

## Union Calendar No. 246

115TH CONGRESS  
1ST SESSION

# H. R. 378

**[Report No. 115-341]**

To amend title 5, United States Code, to enhance the authority under which Federal agencies may pay cash awards to employees for making cost saving disclosures, and for other purposes.

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### IN THE HOUSE OF REPRESENTATIVES

JANUARY 9, 2017

Mr. FLEISCHMANN (for himself and Mr. COOPER) introduced the following bill; which was referred to the Committee on Oversight and Government Reform

OCTOBER 10, 2017

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on January 9, 2017]

# **A BILL**

To amend title 5, United States Code, to enhance the authority under which Federal agencies may pay cash awards to employees for making cost saving disclosures, 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 “Bonuses for Cost-Cutters*  
5 *Act of 2017”.*

6 **SEC. 2. COST SAVINGS ENHANCEMENTS.**

7        (a) *DEFINITIONS.*—Section 4511 of title 5, United  
8 *States Code, is amended—*

9            (1) *in the section heading, by striking “Defini-*  
10 ***tion*” and inserting “Definitions”;** and

11            (2) *in subsection (a)—*

12                    (A) *by striking the period at the end and*  
13 *inserting “; and”;*

14                    (B) *by striking “this subchapter, the term”*  
15 *and inserting the following: “this subchapter—*  
16 *“(1) the term”;* and

17                    (C) *by adding at the end the following:*

18                            “(2) *the term ‘wasteful expenses’ means amounts*  
19 *made available for salaries and expenses accounts, op-*  
20 *erations and maintenance accounts, or other equiva-*  
21 *lent accounts—*

22                                    “(A) *that are identified by an employee of*  
23 *the agency under section 4512(a) as wasteful;*  
24 *and*

1           “(B) that the Chief Financial Officer of the  
2           agency determines are not required for the pur-  
3           pose for which the amounts were made avail-  
4           able.”.

5           (b) *AUTHORITY*.—Section 4512 of title 5, United  
6 States Code, is amended—

7           (1) in subsection (a)—

8           (A) by inserting “The head of an agency  
9           may pay a cash award to any employee of such  
10          agency whose identification of wasteful expenses  
11          to the Chief Financial Officer of the agency has  
12          resulted in cost savings for the agency.” after the  
13          first sentence;

14          (B) in paragraph (1) by striking “\$10,000”  
15          and inserting “\$20,000”;

16          (C) in paragraph (2)—

17           (i) by inserting “Chief Financial Offi-  
18           cer,” after “Inspector General,” ;

19           (ii) by striking “employee designated  
20           under subsection (b)” and inserting “des-  
21           ignated employee”; and

22           (iii) by inserting “or identification”  
23           after “disclosure”; and

24          (D) in the matter following paragraph  
25          (2)—

1                   (i) by inserting “, Chief Financial Of-  
2                   ficer,” after “Inspector General”; and

3                   (ii) by inserting “or identification”  
4                   after “disclosure”;

5                   (2) in subsection (b) by striking “awards per-  
6                   mitted under this section” and inserting “awards for  
7                   the disclosure of fraud, waste, or mismanagement  
8                   under this section”; and

9                   (3) by adding at the end the following:

10                  “(c)(1) If the Chief Financial Officer of the agency de-  
11                  termines that potential wasteful expenses identified by an  
12                  employee meet the requirements of section 4511(a)(2)(B),  
13                  the head of the agency shall notify the President for pur-  
14                  poses of proposing the expenses for rescission under title X  
15                  of the Congressional Budget and Impoundment Control Act  
16                  of 1974 (2 U.S.C. 681 et seq.).

17                  “(2) In the case of an agency for which there is no  
18                  Chief Financial Officer, the head of the agency shall des-  
19                  ignate an agency employee who shall have the authority to  
20                  make the determinations for identification of wasteful ex-  
21                  penses under this section.

22                  “(d) The head of each agency shall make available,  
23                  along with, and in the same manner and form as, the provi-  
24                  sion of information required under section 1116 of title 31,

1 *information on disclosures of wasteful expenses under this*  
2 *section, including—*

3           “(1) *a description of each disclosure of possible*  
4 *wasteful expenses identified by an employee and de-*  
5 *termined by the agency to have merit; and*

6           “(2) *the number and amount of cash awards*  
7 *provided by the agency under subsection (a).*

8           “(e) *An individual may not receive a cash award*  
9 *under this subchapter if the individual is—*

10           “(1) *an officer or employee of the Office of the*  
11 *Inspector General of an agency; or*

12           “(2) *ineligible for a cash award under section*  
13 *4509.*

14           “(f) *The Director of the Office of Personnel Manage-*  
15 *ment shall—*

16           “(1) *ensure that the cash award program of each*  
17 *agency complies with this section; and*

18           “(2) *submit to Congress an annual certification*  
19 *indicating whether the cash award program of each*  
20 *agency complies with this section.*

21           “(g) *Not later than 3 years after the date of enactment*  
22 *of the Bonuses for Cost-Cutters Act of 2017, and every 3*  
23 *years thereafter for 6 years, the Comptroller General of the*  
24 *United States shall submit to Congress a report on the oper-*  
25 *ation of the cost savings and awards program under this*

1 *section, including any recommendations for legislative*  
2 *changes.”.*

3       (c) *TECHNICAL AND CONFORMING AMENDMENT.—The*  
4 *table of sections for subchapter II of chapter 45 of title 5,*  
5 *United States Code, is amended by striking the item relat-*  
6 *ing to section 4511 and inserting the following:*

*“4511. Definitions and general provisions.”.*

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