

111TH CONGRESS
2D SESSION

S. 3747

To provide for a reduction and limitation on the total number of Federal employees, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 5, 2010

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

A BILL

To provide for a reduction and limitation on the total number of Federal employees, 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 “Reduce and Cap the
5 Federal Workforce Act of 2010”.

6 SEC. 2. REDUCTION AND LIMITATION ON THE TOTAL NUM-

7 BER OF FEDERAL EMPLOYEES.

8 (a) DEFINITION.—In this Act—

9 (1) the term “agency”—

1 (A) means an executive agency as defined
2 under section 105 of title 5, United States
3 Code; and

4 (B) shall not include—

5 (i) the Executive Office of the Presi-
6 dent;

7 (ii) the Central Intelligence Agency;

10 (iv) the Secret Service; and

11 (2) the term "employee"—

12 (A) means an employee of any agency; and

13 (B) shall not include any employee—

14 (i) employed by a Federal entity de-
15 scribed under paragraph (1)(B); or

16 (ii) designated by the Director of Na-
17 tional Intelligence for exclusion for pur-
18 poses of national security.

19 (b) AGENCIES OTHER THAN THE DEPARTMENT OF
20 DEFENSE AND THE DEPARTMENT OF HOMELAND SECU-
21 RITY.—

22 (1) DETERMINATION OF NUMBER OF EMPLOY-
23 EES.—Not later than 90 days after the date of en-
24 actment of this Act, the head of each agency (other
25 than the Department of Defense and the Depart-

1 ment of Homeland Security) shall collaborate with
2 the Director of the Office of Management and Budg-
3 et and determine—

4 (A) the number of full-time employees em-
5 ployed in that agency on February 16, 2009;
6 and

21 (3) OFFSET IN NUMBER OF EMPLOYEES.—

22 (A) IN GENERAL.—After an agency has
23 reached the number of full-time employees to be
24 in compliance with paragraph (2), the head of
25 that agency shall ensure that the number of

1 full-time employees in that agency is offset by
2 a reduction of 1 full-time employee at that
3 agency for each individual who is appointed as
4 a full-time employee in any agency.

5 (B) OFFSET IF REDUCTIONS UNNECESSARY.—If the number of full-time employees
6 employed in an agency determined under para-
7 graph (1)(A) is more than the number of full-
8 time employees employed in that agency on the
9 date occurring 90 days after the date of enact-
10 ment of this Act, the head of that agency shall
11 ensure that the number of full-time employees
12 in that agency is offset by a reduction of 1 full-
13 time employee at that agency for each indi-
14 vidual who is appointed as a full-time employee
15 in any agency.

17 (c) DEPARTMENT OF DEFENSE AND THE DEPART-
18 MENT OF HOMELAND SECURITY.—

1 the Department of Homeland Security at the end of
2 that 90-day period.

3 (2) OFFSET IN NUMBER OF EMPLOYEES.—
4 After the 90-day period described under paragraph
5 (1), the Secretary of Defense and the Secretary of
6 Homeland Security shall ensure that the number of
7 full-time employees in the Department of Defense
8 and the Department of Homeland Security deter-
9 mined under paragraph (1) is offset by a reduction
10 of 1 full-time employee at the applicable department
11 for each individual who is appointed as a full-time
12 employee in that department.

13 (d) INFORMATION ON TOTAL EMPLOYEES.—

14 (1) IN GENERAL.—Except as provided under
15 paragraph (2), the Director of the Office of Manage-
16 ment and Budget shall—

17 (A) publicly disclose—

18 (i) the total number of Federal em-
19 ployees;

20 (ii) the number of Federal employees
21 in each agency; and

22 (iii) the annual rate of pay by title of
23 each Federal employee at each agency; and

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