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112TH CONGRESS
1ST SESSION

H. R. 3662

To amend the Balanced Budget and Emergency Deficit Control Act of 1985 to modify the discretionary spending limits to take into account savings resulting from the reduction in the number of Federal employees.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 14, 2011

Mr. MCKEON (for himself, Mr. RUNYAN, Mr. AKIN, Mr. THORNBERRY, Mrs. HARTZLER, Mr. SHUSTER, Mr. AUSTIN SCOTT of Georgia, Mr. ROONEY, Mr. ROGERS of Alabama, Mr. TURNER of Ohio, Mr. PLATTS, Mr. BROOKS, Mr. HUNTER, Mr. WEST, Mr. CONAWAY, Mr. FLEMING, Mr. MILLER of Florida, Mr. LAMBORN, Mr. KLINE, Mr. RIGELL, Mr. WILSON of South Carolina, Mr. YOUNG of Florida, Mr. LOBIONDO, Mr. FRANKS of Arizona, Mr. PALAZZO, and Mrs. BLACKBURN) introduced the following bill; which was referred to the Committee on Oversight and Government Reform, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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A BILL

To amend the Balanced Budget and Emergency Deficit Control Act of 1985 to modify the discretionary spending limits to take into account savings resulting from the reduction in the number of Federal employees.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Down Payment to Protect National Security Act of 2011''.

SEC. 2. REDUCTION IN THE NUMBER OF FEDERAL EMPLOYEES.

(a) DEFINITION.—In this section, the term ''agency'' means an executive agency as defined under section 105 of title 5, United States Code.

(b) DETERMINATION OF NUMBER OF EMPLOYEES.—Not later than 60 days after the date of enactment of this Act, the Director of the Office of Management and Budget shall determine the number of full-time employees employed in each agency. The head of each agency shall cooperate with the Director of the Office of Management and Budget in making the determinations.

(c) REPLACEMENT HIRE RATE.—

(1) IN GENERAL.—During the period described under paragraph (2), the head of each agency may hire no more than 1 employee in that agency for every 3 employees who leave employment in that agency.

(2) PERIOD OF REPLACEMENT HIRE RATE.—Paragraph (1) shall apply to each agency during the period beginning 60 days after the date of enactment of this Act through the date on which the Director of the Office of Management and Budget

makes a determination that the number of full-time employees employed in that agency is 10 percent less than the number of full-time employees employed in that agency determined under subsection (a).

(d) WAIVERS.—This section may be waived upon a determination by the President that—

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

(2) the existence of an extraordinary emergency threatening life, health, public safety, property, or the environment so requires.

SEC. 3. REDUCTION OF DISCRETIONARY SPENDING LIMITS TO ACHIEVE SAVINGS FROM FEDERAL EMPLOYEE PROVISIONS.

Section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended to read as follows:

''(c) DISCRETIONARY SPENDING LIMIT.—As used in this part, the term 'discretionary spending limit' means—

''(1) with respect to fiscal year 2012—

''(A) for the security category, $684,000,000,000 in new budget authority; and

''(B) for the nonsecurity category, $359,000,000,000 in new budget authority;

''(2) with respect to fiscal year 2013—

"(A) for the security category, $686,000,000,000 in new budget authority; and

"(B) for the nonsecurity category, $361,000,000,000 in new budget authority;

"(3) with respect to fiscal year 2014, for the discretionary category, $1,051,000,000,000 in new budget authority;

"(4) with respect to fiscal year 2015, for the discretionary category, $1,070,000,000,000 in new budget authority;

"(5) with respect to fiscal year 2016, for the discretionary category, $1,091,000,000,000 in new budget authority;

"(6) with respect to fiscal year 2017, for the discretionary category, $1,115,000,000,000 in new budget authority;

"(7) with respect to fiscal year 2018, for the discretionary category, $1,141,000,000,000 in new budget authority;

"(8) with respect to fiscal year 2019, for the discretionary category, $1,166,000,000,000 in new budget authority;

"(9) with respect to fiscal year 2020, for the discretionary category, $1,192,000,000,000 in new budget authority; and

"(10) with respect to fiscal year 2021, for the discretionary category, $1,217,000,000,000 in new budget authority;

as adjusted in strict conformance with subsection (b).".

SEC. 4. REDUCTION OF REVISED DISCRETIONARY SPENDING LIMITS TO ACHIEVE SAVINGS FROM FEDERAL EMPLOYEE PROVISIONS.

Paragraph (2) of section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended to read as follows:

"(2) REVISED DISCRETIONARY SPENDING LIMITS.—The discretionary spending limits for fiscal years 2013 through 2021 under section 251(c) shall be replaced with the following:

"(A) For fiscal year 2013—

"(i) for the security category, $546,000,000,000 in budget authority; and

"(ii) for the nonsecurity category, $501,000,000,000 in budget authority.

"(B) For fiscal year 2014—

"(i) for the security category, $551,000,000,000 in budget authority; and

"(ii) for the nonsecurity category, $500,000,000,000 in budget authority.

"(C) For fiscal year 2015—

"(i) for the security category, $560,000,000,000 in budget authority; and

"(ii) for the nonsecurity category, $510,000,000,000 in budget authority.

"(D) For fiscal year 2016—

"(i) for the security category, $571,000,000,000 in budget authority; and

"(ii) for the nonsecurity category, $520,000,000,000 in budget authority.

"(E) For fiscal year 2017—

"(i) for the security category, $584,000,000,000 in budget authority; and

"(ii) for the nonsecurity category, $531,000,000,000 in budget authority.

"(F) For fiscal year 2018—

"(i) for the security category, $598,000,000,000 in budget authority; and

"(ii) for the nonsecurity category, $543,000,000,000 in budget authority.

"(G) For fiscal year 2019—

"(i) for the security category, $610,000,000,000 in budget authority; and

"(ii) for the nonsecurity category, $556,000,000,000 in budget authority.

"(H) For fiscal year 2020—

"(i) for the security category, $624,000,000,000 in budget authority; and

"(ii) for the nonsecurity category, $568,000,000,000 in budget authority.

"(I) For fiscal year 2021—

"(i) for the security category, $638,000,000,000 in budget authority; and

"(ii) for the nonsecurity category, $579,000,000,000 in budget authority.".

SEC. 5. CALCULATION OF TOTAL DEFICIT REDUCTION.

Section 251A of the Balanced Budget and Emergency Deficit Control Act of 1985 is amended—

(1) in paragraph (3)(A), by striking "$1,200,000,000,000" and inserting "$1,073,000,000,000";

(2) in paragraph (4), by striking "On January 2, 2013, for fiscal year 2013, and in" and inserting "In";

(3) in paragraphs (5) and (6), by striking "2013" each place it appears and inserting "2014"; and

(4) in paragraph (7), by striking subparagraph (A) and by striking "(B) FISCAL YEARS 2014-2021.—", moving the remaining text 2 ems to the left, and

1 redesignating clauses (i) and (ii) as subparagraphs
2 (A) and (B), respectively.

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