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114TH CONGRESS
1ST SESSION

S. 742

To appropriately limit the authority to award bonuses to employees.

IN THE SENATE OF THE UNITED STATES

MARCH 16, 2015

Ms. AYOTTE (for herself, Mrs. MCCASKILL, and Mrs. FISCHER) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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A BILL

To appropriately limit the authority to award bonuses to employees.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Stop Wasteful Federal Bonuses Act of 2015".

SEC. 2. BONUSES.

(a) ADVERSE FINDINGS AND EMPLOYEES UNDER INVESTIGATION.—Chapter 45 of title 5, United States Code, is amended by adding at the end the following:

"Subchapter IV—Limitations on Bonus Authority

"§ 4531. Certain forms of misconduct

"(a) DEFINITIONS.—In this section—

"(1) the term 'adverse finding' relating to an employee means a determination that the conduct of the employee—

"(A) violated a policy of the agency for which the employee may be removed or suspended; or

"(B) violated a law for which the employee may be imprisoned of more than 1 year;

"(2) the term 'agency' has the meaning given that term under section 551; and

"(3) the term 'bonus' means any bonus or cash award, including—

"(A) an award under this chapter;

"(B) an award under section 5384; and

"(C) a retention bonus under section 5754.

"(b) ADVERSE FINDINGS.—

"(1) IN GENERAL.—The head of an agency shall not award a bonus to an employee of the agency until 5 years after the end of the fiscal year in which the Inspector General or another senior ethics official of the agency or the Comptroller General of

the United States makes an adverse finding relating to the employee.

"(2) PREVIOUSLY AWARDED BONUSES.—If the Inspector General or another senior ethics official of the agency or the Comptroller General of the United States makes an adverse finding relating to an employee, the head of the agency employing the employee, after notice and an opportunity for a hearing, shall issue an order directing the employee to repay the amount of any bonus awarded to the employee during the year during which the adverse finding is made.".

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 45 of title 5, United States Code, is amended by adding at the end the following:

"SUBCHAPTER IV—LIMITATIONS ON BONUS AUTHORITY

"4531. Certain forms of misconduct.".

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