

110TH CONGRESS
1ST SESSION

S. 2462

To provide that before the Secretary of Defense may furlough any employee of the Department of Defense on the basis of a lack of funds, the Secretary shall suspend any nonessential service contract entered into by the Department of Defense, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 12, 2007

Mr. AKAKA (for himself, Mr. DODD, and Mr. OBAMA) introduced the following bill; which was read twice and referred to the Committee on Armed Services

A BILL

To provide that before the Secretary of Defense may furlough any employee of the Department of Defense on the basis of a lack of funds, the Secretary shall suspend any nonessential service contract entered into by the Department of Defense, 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. LIMITATION ON FURLOUGHS OF EMPLOYEES**
4 **OF THE DEPARTMENT OF DEFENSE.**

5 (a) DEFINITIONS.—In this Act:

6 (1) EMPLOYEE.—The term “employee”—

1 (A) has the meaning given under section
2 7511(a)(1) of title 5, United States Code; and

3 (B) includes a member of the Senior Exec-
4 utive Service.

5 (2) FURLOUGH.—The term “furlough”—

6 (A) has the meaning given under section
7 7511(a)(5) of title 5, United States Code; and

8 (B) with respect to a member of the Senior
9 Executive Service, has the meaning given under
10 section 3595a(a) of title 5, United States Code.

11 (b) LIMITATION ON FURLOUGHS.—Before the Sec-
12 retary of Defense may furlough employees of the Depart-
13 ment of Defense on the basis of a lack of funds, the Sec-
14 retary shall suspend all nonessential service contracts en-
15 tered into by the Department of Defense as are necessary
16 to make up for the lack of funds.

17 (c) TRANSFER OF FUNDS.—The Secretary of De-
18 fense shall transfer an amount equal to payments not re-
19 quired to be made by the United States by reason of the
20 suspension of contracts under subsection (b) from the ap-
21 plicable appropriations accounts used for making such
22 payments into the applicable appropriations accounts for
23 the salaries and expenses of employees.

24 (d) USE OF TRANSFERRED FUNDS.—Amounts trans-
25 ferred into appropriations accounts under subsection (c)

1 may be used for authorized purposes of those accounts to
2 prevent the furlough of employees on the basis of a lack
3 of funds.

4 (e) EFFECTIVE DATE.—This Act shall apply with re-
5 spect to fiscal year 2008.

