

AMENDMENT NO. _____ Calendar No. _____

Purpose: To strengthen employee cost savings suggestions programs within the Federal Government.

IN THE SENATE OF THE UNITED STATES—114th Cong., 1st Sess.

H. R. 1735

To authorize appropriations for fiscal year 2016 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Referred to the Committee on _____ and
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. PAUL to the amendment (No. _____) proposed by Mr. MCCAIN

Viz:

1 At the end of title XI, add the following:

2 **SEC. 1116. COST SAVINGS ENHANCEMENTS.**

3 (a) IN GENERAL.—Section 4512 of title 5, United
4 States Code, is amended—

5 (1) in subsection (a)—

6 (A) in the matter preceding paragraph (1),
7 by inserting “or identification of surplus funds
8 or unnecessary budget authority” after “mis-
9 management”;

1 (B) in paragraph (2), by inserting “or
2 identification” after “disclosure”; and

3 (C) in the matter following paragraph (2),
4 by inserting “or identification” after “dislo-
5 sure”; and

6 (2) by adding at the end the following:

7 “(c) The Inspector General of an agency or other
8 agency employee designated under subsection (b) shall
9 refer to the Chief Financial Officer of the agency any po-
10 tential surplus funds or unnecessary budget authority
11 identified by an employee, along with any recommenda-
12 tions of the Inspector General or other agency employee.

13 “(d)(1) If the Chief Financial Officer of an agency
14 determines that rescission of potential surplus funds or
15 unnecessary budget authority identified by an employee
16 would not hinder the effectiveness of the agency, except
17 as provided in subsection (e), the head of the agency shall
18 transfer the amount of the surplus funds or unnecessary
19 budget authority from the applicable appropriations ac-
20 count to the general fund of the Treasury.

21 “(2) Title X of the Congressional Budget and Im-
22 poundment Control Act of 1974 (2 U.S.C. 681 et seq.)
23 shall not apply to transfers under paragraph (1).

24 “(3) Any amounts transferred under paragraph (1)
25 shall be deposited in the Treasury and used for deficit re-

1 duction, except that in the case of a fiscal year for which
2 there is no Federal budget deficit, such amounts shall be
3 used to reduce the Federal debt (in such manner as the
4 Secretary of the Treasury considers appropriate).

5 “(e)(1) The head of an agency may retain not more
6 than 10 percent of amounts to be transferred to the gen-
7 eral fund of the Treasury under subsection (d).

8 “(2) Amounts retained by the head of an agency
9 under paragraph (1) may be—

10 “(A) used for the purpose of paying a cash
11 award under subsection (a) to 1 or more employees
12 who identified the surplus funds or unnecessary
13 budget authority; and

14 “(B) to the extent amounts remain after paying
15 cash awards under subsection (a), transferred or re-
16 programmed for use by the agency, in accordance
17 with any limitation on such a transfer or reprogram-
18 ming under any other provision of law.

19 “(f)(1) The head of each agency shall submit to the
20 Director of the Office of Personnel Management an annual
21 report regarding—

22 “(A) each disclosure of possible fraud, waste, or
23 mismanagement or identification of potentially sur-
24 plus funds or unnecessary budget authority by an

1 employee of the agency determined by the agency to
2 have merit;

3 “(B) the total savings achieved through disclo-
4 sures and identifications described in subparagraph
5 (A); and

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

8 “(2)(A) The head of each agency shall include the
9 information described in paragraph (1) in each budget re-
10 quest of the agency submitted to the Office of Manage-
11 ment and Budget as part of the preparation of the budget
12 of the President submitted to Congress under section
13 1105(a) of title 31, United States Code.

14 “(B) The Director of the Office of Personnel Manage-
15 ment shall submit to the Committee on Appropriations of
16 the Senate, the Committee on Appropriations of the House
17 of Representatives, and the Government Accountability
18 Office an annual report on Federal cost saving and awards
19 based on the reports submitted under subparagraph (A).

20 “(g) The Director of the Office of Personnel Manage-
21 ment shall—

22 “(1) ensure that the cash award program of
23 each agency complies with this section; and

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

4 “(h) Not later than 3 years after the date of enact-
5 ment of this subsection, and every 3 years thereafter, the
6 Comptroller General of the United States shall submit to
7 Congress a report on the operation of the cost savings and
8 awards program under this section, including any rec-
9 ommendations for legislative changes.”.

10 (b) OFFICERS ELIGIBLE FOR CASH AWARDS.—

11 (1) IN GENERAL.—Section 4509 of title 5,
12 United States Code, is amended to read as follows:

13 **“§ 4509. Prohibition of cash award to certain officers**

14 “(a) DEFINITIONS.—In this section, the term ‘agen-
15 cy’—

16 “(1) has the meaning given that term under
17 section 551(1); and

18 “(2) includes an entity described in section
19 4501(1).

20 “(b) PROHIBITION.—An officer may not receive a
21 cash award under this subchapter if the officer—

22 “(1) serves in a position at level I of the Execu-
23 tive Schedule;

24 “(2) is the head of an agency; or

1 “(3) is a commissioner, board member, or other
2 voting member of an independent establishment.”.

3 (2) TECHNICAL AND CONFORMING AMEND-
4 MENT.—The table of sections for chapter 45 of title
5 5, United States Code, is amended by striking the
6 item relating to section 4509 and inserting the fol-
7 lowing:

“4509. Prohibition of cash award to certain officers.”.