

114TH CONGRESS  
1ST SESSION

# H. R. 417

To reduce the total number of civil service employees in the executive branch of the Government through attrition, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 20, 2015

Mrs. LUMMIS (for herself and Mr. MULVANEY) introduced the following bill; which was referred to the Committee on Oversight and Government Reform

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## A BILL

To reduce the total number of civil service employees in the executive branch of the Government through attrition, 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 Through Attrition Act”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

8 (1) AGENCY.—The term “agency” means an  
9 Executive agency as defined by section 105 of title

1 5, United States Code, excluding the Government  
2 Accountability Office.

3 (2) **BASELINE QUARTER.**—The term “baseline  
4 quarter” means the quarter in which occurs the date  
5 of enactment of this Act.

6 (3) **FEDERAL EMPLOYEE.**—The term “Federal  
7 employee” means an employee as defined by section  
8 2105 of title 5, United States Code.

9 (4) **QUARTER.**—The term “quarter” means a  
10 period of 3 calendar months ending on March 31,  
11 June 30, September 30, or December 31.

12 (5) **TOTAL NUMBER OF FEDERAL EMPLOYEES.**—The term “total number of Federal employ-  
13 ees” means the total number of Federal employ-  
14 ees” means the total number of Federal employees  
15 in all agencies.

16 **SEC. 3. WORKFORCE LIMITS AND REDUCTIONS.**

17 (a) **IN GENERAL.**—The President, acting through the  
18 Office of Management and Budget (in consultation with  
19 the Office of Personnel Management), shall take appro-  
20 priate measures to ensure that, effective with respect to  
21 each quarter beginning after the date of enactment of this  
22 Act, the total number of Federal employees determined  
23 for such quarter does not exceed the applicable maximum  
24 for such quarter.

1 (b) APPLICABLE MAXIMUM.—For purposes of this  
2 Act, the “applicable maximum” for a quarter is—

3 (1) in the case of a quarter before the target-  
4 attainment quarter, the number equal to—

5 (A) the total number of Federal employees  
6 determined for the baseline quarter, reduced by

7 (B)  $\frac{2}{3}$  of the number of Federal employees  
8 separating from agencies during the period—

9 (i) beginning on the first day fol-  
10 lowing the baseline quarter; and

11 (ii) ending on the last day of the  
12 quarter to which the applicable maximum  
13 is being applied; and

14 (2) in the case of the target-attainment quarter  
15 and any subsequent quarter, the number equal to 90  
16 percent of the total number of Federal employees as  
17 of September 30, 2013.

18 (c) TARGET-ATTAINMENT QUARTER.—For purposes  
19 of this Act, the term “target-attainment quarter” means  
20 the earlier of—

21 (1) the first quarter (after the baseline quarter)  
22 for which the total number of Federal employees  
23 does not exceed 90 percent of the total number of  
24 Federal employees as of September 30, 2013; or

25 (2) the quarter ending on September 30, 2016.

1 (d) METHOD FOR ACHIEVING COMPLIANCE.—

2 (1) IN GENERAL.—Except as provided in para-  
3 graph (2), any reductions necessary in order to  
4 achieve compliance with subsection (a) shall be made  
5 through attrition.

6 (2) EXCEPTION.—If, for any quarter, the total  
7 number of Federal employees exceeds the applicable  
8 maximum for such quarter, then, until the first suc-  
9 ceeding quarter for which such total number is de-  
10 termined not to exceed the applicable maximum for  
11 such succeeding quarter, reductions shall be made  
12 through both attrition and a freeze on appointments.

13 (e) COUNTING RULES.—For purposes of this Act—

14 (1) any determination of the total number of  
15 Federal employees or the number of Federal employ-  
16 ees separating from agencies shall be made—

17 (A) on a full-time equivalent basis; and

18 (B) under section 4; and

19 (2) any determination of the total number of  
20 Federal employees for a quarter shall be made as of  
21 such date or otherwise on such basis as the Office  
22 of Management of Budget (in consultation with the  
23 Office of Personnel Management) considers to be  
24 representative and feasible.

1 (f) WAIVER AUTHORITY.—The President may waive  
2 any of the preceding provisions of this section, with re-  
3 spect to an individual appointment, upon a determination  
4 by the President that such appointment is necessary due  
5 to—

6 (1) a state of war or for reasons of national se-  
7 curity; or

8 (2) an extraordinary emergency threatening life,  
9 health, safety, or property.

10 **SEC. 4. REDUCTION IN PROCUREMENT OF SERVICE CON-**  
11 **TRACTS.**

12 (a) IN GENERAL.—For each fiscal year beginning  
13 with the first fiscal year after the date of enactment of  
14 this Act, the President, acting through the Office of Man-  
15 agement and Budget and subject to subsection (b), shall  
16 take appropriate measures to ensure that there is a reduc-  
17 tion in the amount expended for the procurement of serv-  
18 ice contracts for such fiscal year equal to the reduction  
19 in the amount expended for the Federal workforce in the  
20 previous fiscal year as a result of the requirements of sec-  
21 tion 3.

22 (b) WAIVER AUTHORITY.—The President may waive  
23 the requirements under subsection (a) upon a determina-  
24 tion that such waiver is necessary due to—

1           (1) a state of war or for reasons of national se-  
2           curity; or

3           (2) an extraordinary emergency threatening life,  
4           health, safety, or property.

5 **SEC. 5. MONITORING AND NOTIFICATION.**

6           The Office of Management and Budget (in consulta-  
7           tion with the Office of Personnel Management) shall—

8           (1) continuously monitor all agencies and, for  
9           each quarter to which the requirements of section  
10          3(a) apply, determine whether or not such require-  
11          ments have been met; and

12          (2) not later than 14 days after the end of each  
13          quarter described in paragraph (1), submit to the  
14          President and each House of Congress, a written de-  
15          termination as to whether or not the requirements of  
16          section 3(a) have been met.

17 **SEC. 6. REGULATIONS.**

18          Any regulations necessary to carry out this Act may  
19          be prescribed by the President or his designee.

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