

112TH CONGRESS  
1ST SESSION

# H. R. 657

To amend title 5, United States Code, to reduce the number of civil service positions within the executive branch, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 11, 2011

Mrs. LUMMIS (for herself, Mr. SAM JOHNSON of Texas, Mr. AKIN, Mr. LAMBORN, Mr. HELLER, Mr. WILSON of South Carolina, Mr. ROE of Tennessee, Mrs. BLACKBURN, Mr. BURTON of Indiana, Mr. POSEY, Mr. OLSON, Mr. MARCHANT, Mr. SCHOCK, Mr. KLINE, Mr. ROSKAM, Mrs. SCHMIDT, Mr. MULVANEY, Mr. FLORES, Mr. GOHMERT, Mr. KING of Iowa, Mr. FLEMING, Mr. HUELSKAMP, Mr. FRANKS of Arizona, Mr. HALL, Mr. RIGELL, Mr. DESJARLAIS, Mr. DENHAM, and Mr. GIBBS) introduced the following bill; which was referred to the Committee on Oversight and Government Reform

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## A BILL

To amend title 5, United States Code, to reduce the number of civil service positions within the executive branch, and for other purposes.

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.**

4 This Act may be cited as the “Federal Workforce Re-  
5 duction Act of 2011”.

1 **SEC. 2. REDUCING THE NUMBER OF FEDERAL EMPLOYEES.**

2 Section 3101 of title 5, United States Code, is  
3 amended—

4 (1) by striking “Each Executive agency” and  
5 inserting “(a) IN GENERAL.—Subject to subsection  
6 (b), each Executive agency”; and

7 (2) by adding at the end the following new sub-  
8 section:

9 “(b) REDUCTION IN NUMBER OF EMPLOYEES.—

10 “(1) HIRING FREEZE.—Except as provided in  
11 paragraph (2), during fiscal year 2012 and each suc-  
12 ceeding fiscal year for which the Director of the Of-  
13 fice of Management and Budget (in such manner as  
14 the Director determines to be appropriate) projects  
15 a Federal budget deficit, the head of an Executive  
16 agency may not appoint any individual to a position  
17 in the agency.

18 “(2) PERMITTING APPOINTMENTS FROM FED-  
19 ERAL WORKFORCE HIRING POOL.—

20 “(A) ESTABLISHMENT OF POOL.—The  
21 President shall establish a Federal workforce  
22 hiring pool consisting of positions which may be  
23 allocated among all Executive agencies.

24 “(B) PROCEDURES.—The head of an Ex-  
25 ecutive agency may appoint an individual to a  
26 position in the agency if—

1           “(i) there is a position available in the  
2           Federal workforce hiring pool;

3           “(ii) the head of the Executive agency  
4           submits a request to the President for the  
5           allocation of a position in the Federal  
6           workforce hiring pool to the agency for  
7           purposes of making an appointment; and

8           “(iii) the President approves the re-  
9           quest.

10           “(C) PROCESS AND CRITERIA FOR APPROV-  
11           ING REQUESTS.—The President shall promul-  
12           gate regulations—

13           “(i) setting forth the process by which  
14           the head of an Executive agency may make  
15           a request under this subsection; and

16           “(ii) setting forth the criteria by  
17           which the President shall determine on a  
18           competitive basis whether to approve a re-  
19           quest by the head of an Executive agency  
20           under this subsection.

21           “(D) NUMBER OF POSITIONS IN POOL.—

22           “(i) INITIAL NUMBER.—As of the first  
23           day of fiscal year 2012, the number of po-  
24           sitions in the Federal workforce hiring pool  
25           shall equal zero.

1           “(ii) CHANGES TO INITIAL NUM-  
2           BER.—After the first day of fiscal year  
3           2012, the number of positions in the Fed-  
4           eral workforce hiring pool—

5                   “(I) shall increase by .50 for  
6                   each full-time-equivalent position in  
7                   any Executive agency which subse-  
8                   quently becomes vacant; and

9                   “(II) shall decrease by 1.0 for  
10                  each request for a full-time equivalent  
11                  position which is approved by the  
12                  President under this subsection.

13           “(3) WAIVER IN CASE OF EMERGENCY OR NEED  
14           TO PROTECT NATIONAL SECURITY.—The President  
15           may waive this subsection with respect to the hiring  
16           of an employee for a position upon a determination  
17           by the President that—

18                   “(A) the existence of a state of war or  
19                   other national security concern so requires; or

20                   “(B) the existence of an extraordinary  
21                   emergency threatening life, health, safety, or  
22                   property so requires.

23           “(4) ACTION THROUGH OPM.—The President  
24           shall carry out this subsection through the Director  
25           of the Office of Personnel Management, who shall

1 consult with the Director of the Office of Manage-  
2 ment and Budget.

3 “(5) REPORTS TO CONGRESS.—

4 “(A) IN GENERAL.—Not later than 90  
5 days after the end of each quarter of a fiscal  
6 year, the President shall provide Congress with  
7 a report containing a list of each appointment  
8 approved by the President under this subsection  
9 during the quarter, broken down by executive  
10 agency.

11 “(B) INFORMATION INCLUDED.—The list  
12 contained in a report provided to Congress  
13 under subparagraph (A) shall include a descrip-  
14 tion of the position associated with each ap-  
15 proved appointment, but shall not provide any  
16 information that may be used to identify the in-  
17 dividual appointed to the position.

18 “(C) PUBLIC DISSEMINATION.—The Presi-  
19 dent shall make each report provided to Con-  
20 gress under subparagraph (A) available to the  
21 public by posting the report on the official pub-  
22 lic website of the Executive Office of the Presi-  
23 dent in a searchable, sortable, and download-  
24 able manner.

1           “(6) EXCLUSION OF CERTAIN EXECUTIVE  
2 AGENCIES.—This subsection does not apply to—

3           “(A) the Department of Defense;

4           “(B) the Department of Homeland Secu-  
5 rity; or

6           “(C) the Department of Veterans’ Af-  
7 fairs.”.

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