



## **ISSUE BRIEF: SPRING CLEANING COMMISSION**

### **OVERVIEW**

The foundation of government is broken. Obsolete laws, senseless regulations and needless bureaucracies have accumulated over time. They weigh down the economy, squander tax dollars and clog the arteries of government.

It's time for a spring cleaning.

“America’s massive, convoluted, rigid legal structure makes it almost impossible for government to do its job sensibly and within budget,” writes Philip K. Howard, chairman of Common Good. “Laws are piled upon laws, making adaptation essentially illegal. Congress doesn’t clean out the stables in part because of a constitutional flaw—our founders didn’t anticipate that it would be much harder to repeal a law than passing it in the first place. Bureaucracies don’t clean out regulations for the additional reason that the agencies become inbred, and are run by people who do things this way because that’s how it’s always been done.”

If America is going to control national and state budget deficits and make government more efficient, we have to fix the underlying system. If we don’t, tax dollars will continue to be wasted, the economy will be slowed, debt will continue to soar and public confidence in government will hit bottom and stay there.

We can no longer rely on marginal tweaks or cosmetic changes. We need a Spring Cleaning with fundamental reforms.

Congress and state legislatures need to take action—now.

One way to attack this problem—the root cause of so many public ills—is for federal and state governments to create effective mechanisms to identify, eliminate and modify obsolete laws, regulations and programs.

This is why Common Good proposes the establishment of independent Spring Cleaning Commissions, composed mostly of citizens and experienced managers, to provide this cleansing mechanism.

Historically, many reform commissions have had limited impact for two reasons: First, they were often designed to erase short-term budget shortfalls and, consequently, would rarely tackle reform of the underlying structure of government. Second, they are often controlled by officials and interest groups with numerous personal and political conflicts at odds with the interests of taxpayers.

That's why Common Good's proposal is aimed at the fundamental structure of government—its operating system—and why the mechanism we propose emphasizes citizens from outside government.

Old, failed, superficial remedies will always fall short. We believe it's time to scrap dysfunctional structures and systems that no longer meet the demands of modern society. We see Spring Cleaning Commissions as the right mechanism to do this.

Voters stand firm in their desire for substantive change:

- 81% of voters in a recent nationwide poll expressed their belief that government in Washington is “broken and needs basic overhaul” —with 93% of Republicans, 78% of independents and 72% of Democrats in agreement.
- 76% of voters say many laws, regulations, and government programs waste billions of dollars because they are obsolete and no longer needed.
- 91% believe that every law that Congress passes should be periodically reviewed to make sure it works as it was originally intended.
- 67% support the creation by Congress of an independent commission made up of experienced managers from outside government that would clean out outdated laws and regulations.

#### **NATIONAL SPRING CLEANING COMMISSION:**

#### **A COMMON GOOD PROPOSAL FOR THE FEDERAL GOVERNMENT**

We urge Congress to create a National Spring Cleaning Commission (using BRAC as a model) that makes specific recommendations to do three things: (a) repeal unnecessary, outdated or unnecessary laws, regulations and programs, (b) develop reorganization plans that abolish and streamline existing bureaucracies, (c) develop ways to immediately implement changes (including revisions in civil service and other administrative rules).

- **What it would do:** The Commission each year would determine two or three areas of government to study (i.e., housing, environmental protection, disaster relief) and would create task forces assigned to each one. Each task force would have six months to study the situation within its purview and complete its recommendations, at which time it would furnish the report of its findings and recommendations to the entire Commission. The entire Commission would then review task force recommendations and adopt, modify or reject them. The Commission would then submit its final recommendations to the President and to the American public. Opportunities for extensive public input (including public hearings) would be provided.
- **How it would work:** Within 30 days of submission of the report to the President, the President must either forward the report to the Congress or return it to the Commission for further evaluation. If the report is returned to the Commission, the Spring Cleaning Commission has 30 days to resubmit its report to the President. If the report is returned to the Commission and then re-

submitted to the President, the President must transmit his approval and certification of the resubmitted report to Congress within 30 days. Congress would have 60 days from the day it receives the report from the President to enact a joint resolution to reject the report in full, or the report becomes law. Should the President fail to approve or transmit either the initial or revised Commission recommendations by the above dates, the process would be terminated.

- **Composition:** The Commission shall be composed of 15 members as follows: (a) two former members of the Cabinet (no more than one from any political party), appointed by the President (b) two former members of Congress (no more than one from any political party), one appointed by the Speaker of the House and one by the President Pro Tempore of the Senate (c) two former state governors (no more than one from any political party), appointed by the President (d) six citizens who each have at least seven years experience managing private sector businesses or non-profit organizations, two shall be appointed by the Majority Leader of the Senate, two by the Majority Leader of the House, one appointed by the Speaker of the House and one appointed by the President Pro Tempore of the Senate, (e) three citizens who have at least five years experience managing federal government agencies (but who no longer work in the federal government), appointed by the President. Each task force shall be composed of four commission members plus three private citizens who are non-commission members appointed by the Commission.

## **STATE SPRING CLEANING COMMISSION**

### **A COMMON GOOD PROPOSAL FOR STATE GOVERNMENT**

We urge the state legislature to create a Spring Cleaning Commission (using BRAC as a model) that makes specific recommendations to do three things: (a) repeal unnecessary, outdated or unnecessary laws, regulations and programs, (b) develop reorganization plans that abolish and streamline existing bureaucracies, (c) develop ways to immediately implement changes (including revisions in civil service and other administrative rules).

- **What it would do:** The Commission each year would determine two or three areas of state government to study (i.e., transportation, environmental protection, corrections, health care, etc.) and would create task forces assigned to each one. Each task force would have six months to study the situation within its purview and complete its recommendations, at which time it would furnish the report of its findings and recommendations to the entire Commission. The entire Commission would then review task force recommendations and adopt, modify or reject them. The Commission would then submit its final recommendations to the Governor and the general public. Opportunities for extensive public input (including public hearings) would be provided.
- **How it would work:** Within 30 days of submission of the report to the Governor, the Governor must either forward the report to the legislature or return it to the

Commission for further evaluation. If the report is returned to the Commission, the Spring Cleaning Commission has 30 days to resubmit its report to the Governor. If the report is returned to the Commission and then re-submitted to the Governor, the Governor must transmit his approval and certification of the resubmitted report to legislature within 30 days. Once it received the report from the Governor, the legislature during the first 30 days of its next regular session could enact a joint resolution to reject the report in full, or the report becomes law. Should the Governor fail to approve or transmit either the initial or revised Commission recommendations by the above dates, the process would be terminated.

- **Composition:** The Commission shall be composed of 15 members as follows: (a) three former state agency heads (no more than one from any political party) appointed by the Governor, (b) two former members of the legislature (no more than one from any political party), one appointed by the Speaker of the House and one appointed by the President of the Senate, (c) two faculty members in the state university system appointed by the chief executive of the system, (d) eight citizens who each have at least seven years experience managing private sector businesses or non-profit organizations (two shall be appointed by the Governor, two by the Lt. Governor, two by the state Attorney General, two by the state (Treasurer) (Comptroller). Each task force shall be composed of four commission members plus one private citizen who is not a commission member appointed by the Commission.

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*This issue brief was prepared by Common Good, a nonpartisan reform coalition, as part of its Start Over campaign to fill the substance void in this election and beyond. It is intended to provide actionable policy ideas for use by citizens, reform groups, elected officials and candidates for public office. For more information, go to [CommonGood.org](http://CommonGood.org).*