

112TH CONGRESS
1ST SESSION

S. 1476

To reduce the size of the Federal workforce and Federal employee costs relating to pay, bonuses, and travel expenses.

IN THE SENATE OF THE UNITED STATES

AUGUST 2, 2011

Mr. HATCH (for himself and Mr. COBURN) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To reduce the size of the Federal workforce and Federal employee costs relating to pay, bonuses, and travel expenses.

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 and Reform Act of 2011”.

6 **SEC. 2. FREEZE ON PAY AND BONUSES OF FEDERAL EM-**
7 **PLOYEES.**

8 (a) **EXTENSION OF PAY FREEZE FOR FEDERAL EM-**
9 **PLOYEES TO 3 YEARS.**—Section 147 of the Continuing

1 Appropriations Act, 2011 (Public Law 111–242) is
2 amended—

3 (1) in subsection (b)(1), by striking “December
4 31, 2012” and inserting “December 31, 2014”; and

5 (2) in subsection (c), by striking “December 31,
6 2012” and inserting “December 31, 2014”.

7 (b) 3-YEAR FREEZE ON BONUSES.—

8 (1) DEFINITIONS.—In this subsection—

9 (A) the term “agency” has the meaning
10 given under section 4501(1) of title 5, United
11 States Code; and

12 (B) the term “employee” has the meaning
13 given under section 4501(2) of title 5, United
14 States Code.

15 (2) FREEZE ON BONUSES.—Notwithstanding
16 any other provision of law, during each of fiscal
17 years 2012, 2013, and 2014, no agency may pay any
18 bonus (including any recruitment or retention
19 bonus) or any cash award (including any perform-
20 ance-based cash award under section 4505a of title
21 5, United States Code, or any similar provision of
22 law) to any employee.

23 **SEC. 3. REDUCTION IN FEDERAL WORKFORCE.**

24 (a) DEFINITIONS.—In this section—

1 (1) the term “agency” means an Executive
2 agency as defined under section 105 of title 5,
3 United States Code, excluding the Government Ac-
4 countability Office;

5 (2) the term “Federal employee” means an em-
6 ployee as defined under section 2105 of title 5,
7 United States Code; and

8 (3) the term “total number of Federal employ-
9 ees” means the total number of Federal employees
10 in all agencies.

11 (b) LIMITATION.—The President, through the Office
12 of Management and Budget (in consultation with the Of-
13 fice of Personnel Management), shall take appropriate
14 measures to ensure that, effective beginning in fiscal year
15 2022, the total number of Federal employees shall not ex-
16 ceed 85 percent of the total number of Federal employees
17 on September 30, 2011.

18 (c) MONITORING AND NOTIFICATION.—The Office of
19 Management and Budget (in consultation with the Office
20 of Personnel Management)—

21 (1) shall continuously monitor all agencies and
22 make a determination, as of September 30, 2011,
23 and the last day of each quarter of each fiscal year
24 beginning thereafter, as to whether or not the total

1 number of Federal employees exceeds the maximum
2 number allowable under subsection (b); and

3 (2) whenever a determination under paragraph
4 (1) is made that the total number of Federal em-
5 ployees exceeds the maximum number allowable
6 under subsection (b), shall provide written notice to
7 that effect to the President and Congress within 14
8 days after the last day of the quarter to which such
9 determination relates.

10 (d) COMPLIANCE.—Whenever, with respect to the
11 quarter ending on September 30, 2021, or any subsequent
12 quarter, the Office of Management and Budget provides
13 written notice under subsection (c)(2) that the total num-
14 ber of Federal employees exceeds the maximum number
15 allowable under subsection (b), no agency may thereafter
16 appoint any employee to fill any vacancy within such agen-
17 cy until the Office of Management and Budget provides
18 written notice to the President and Congress of a deter-
19 mination under subsection (c)(1) that the total number
20 of Federal employees no longer exceeds the maximum
21 number allowable under subsection (b). Any notice under
22 the preceding sentence shall be provided within 14 days
23 after the last day of the quarter to which the determina-
24 tion relates.

1 (e) WAIVER.—This section may be waived upon a de-
2 termination by the President that—

3 (1) the existence of a state of war or other na-
4 tional security concern so requires; or

5 (2) the existence of an extraordinary emergency
6 threatening life, health, public safety, property, or
7 the environment so requires.

8 (f) COUNTING RULE.—For purposes of this section,
9 any determination of the number of employees in an agen-
10 cy shall be expressed on a full-time equivalent basis.

11 (g) LIMITATION ON PROCUREMENT OF SERVICE
12 CONTRACTS.—The President, through the Office of Man-
13 agement and Budget (in consultation with the Office of
14 Personnel Management), shall take appropriate measures
15 to ensure that there is no increase in the procurement of
16 service contracts by reason of the enactment of this sec-
17 tion, except in cases in which a cost comparison dem-
18 onstrates that such contracts would be to the financial ad-
19 vantage of the Government.

20 (h) REGULATIONS.—Any regulations necessary to
21 carry out this section may be prescribed by the President
22 or his designee.

