

118TH CONGRESS
2D SESSION

S. 5608

To reduce the size of the Federal workforce through attrition, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 19 (legislative day, DECEMBER 16), 2024

Mr. JOHNSON (for himself, Mr. SCOTT of Florida, and Mr. LEE) 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 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 “Reducing the Size of
5 the Federal Government Through Attrition Act of 2024”.

6 **SEC. 2. REDUCTION IN FEDERAL WORKFORCE.**

7 (a) DEFINITIONS.—In this section—

8 (1) the term “agency” means an Executive
9 agency, as defined in section 105 of title 5, United
10 States Code;

1 (2) the term “Director” means the Director of
2 the Office of Management and Budget; and

3 (3) the term “Federal employee” means an em-
4 ployee, as defined in section 2105 of title 5, United
5 States Code, except that the term does not include
6 a political appointee, as defined in section 709(d)(3)
7 of the Homeland Security Act of 2002 (6 U.S.C.
8 349(d)(3)).

9 (b) LIMITATION.—The President, through the Direc-
10 tor (in consultation with the Director of the Office of Per-
11 sonnel Management), shall take appropriate measures to
12 ensure that, effective beginning in fiscal year 2028, the
13 total number of Federal employees in all agencies (as de-
14 termined under subsection (c)) shall not exceed 90 percent
15 of the total number of Federal employees in all agencies
16 as of September 30, 2025 (as so determined).

17 (c) AGENCY-SPECIFIC CAPS.—

18 (1) AGENCY IDENTIFICATION OF NUMBER OF
19 EMPLOYEES.—Not later than October 31, 2025, the
20 head of each agency shall submit to the Director a
21 report identifying the total number of Federal em-
22 ployees employed by that agency, as of September
23 30, 2025.

24 (2) OMB ESTABLISHMENT OF MAXIMUM AL-
25 LOWABLE NUMBER OF EMPLOYEES.—Not later than

1 the last day of the first quarter of fiscal year 2026,
2 the Director shall submit to the head of each agency
3 a report that establishes the maximum allowable
4 number of Federal employees that the agency may
5 employ for the purposes of complying with sub-
6 section (b).

7 (d) REPLACEMENT RATE.—During the period begin-
8 ning on the first day of the second quarter of fiscal year
9 2026 and ending on September 30, 2027, in order to
10 achieve the workforce reduction required by subsection
11 (b), the Director (in consultation with the Director of the
12 Office of Personnel Management) shall take appropriate
13 measures to ensure that an agency may not appoint more
14 than 1 individual for every 3 Federal employees retiring
15 or otherwise separating from Government service.

16 (e) MONITORING AND NOTIFICATION.—The Director
17 (in consultation with the Director of the Office of Per-
18 sonnel Management) shall take the following actions:

19 (1) During the period beginning on the first
20 day of the second quarter of fiscal year 2026 and
21 ending on the last day of fiscal year 2027, continu-
22 ously monitor each agency to determine whether
23 each agency is on track to be in compliance with the
24 requirement under subsection (c)(2) for that agency,
25 as of the first day of fiscal year 2028.

1 (2) Beginning on the first day of fiscal year
2 2028, continuously monitor each agency and make a
3 determination regarding whether the total number of
4 Federal employees employed by each agency exceeds
5 the maximum number of Federal employees allow-
6 able for that agency under subsection (c)(2).

7 (3) Whenever the Director makes a determina-
8 tion under paragraph (2) that the total number of
9 Federal employees employed by an agency exceeds
10 the maximum number allowable for that agency
11 under subsection (c)(2), provide written notice of
12 that determination to the President and Congress
13 not later than 14 days after the last day of the quar-
14 ter in which the Director makes the determination.

15 (f) COMPLIANCE.—

16 (1) IN GENERAL.—Whenever the Director pro-
17 vides written notice under subsection (e)(3) that the
18 total number of Federal employees employed by an
19 agency exceeds the maximum number allowable for
20 that agency under subsection (c)(2), the following
21 shall apply:

22 (A) The Director shall also provide written
23 notice to the head of the agency that the total
24 number of Federal employees employed by the

1 agency exceeds the maximum number allowable
2 for that agency under subsection (c)(2).

3 (B) Until the Director provides written no-
4 tice to the President and Congress of a subse-
5 quent determination that the total number of
6 Federal employees employed by that agency no
7 longer exceeds the maximum number allowable
8 under subsection (c)(2), the agency may not en-
9 gage in any of the following:

10 (i) Appoint any individual to fill any
11 vacancy within the agency.

12 (ii) Appoint any individual to a posi-
13 tion for which any amount of the job re-
14 sponsibilities are expected to be performed
15 in a remote location with respect to the
16 duty station for the position.

17 (iii) Issue any approval for an existing
18 Federal employee to increase the number
19 of hours for which the Federal employee
20 could perform the job responsibilities for
21 the position of the Federal employee in a
22 remote location with respect to the duty
23 station for the position.

24 (iv) Issue any approval of an increase
25 in the amount of official time authorized

1 for a Federal employee under section 7131
2 of title 5, United States Code.

3 (2) DEADLINE.—Any notice described in para-
4 graph (1)(B) with respect to a subsequent deter-
5 mination shall be provided not later than 14 days
6 after the last day of the quarter in which the subse-
7 quent determination is made.

8 (g) WAIVER FOR EMERGENCIES.—This section may
9 be waived, with respect to a particular position or category
10 of positions in an agency, upon a determination by the
11 President that—

12 (1) the existence of a state of war or other na-
13 tional security concern requires such a waiver; or

14 (2) the existence of an extraordinary emergency
15 threatening life, health, public safety, or property re-
16 quires such a waiver.

17 (h) COUNTING RULE.—For purposes of this section,
18 any determination of the number of Federal employees in
19 an agency—

20 (1) shall be expressed on a full-time equivalent
21 basis; and

22 (2) shall not be subject to any collective bar-
23 gaining agreement.

24 (i) LIMITATION ON PROCUREMENT OF SERVICE CON-
25 TRACTS.—The President, through the Director (in con-

1 sultation with the Director of the Office of Personnel Man-
2 agement), shall take appropriate measures to ensure that
3 there is no increase in the procurement of service con-
4 tracts by reason of the enactment of this Act, except in
5 cases in which a cost comparison demonstrates that those
6 contracts would be to the financial advantage of the Gov-
7 ernment.

8 (j) RULE OF CONSTRUCTION REGARDING TRANS-
9 FERS.—Nothing in this section may be construed to pro-
10 hibit the ability of a Federal employee to transfer from
11 a position in an agency to a position in another agency
12 if that other agency is in compliance with the requirements
13 of this section, as of the date on which that Federal em-
14 ployee transfers positions.

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