

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

A BILL

To appropriately limit the authority to award bonuses to employees.

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 “Stop Wasteful Federal
5 Bonuses Act of 2015”.

6 **SEC. 2. BONUSES.**

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

1 **“Subchapter IV—Limitations on Bonus**
 2 **Authority**

3 **“§ 4531. Certain forms of misconduct**

4 “(a) DEFINITIONS.—In this section—

5 “(1) the term ‘adverse finding’ relating to an
 6 employee means a determination that the conduct of
 7 the employee—

8 “(A) violated a policy of the agency for
 9 which the employee may be removed or sus-
 10 pended; or

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

13 “(2) the term ‘agency’ has the meaning given
 14 that term under section 551; and

15 “(3) the term ‘bonus’ means any bonus or cash
 16 award, including—

17 “(A) an award under this chapter;

18 “(B) an award under section 5384; and

19 “(C) a retention bonus under section 5754.

20 “(b) ADVERSE FINDINGS.—

21 “(1) IN GENERAL.—The head of an agency
 22 shall not award a bonus to an employee of the agen-
 23 cy until 5 years after the end of the fiscal year in
 24 which the Inspector General or another senior ethics
 25 official of the agency or the Comptroller General of

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

3 “(2) PREVIOUSLY AWARDED BONUSES.—If the
 4 Inspector General or another senior ethics official of
 5 the agency or the Comptroller General of the United
 6 States makes an adverse finding relating to an em-
 7 ployee, the head of the agency employing the em-
 8 ployee, after notice and an opportunity for a hear-
 9 ing, shall issue an order directing the employee to
 10 repay the amount of any bonus awarded to the em-
 11 ployee during the year during which the adverse
 12 finding is made.”.

13 (b) TECHNICAL AND CONFORMING AMENDMENT.—
 14 The table of sections for chapter 45 of title 5, United
 15 States Code, is amended by adding at the end the fol-
 16 lowing:

“SUBCHAPTER IV—LIMITATIONS ON BONUS AUTHORITY

“4531. Certain forms of misconduct.”.

