

119<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 5249

To restore and affirm the constitutional prerogative and responsibility of Congress to exercise the exclusive legislative powers of Congress under article I of the Constitution of the United States to make all laws that are necessary and proper for carrying into execution the powers of Congress under article I and all other powers vested by the Constitution of the United States in the Government of the United States, or in any department or officer thereof.

---

## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 10, 2025

Mr. WALKINSHAW introduced the following bill; which was referred to the Committee on Oversight and Government Reform

---

## A BILL

To restore and affirm the constitutional prerogative and responsibility of Congress to exercise the exclusive legislative powers of Congress under article I of the Constitution of the United States to make all laws that are necessary and proper for carrying into execution the powers of Congress under article I and all other powers vested by the Constitution of the United States in the Government of the United States, or in any department or officer thereof.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Limit on Sweeping  
3 Executive Reorganization Act”.

4 **SEC. 2. DEFINITIONS.**

5 In this Act:

6 (1) AGENCY.—The term “agency” has the  
7 meaning given the term in section 6 of title 18,  
8 United States Code.

9 (2) EMPLOYEE.—The term “employee” has the  
10 meaning given the term in section 2105 of title 5,  
11 United States Code.

12 (3) INDEPENDENT REORGANIZATION REVIEW  
13 PANEL.—The term “Independent Reorganization  
14 Review Panel” means the panel established under  
15 section 5(a).

16 (4) JOINT RESOLUTION OF APPROVAL.—The  
17 term “joint resolution of approval” means a joint  
18 resolution—

19 (A) that is introduced during the period—

20 (i) beginning on the date on which the  
21 Independent Reorganization Review Panel  
22 submits to Congress a report relating to a  
23 major executive reorganization in accord-  
24 ance with section 5(e); and

25 (ii) ending on the date that is 7 days  
26 after the date described in clause (i);

1 (B) the title of which is as follows: “Joint  
2 resolution relating to \_\_\_\_\_”, the blank  
3 space being filled in with a description of the  
4 major executive reorganization described in sub-  
5 paragraph (A)(i);

6 (C) which does not have a preamble; and

7 (D) the matter after the resolving clause of  
8 which is “That Congress approves of the major  
9 executive reorganization described in the reor-  
10 ganization impact report submitted by the  
11 President relating to \_\_\_\_\_, and such major  
12 executive reorganization may take effect.” (The  
13 blank spaces being appropriately filled in).

14 (5) LABOR ORGANIZATION.—The term “labor  
15 organization” has the meaning given the term in  
16 section 7103 of title 5, United States Code.

17 (6) MAJOR EXECUTIVE REORGANIZATION.—The  
18 term “major executive reorganization” means an ac-  
19 tion taken by the executive branch of the Federal  
20 Government that—

21 (A) combined with other reorganizational  
22 efforts, reduces the number of employees of an  
23 agency by not less than 5 percent;

1 (B) combined with other reorganizational  
2 efforts, reduces the operating budget of an  
3 agency by not less than 10 percent;

4 (C) eliminates, merges, or closes an agen-  
5 cy, component of an agency, or regional office  
6 of an agency; or

7 (D) transfers the operational control of a  
8 Federal data system, platform, or administra-  
9 tive function to a non-Federal entity.

10 (7) REORGANIZATION IMPACT REPORT.—The  
11 term “reorganization impact report” means a report  
12 submitted pursuant to section 3(a).

13 **SEC. 3. REORGANIZATION IMPACT REPORTS.**

14 (a) IN GENERAL.—The President may submit to  
15 Congress and the Independent Reorganization Review  
16 Panel a reorganization impact report relating to a pro-  
17 posed major executive reorganization.

18 (b) CONTENTS.—A reorganization impact report sub-  
19 mitted under subsection (a) shall include, with respect to  
20 a proposed major executive reorganization—

21 (1) the purpose and justification for the major  
22 executive reorganization;

23 (2) the number and roles of employees affected  
24 by the major executive reorganization;

1           (3) the impact of the major executive reorga-  
2           nization on the service delivery and mission perform-  
3           ance of any agency;

4           (4) a summary of any consultation performed  
5           with each labor organization affected by the major  
6           executive reorganization;

7           (5) a budgetary analysis and a description of  
8           the costs of transition relating to the major execu-  
9           tive reorganization; and

10          (6) any proposed reassignment of Federal infor-  
11          mation technology, human resources, or financial  
12          systems under the major executive reorganization.

