

119TH CONGRESS
1ST SESSION

S. _____

To require Executive agencies to submit reports to Congress regarding employees who are furloughed during any period during which there is a lapse in appropriations, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Ms. ERNST introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To require Executive agencies to submit reports to Congress regarding employees who are furloughed during any period during which there is a lapse in appropriations, 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 “Non-Essential Workers
5 Transparency Act”.

6 **SEC. 2. REPORTING REQUIREMENTS.**

7 (a) DEFINITIONS.—In this section:

1 (1) APPROPRIATE CONGRESSIONAL COMMIT-
2 TEES.—The term “appropriate congressional com-
3 mittees” means, with respect to an Executive agen-
4 cy—

5 (A) the Committee on Homeland Security
6 and Governmental Affairs of the Senate;

7 (B) the Committee on Oversight and Gov-
8 ernment Reform of the House of Representa-
9 tives; and

10 (C) any other committee of Congress with
11 jurisdiction with respect to the Executive agen-
12 cy.

13 (2) COVERED EMPLOYEE.—The term “covered
14 employee” means an employee of an Executive agen-
15 cy who is subject to furlough during a covered pe-
16 riod with respect to that Executive agency.

17 (3) COVERED PERIOD.—The term “covered pe-
18 riod” means a period during which there is a lapse
19 in appropriations with respect to an Executive agen-
20 cy.

21 (4) EXECUTIVE AGENCY.—The term “Executive
22 agency” has the meaning given the term in section
23 105 of title 5, United States Code.

24 (b) REQUIREMENTS.—Not later than 30 days after
25 the date on which a covered period with respect to an Ex-

1 ecutive agency ends, the Under Secretary (or the equiva-
2 lent) of that Executive agency shall electronically submit
3 to the appropriate congressional committees with respect
4 to that Executive agency a report that contains—

5 (1) the total number of employees (including
6 contract employees) employed by the Executive
7 agency, as of the day before the day on which that
8 covered period began;

9 (2) the total amount expended by the Executive
10 agency on salaries of employees during the fiscal
11 year preceding the fiscal year in which that covered
12 period began;

13 (3) the total number of employees of the Execu-
14 tive agency who were covered employees during that
15 covered period;

16 (4) the sum obtained by adding the annual rate
17 of basic pay of each employee described in para-
18 graph (3);

19 (5) the total number of employees of the Execu-
20 tive agency who were not covered employees during
21 that covered period; and

22 (6) the sum obtained by adding the annual rate
23 of basic pay of each employee described in para-
24 graph (5).

25 (c) PROCEDURES.—

1 (1) CLASSIFICATION.—Each Executive agency
2 submitting a report under subsection (b), or an up-
3 date to such a report, shall submit that report or
4 update in unclassified form, but that report or up-
5 date may include a classified annex.

6 (2) PUBLICATION.—Not later than 30 days
7 after the date on which an appropriate congressional
8 committee receives a report submitted under sub-
9 section (b), that appropriate congressional com-
10 mittee shall publish the report on the website of the
11 appropriate congressional committee.