

118TH CONGRESS
1ST SESSION

S. 3320

To provide that an individual may not serve as an employee in the executive branch for longer than 12 years, except for Presidential appointees, law enforcement officers, members of the military, and employees of the Department of Defense.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 15, 2023

Mr. MARSHALL (for himself and Mr. SCHMITT) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To provide that an individual may not serve as an employee in the executive branch for longer than 12 years, except for Presidential appointees, law enforcement officers, members of the military, and employees of the Department of Defense.

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 “Tenure Evaluation and
5 Rotation Mandate Act” or the “TERM Act”.

1 **SEC. 2. LIMITATION ON TERM OF SERVICE IN THE EXECU-**
2 **TIVE BRANCH.**

3 (a) DEFINITIONS.—In this section:

4 (1) AGENCY.—The term “agency” means an
5 agency, establishment, office, or other appointing au-
6 thority in the executive branch of the Government of
7 the United States.

8 (2) POSITION.—The term “position”—

9 (A) means a position as an employee of an
10 agency; and

11 (B) does not include—

12 (i) a position for which appointment is
13 made by the President;

14 (ii) a position as a law enforcement
15 officer;

16 (iii) a position as a member of an
17 Armed Force; or

18 (iv) a position in the civil service in
19 the Department of Defense.

20 (b) LIMITATION.—Notwithstanding any other provi-
21 sion of law or regulation, an individual may not serve for
22 a total of more than 12 years in 1 or more positions.

23 (c) APPLICATION TO CURRENT EMPLOYEES.—

24 (1) IN GENERAL.—Subject to paragraph (2), an
25 individual serving in a position on the date of enact-
26 ment of this Act who has served for a total of not

1 less than 9 years in 1 or more positions may not
2 serve in a position on or after the date that is 3
3 years after the date of enactment of this Act.

4 (2) RULE FOR SEPARATION FROM SERVICE.—

5 An individual serving in a position on the date of en-
6 actment of this Act who has served for a total of not
7 less than 9 years in 1 or more positions and who
8 separates from service before the date that is 3
9 years after the date of enactment of this Act may
10 not serve in a position on or after the date on which
11 the individual has served in a position for a total of
12 not less than 12 years.

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