

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 5438
OFFERED BY MR. COMER OF KENTUCKY**

Strike all after the enacting clause and insert the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Incentivize Savings
3 Act”.

4 **SEC. 2. SPECIAL RULES FOR FEDERAL AGENCY BUDGETS
5 AND BONUSES.**

6 (a) IN GENERAL.—Subchapter I of chapter 13 of title
7 31, United States Code, is amended by inserting at the
8 end the following:

9 **“§ 1311. Special rules for unexpended Federal agency
10 appropriations**

11 “(a) IN GENERAL.—If a Federal agency does not ob-
12 ligate funds appropriated or otherwise made available to
13 the agency for a definite period during the period of avail-
14 ability of such funds—

15 “(1) 49 percent of such total funds shall be
16 subject to section 1552 of this title, and shall retain
17 their fiscal-year identity, for all such fiscal years of
18 availability, and remain available for recording, ad-

1 justing, and liquidating obligations properly charge-
2 able to their account before the accounts of such
3 funds are closed pursuant to section 1552(a) of this
4 title, except that, for the first subsequent fiscal year
5 after the definite period of availability for such
6 funds, such funds shall not retain their fiscal-year
7 identity and may be obligated for any expenses prop-
8 erly chargeable to their account;

9 “(2) 49 percent of such total funds shall be
10 used for payments of principal and interest on the
11 public debt; and

12 “(3) 2 percent of such total funds shall be used,
13 not later than the date that is 30 days after the last
14 day of the applicable period of availability, for reten-
15 tion bonuses within such Federal agency under sec-
16 tion 5754 of title 5.

17 “(b) APPLICATION.—In carrying out subsection
18 (a)(3)—

19 “(1) notwithstanding such section 5754, any re-
20 tention bonus paid under such subsection may not
21 exceed an amount equal to 10 percent of the applica-
22 ble employee’s basic pay; and

23 “(2) any amounts remaining of such total funds
24 after paying all bonuses under such subsection shall

1 be used for payments of principal and interest on
2 the public debt.

3 “(c) ACCOUNTABILITY FOR SAVINGS.—If a Federal
4 agency does not obligate funds appropriated or otherwise
5 made available to the agency for a definite period during
6 the period of availability of such funds pursuant to sub-
7 section (a), and the Director of the Office of Management
8 and Budget determines that such lack of obligation was
9 due to incompetence or failure to execute such agency’s
10 duties, the Director may reduce the amount for retention
11 bonuses described in subsection (a)(2) by any amount the
12 Director determines appropriate.

13 “(d) DEFINITION OF FEDERAL AGENCY.—As used in
14 this section, the term ‘Federal agency’ means an Execu-
15 tive agency (as that term is defined in section 105 of title
16 5) or any other agency of the executive branch of the Fed-
17 eral Government, including the United States Postal Serv-
18 ice and the Postal Regulatory Commission, but does not
19 include the American National Red Cross.”.

20 (b) CLERICAL AMENDMENT.—The table of contents
21 for such subchapter is amended by inserting after the item
22 relating to section 1310 the following:

“1311. Special rules for unexpended Federal agency appropriations.”.

