work as they please than they are to recommend substantial and efficiency-enhancing reforms. This is particularly true in the current environment where agencies lack non-career (political) appointees and are instead filled with career bureaucrats who are

most resistant to change. In a review of historical reorganization efforts, Ronald Moe found that plans submitted by agencies primarily called for their enlargement, and, “[i]n no instance did a department propose to limit or shed one of its functions.”¹⁰

Congressional Committees. Committee members—even those who support reorganization in principle—will typically oppose changes that limit or transfer their authority. The creation of the Department of Homeland Security (DHS) in 2002 is a perfect example. Although this dealt with the creation of a new department, and thus was very different from trying to eliminate a department, it involved the transfer of the U.S. Coast Guard (USCG) and the Customs and Border Protection (CBP) agencies to DHS. The subcommittees that governed the USCG and CBP, however, did not want to give up their jurisdiction of them. Consequently, these two functions that now operate within DHS are not governed by the same committees as all other components of DHS (the House's Homeland Security and the Senate's Homeland Security and Government Affairs Committees). Instead, they remain under their previous jurisdictions: the USCG belongs to the House's Transportation Committee and the Senate's Commerce, Science, and Transportation Committees while the CBP is under the purview of the House and Senate Judiciary Committees. Scattering the functions of one department across different congressional committees makes no sense and can create roadblocks, a lack of cohesion, and inefficiencies. Reorganization efforts to consolidate or eliminate agencies would face significantly greater opposition, and the committee process would likely thwart such plans altogether.

¹⁰Ronald C. Moe, *Administrative Renewal: Reorganization Commissions in the 20th Century* (Lanham, MD: University Press of America, 2003).

Interest Groups. Interest groups that benefit from the government's current largess, inefficiencies, and duplication will also want to squash reorganizational efforts. For example, strong lobbying from federal employees' unions significantly limited the Clinton Administration's efforts at governmental reform as they opposed any changes to federal employee compensation or personnel policies. Likewise, interest groups that either receive benefits from particular departments or agencies, or which receive business by providing services to those agencies will certainly lobby against any changes that could reduce the benefits or business they receive from those agencies.

Among other obstacles to reform, the iron triangle demonstrates why it is far easier to create new, often redundant agencies than to consolidate or eliminate them. In fact, over the last half-century, only one department has been eliminated—the Post Office Department in 1971. Instead of truly eliminating the department, however, Congress immediately refashioned it into an independent agency—the United States Postal Service (USPS)—that still plagues taxpayers. With such strong resistance to eliminating or consolidating federal departments and agencies, it is no wonder why the *Federal Register* lists 440 different agencies and sub-agencies!

Recent Efforts at Reorganization

Government reorganization is not a partisan issue as both Republicans and Democrats agree that significant inefficiencies, duplications, and waste exist within the

federal government. Not surprisingly, both Democrat and Republican Presidents have embarked on significant government reorganization efforts.

Under the post-*Chadha* environment, both President Clinton and President Obama initiated government reorganizations. The Clinton Administration's National Performance Review (NPR) was one of the most persistent reorganization efforts, consisting of a six-month study that resulted in 1,200 proposals that, among other things, sought to: (1) improve "customer service"; (2) utilize new technologies to modernize the federal government; (3) reduce unnecessary regulations; (4) eliminate needless bureaucracy and oversight; and (5) improve coordination of federal, state, and local governments. With the help of Congress, the NPR initiative spurred elimination of 250 programs and agencies, closing of nearly 2,000 field offices, and modernization of many federal functions.¹¹ While the NPR was successful on some fronts, Clinton's deference to public-sector unions' opposition prevented necessary and meaningful reforms that would have created incentives for exceptional work and frugality as well as consequences for poor performance and wastefulness.¹²

President Obama also wanted to reorganize parts of the federal government. He asked Congress for reorganizational authority over the executive branch, so that he could have the authority that every business owner has "to make sure that his or her company keeps pace with the times."¹³ Moreover, he promised to use such authority only "for reforms that

¹¹Elaine C. Kamarack, "Lessons for the Future of Government Reform," testimony before the Government Affairs Committee, U.S. House of Representatives, June 18, 2013, https://www.brookings.edu/wp-content/uploads/2016/06/Kamarack_Jun-18-House-Committee-Prepared-Statement_Final-1.pdf (accessed September 7, 2017).

