

116TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

To amend title 5, United States Code, to appropriately limit the authority to award bonuses to Federal employees.

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IN THE SENATE OF THE UNITED STATES

Mrs. FISCHER introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To amend title 5, United States Code, to appropriately limit the authority to award bonuses to Federal 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 Improper Federal  
5 Bonuses Act”.

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           or Comptroller General, respectively, under a  
2           provision of law other than this section.

3           “(2) AGENCY.—The term ‘agency’ has the  
4           meaning given the term in section 551.

5           “(3) BONUS.—The term ‘bonus’ means any  
6           performance award or cash award under—

7                   “(A) section 4505a;

8                   “(B) section 5384; or

9                   “(C) section 5754.

10           “(4) EMPLOYEE.—The term ‘employee’ means  
11           an employee of an agency.

12           “(b) PROHIBITION.—The head of an agency may not  
13           award a bonus to an employee of the agency until the date  
14           that is 5 years after the end of the fiscal year during which  
15           the head of an agency makes an adverse finding relating  
16           to the employee.

17           “(c) AFTER BONUS AWARDED.—

18                   “(1) IN GENERAL.—For a bonus awarded to an  
19           employee after the date of enactment of this section,  
20           if the head of the agency employing the employee  
21           makes an adverse finding relating to the employee  
22           during the fiscal year in which the bonus is awarded,  
23           the head of the agency, after notice and an oppor-  
24           tunity for a hearing, shall issue an order directing  
25           the employee to repay the amount of the bonus.

1           “(2) REPAYMENT PLAN.—An agency shall allow  
2           an employee who is required to repay a bonus under  
3           paragraph (1) to repay that bonus using a repay-  
4           ment plan.

5           “(3) HEARINGS.—A hearing under this sub-  
6           section shall be conducted in accordance with regula-  
7           tions relating to hearings promulgated by the head  
8           of the agency under chapter 75.

9           “(d) CONDITION OF RECEIPT.—As a condition of re-  
10          ceiving a bonus awarded after the date of enactment of  
11          this section, an employee shall sign a certification stating  
12          that the employee shall repay the bonus in accordance with  
13          a final order issued under subsection (c).

14          “(e) APPEAL.—An employee determined to be ineli-  
15          gible for a bonus under subsection (b) or against whom  
16          an order is issued under subsection (c) may submit an  
17          appeal to the Merit Systems Protection Board under sec-  
18          tion 7701.”.

19          (b) RULEMAKING.—The head of each agency, as de-  
20          fined in section 551 of title 5, United States Code, may  
21          promulgate rules to carry out section 4531 of title 5,  
22          United States Code, as added by subsection (a).

23          (c) TECHNICAL AND CONFORMING AMENDMENT.—  
24          The table of sections for chapter 45 of title 5, United

1 States Code, is amended by adding at the end the fol-  
2 lowing:

“SUBCHAPTER IV—LIMITATIONS ON BONUS AUTHORITY

“4531. Certain forms of misconduct.”.