23 **SEC. 4. REDUCTION IN CONTRACT EMPLOYEES.**

24 (a) DEFINITIONS.—In this section, the term “agen-
25 cy” means an Executive agency as defined under section

1 105 of title 5, United States Code, excluding the Govern-
2 ment Accountability Office.

3 (b) LIMITATION.—The President, through the Office
4 of Management and Budget (in consultation with the Of-
5 fice of Personnel Management), shall take appropriate
6 measures to ensure that, effective beginning in fiscal year
7 2022, the total number of contract employees shall not
8 exceed 85 percent of the total number of contract employ-
9 ees on September 30, 2011.

10 (c) MONITORING AND NOTIFICATION.—The Office of
11 Management and Budget (in consultation with the Office
12 of Personnel Management)—

13 (1) shall continuously monitor all agencies and
14 make a determination, as of September 30, 2011,
15 and the last day of each quarter of each fiscal year
16 beginning thereafter, as to whether or not the total
17 number of contract employees exceeds the maximum
18 number allowable under subsection (b); and

19 (2) whenever a determination under paragraph
20 (1) is made that the total number of contract em-
21 ployees exceeds the maximum number allowable
22 under subsection (b), shall provide written notice to
23 that effect to the President and Congress within 14
24 days after the last day of the quarter to which such
25 determination relates.

1 (d) COMPLIANCE.—Whenever, with respect to the
2 quarter ending on September 30, 2021, or any subsequent
3 quarter, the Office of Management and Budget provides
4 written notice under subsection (c)(2) that the total num-
5 ber of contract employees exceeds the maximum number
6 allowable under subsection (b), no agency may thereafter
7 appoint any employee to fill any vacancy within such agen-
8 cy until the Office of Management and Budget provides
9 written notice to the President and Congress of a deter-
10 mination under subsection (c)(1) that the total number
11 of contract employees no longer exceeds the maximum
12 number allowable under subsection (b). Any notice under
13 the preceding sentence shall be provided within 14 days
14 after the last day of the quarter to which the determina-
15 tion relates.

16 (e) WAIVER.—This section may be waived upon a de-
17 termination by the President that—

18 (1) the existence of a state of war or other na-
19 tional security concern so requires; or

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

23 (f) COUNTING RULE.—For purposes of this section,
24 any determination of the number of contact employees
25 shall be expressed on a full-time equivalent basis.

1 (g) REGULATIONS.—Any regulations necessary to
2 carry out this section may be prescribed by the President
3 or his designee.

4 **SEC. 5. LIMITATION OF GOVERNMENT TRAVEL COSTS.**

5 (a) DEFINITION.—In this section, the term “agen-
6 cy”—

7 (1) has the meaning given under section
8 5701(1) of title 5, United States Code; and

9 (2) does not include the Department of De-
10 fense.

11 (b) LIMITATION.—

12 (1) IN GENERAL.—Notwithstanding any other
13 provision of law, the total amount which is paid or
14 reimbursed by an agency under subchapter I of
15 chapter 57 of title 5, United States Code (relating
16 to travel and subsistence expenses; mileage allow-
17 ances for official travel by Federal employees) may
18 not—

19 (A) for each of fiscal years 2012 and 2013,
20 exceed 50 percent of the total amount so paid
21 or reimbursed by such agency for fiscal year
22 2011; and

23 (B) for fiscal year 2014, exceed 25 percent
24 of the total amount so paid or reimbursed by
25 such agency for fiscal year 2011.

1 (2) EXCEPTIONS.—For purposes of carrying
2 out paragraph (1), there shall not be taken into ac-
3 count the amounts paid or reimbursed for—

4 (A) any subsistence or travel expenses for
5 threatened law enforcement personnel, as de-
6 scribed in section 5706a of title 5, United
7 States Code; or

8 (B) any other expenses for which an excep-
9 tion is established under paragraph (3) for rea-
10 sons relating to national security or public safe-
11 ty.

12 (3) REGULATIONS.—Any regulations necessary
13 to carry out this subsection shall, in consultation
14 with the Director of the Office of Management and
15 Budget, be prescribed by the same respective au-
16 thorities as are responsible for prescribing regula-
17 tions under section 5707 of title 5, United States
18 Code.

19 (c) RESERVE TRAVEL AMOUNT.—

20 (1) DEFINITION.—In this subsection, the term
21 “reserve travel amount” means an amount equal to
22 10 percent of the total amount of appropriations
23 made available to an agency in any fiscal year for
24 purposes of payment or reimbursement by that
25 agency under subchapter I of chapter 57 of title 5,

1 United States Code (relating to travel and subsist-
2 ence expenses; mileage allowances for official travel
3 by Federal employees).

4 (2) REQUIREMENT.—For each of fiscal years
5 2012 through 2014, each agency shall have a reserve
6 travel amount available for expenditure or obligation
7 on September 1 of each such fiscal year for purposes
8 of payment or reimbursement by that agency under
9 subchapter I of chapter 57 of title 5, United States
10 Code (relating to travel and subsistence expenses;
11 mileage allowances for official travel by Federal em-
12 ployees).

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