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

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

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.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Federal Workforce Reduction Act of 2011”.

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

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

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

(2) by adding at the end the following new subsection:

“(b) REDUCTION IN NUMBER OF EMPLOYEES.—

“(1) HIRING FREEZE.—Except as provided in paragraph (2), during fiscal year 2012 and each succeeding fiscal year for which the Director of the Office of Management and Budget (in such manner as the Director determines to be appropriate) projects a Federal budget deficit, the head of an Executive agency may not appoint any individual to a position in the agency.

“(2) PERMITTING APPOINTMENTS FROM FEDERAL WORKFORCE HIRING POOL.—

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

“(B) PROCEDURES.—The head of an Executive agency may appoint an individual to a position in the agency if—
“(i) there is a position available in the Federal workforce hiring pool;

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

“(iii) the President approves the request.

“(C) PROCESS AND CRITERIA FOR APPROVING REQUESTS.—The President shall promulgate regulations—

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

“(ii) setting forth the criteria by which the President shall determine on a competitive basis whether to approve a request by the head of an Executive agency under this subsection.

“(D) NUMBER OF POSITIONS IN POOL.—

“(i) INITIAL NUMBER.—As of the first day of fiscal year 2012, the number of positions in the Federal workforce hiring pool shall equal zero.
“(ii) Changes to Initial Number.—After the first day of fiscal year 2012, the number of positions in the Federal workforce hiring pool—

“(I) shall increase by .50 for each full-time-equivalent position in any Executive agency which subsequently becomes vacant; and

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

“(3) Waiver in Case of Emergency or Need to Protect National Security.—The President may waive this subsection with respect to the hiring of an employee for a position upon a determination by the President that—

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

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

“(4) Action Through OPM.—The President shall carry out this subsection through the Director of the Office of Personnel Management, who shall...
consult with the Director of the Office of Management and Budget.

“(5) REPORTS TO CONGRESS.—

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

“(B) INFORMATION INCLUDED.—The list contained in a report provided to Congress under subparagraph (A) shall include a description of the position associated with each approved appointment, but shall not provide any information that may be used to identify the individual appointed to the position.

“(C) PUBLIC DISSEMINATION.—The President shall make each report provided to Congress under subparagraph (A) available to the public by posting the report on the official public website of the Executive Office of the President in a searchable, sortable, and downloadable manner.
“(6) Exclusion of certain executive agencies.—This subsection does not apply to—

“(A) the Department of Defense;

“(B) the Department of Homeland Security; or

“(C) the Department of Veterans’ Affairs.”.