¹²See George Nesterzuck, "Reviewing the National Performance Review," Cato Institute, 1996, and

Donald J. Devine, "Why President Clinton's Reinventing of Government Is Not Working," *The Wall Street Journal*, 1994.

¹³News release, "President Obama Announces Proposal to Reform, Reorganize and Consolidate Government," The White House, January 13, 2012, <https://obamawhitehouse.archives.gov/the-press-office/2012/01/13/president-obama-announces-proposal-reform-reorganize-and-consolidate-gov> (accessed September 6, 2017).

result in more efficiency, better service, and a leaner government,” and he stipulated that any plan must reduce the number of agencies and save taxpayers’ dollars.¹⁴ Among his proposed reforms was merging six business and trade-related agencies into one agency to replace the Department of Commerce. Despite the fact that these were all initiatives most Republicans support, they nevertheless refused to grant President Obama Executive Reorganization Authority.

Congress has also attempted government reorganization, but usually unsuccessfully. For example, when Republicans took over Congress in 1995, they attempted to eliminate multiple agencies. Led by Congressman Sam Brownback (now the Republican Governor of Kansas), the House spent months passing legislation to remove the Department of Commerce through 11 relevant committees, but when the bill made its way to the Senate, a Republican Senator from Alaska prevented its passage because of the negative impact it could have on his state.¹⁵ This shows how easy it is to stop any particular reorganization component from being enacted. Although a single, comprehensive reorganization plan would incite a larger group of opposed constituents, the fact that many people have something to lose but everyone has a lot to gain could make a comprehensive package easier to pass than piecemeal bills. Avoiding amendments and the committee process altogether through an independent commission would further increase the chances of enacting meaningful government reorganization.

Congressional and Public Involvement Needed

¹⁴Ibid.

¹⁵Tamara Keith, “Why Eliminating Government Agencies Is a Lot Easier Said than Done,” National Public Radio, March 17, 2017,

There are some changes that the President can make on his own without any approval from Congress or the public, but more substantial government reform—that which the President’s executive order calls for—will require support from Congress, which could be buoyed by public support. The more say Congress has in the process, particularly in light of the highly partisan state of the federal government today, the better the chances will be for a meaningful reorganization.

Even if Congress were to act on its own, coordination with the Executive would be both helpful and prudent as it is an *Executive Branch* reorganization that is in play. Additionally, members of the public—particularly those who have been affected by inefficiencies and waste in the federal government—as well as those with experience as government employees and administrators can provide valuable input in the process for reform. The OMB has received more than 100,000 submissions from the public on how to improve the federal government, and it would be helpful to have a logical review process for these recommendations and to make them available to Congress.

An Independent Commission with Fast-Track Authority Is the Best Pathway to Meaningful Reform

I recommend a congressionally created bipartisan Reorganization Commission consisting of independent experts with fast-track authority as the best way to achieve meaningful government reorganization. Such a commission would minimize or avoid most of the pitfalls that hampered previous government reorganization efforts and would provide for an insightful and necessarily

<http://www.npr.org/2017/03/17/520483474/why-eliminating-government-agencies-is-a-lot-easier-said-than-done> (accessed September 6, 2017).

independent review and set of recommendations.

The incentive to enact meaningful reforms could be buoyed by tying disapproval of the Reorganization Commission's recommendations to an automatic sequester, proportionally reducing both funding and employment levels across all non-defense departments and agencies. To help ensure that the commission did not miss anything or fail to adequately consider important factors, both Congress and the President could have a 30-

day period to review the commission's recommendations and provide suggestions for improving its plans. The commission would then have 30 days to decide whether to adapt any of those recommendations or make other changes.

Although the obstacles to a successful government-wide reorganization are significant, both the consequences of failing to act and the benefits of establishing a more efficient, accountable, and right-sized federal government are too great to do nothing.

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