

TITLE 5 - GOVERNMENT ORGANIZATION AND EMPLOYEES**PART III - EMPLOYEES****Subpart D - Pay and Allowances****CHAPTER 57 - TRAVEL, TRANSPORTATION, AND SUBSISTENCE****SUBCHAPTER IV - MISCELLANEOUS PROVISIONS****§ 5759.¹ Retention and relocation bonuses for the Federal Bureau of Investigation**

(a) **Authority.**— The Director of the Federal Bureau of Investigation, after consultation with the Director of the Office of Personnel Management, may pay, on a case-by-case basis, a bonus under this section to an employee of the Bureau if—

- (1) (A) the unusually high or unique qualifications of the employee or a special need of the Bureau for the employee's services makes it essential to retain the employee; and
(B) the Director of the Federal Bureau of Investigation determines that, in the absence of such a bonus, the employee would be likely to leave—
 - (i) the Federal service; or
 - (ii) for a different position in the Federal service; or

- (2) the individual is transferred to a different geographic area with a higher cost of living (as determined by the Director of the Federal Bureau of Investigation).

(b) **Service Agreement.**— Payment of a bonus under this section is contingent upon the employee entering into a written service agreement with the Bureau to complete a period of service with the Bureau. Such agreement shall include—

- (1) the period of service the individual shall be required to complete in return for the bonus; and
- (2) the conditions under which the agreement may be terminated before the agreed-upon service period has been completed, and the effect of the termination.

(c) **Limitation on Authority.**— A bonus paid under this section may not exceed 50 percent of the employee's basic pay.

(d) **Impact on Basic Pay.**— A retention bonus is not part of the basic pay of an employee for any purpose.

(e) **Termination of Authority.**— The authority to grant bonuses under this section shall cease to be available after December 31, 2009.

Footnotes

¹ So in original. No section 5758 has been enacted.

(Added Pub. L. 108-447, div. B, title I, § 113(a), Dec. 8, 2004, 118 Stat. 2868.)