13 **SEC. 4. CONGRESSIONAL APPROVAL REQUIRED.**

14          A major executive reorganization may not take effect  
15          until the date on which—

16           (1) the President submits to Congress a reorga-  
17           nization impact report relating to the major execu-  
18           tive reorganization under section 3(a); and

19           (2) Congress enacts a joint resolution of ap-  
20           proval providing that the major executive reorganiza-  
21           tion may take effect.

22 **SEC. 5. INDEPENDENT REORGANIZATION REVIEW PANEL.**

23          (a) IN GENERAL.—There is established the Inde-  
24          pendent Reorganization Review Panel for the purpose of  
25          reviewing reorganization impact reports.

1 (b) MEMBERSHIP.—The Independent Reorganization  
2 Review Panel shall include—

3 (1) representatives of—

4 (A) the Office of Personnel Management;

5 (B) the Government Accountability Office;

6 and

7 (C) the Congressional Budget Office; and

8 (2) 1 representative of a labor organization that  
9 is the exclusive representative of a unit of employees  
10 (as defined in section 7103 of title 5, United States  
11 Code).

12 (c) DUTIES.—Not later than 30 days after the date  
13 on which the Independent Reorganization Review Panel  
14 receives a reorganization impact report relating to a major  
15 executive reorganization pursuant to section 3(a), the  
16 Independent Reorganization Review Panel shall submit to  
17 Congress a report that includes a non-binding advisory  
18 opinion with respect to the major executive reorganization.

19 **SEC. 6. EMPLOYEE AND LABOR PROTECTIONS.**

20 (a) IN GENERAL.—Each agency shall, with respect  
21 to a major executive reorganization carried out by the  
22 agency—

23 (1) not later than 60 days before the date on  
24 which the agency begins carrying out the major ex-  
25 ecutive reorganization, provide notice regarding the

1 major executive reorganization to each employee of  
2 the agency who will be affected by the major execu-  
3 tive reorganization;

4 (2) fulfill all obligations of the agency under  
5 each collective bargaining agreement (as defined in  
6 section 7103 of title 5, United States Code) to which  
7 the agency is a party; and

8 (3) undergo a review conducted by the Director  
9 of the Office of Personnel Management to ensure  
10 that the major executive reorganization complies  
11 with merit system principles.

12 (b) **RULE OF CONSTRUCTION.**—Nothing in this sec-  
13 tion may be construed to diminish or otherwise affect the  
14 procedural protections provided under section 3502 of title  
15 5, United States Code, or any other similar provision of  
16 law.

17 **SEC. 7. ENFORCEMENT.**

18 (a) **IN GENERAL.**—If, after investigation, the Special  
19 Counsel determines that an officer or employee of an agen-  
20 cy knowingly authorized, directed, or carried out a major  
21 executive reorganization in violation of this Act, the Spe-  
22 cial Counsel shall take appropriate action under chapter  
23 75 of title 5, United States Code, with respect to the viola-  
24 tion.

1           (b) PROCEDURE.—An officer or employee of an agen-  
2 cy against whom an adverse action is taken under sub-  
3 section (a) shall be entitled to the procedural protections  
4 that apply under chapter 75 of title 5, United States Code,  
5 with respect to the applicable adverse action.

6 **SEC. 8. LEGAL STANDING AND JUDICIAL REVIEW.**

7           (a) IN GENERAL.—A labor organization or employee  
8 may bring an action for a major executive reorganization,  
9 or any executive action, carried out in violation of this Act  
10 in the United States District Court for the District of Co-  
11 lumbia for injunctive relief.

12           (b) EXPEDITED REVIEW.—The United States Dis-  
13 trict Court for the District of Columbia shall provide expe-  
14 dited review for an action brought under subsection (a).

15 **SEC. 9. SEVERABILITY.**

16           If any provision of this Act or the application of such  
17 provision to any person, entity, government, or cir-  
18 cumstance, is held to be unconstitutional, the remainder  
19 of this Act, or the application of such provision to all other  
20 persons, entities, governments, or circumstances, shall not  
21 be affected thereby.

○