

118TH CONGRESS  
2D SESSION

# S. 4089

To enhance fraud prevention, improve recovery of improper payments, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

APRIL 9, 2024

Mr. PETERS (for himself, Mr. DURBIN, and Mr. WYDEN) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To enhance fraud prevention, improve recovery of improper payments, 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; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the  
5 “Fraud Prevention and Recovery Act”.

6 (b) **TABLE OF CONTENTS.**—The table of contents for  
7 this Act is as follows:

Sec. 1. Short title; table of contents.

### TITLE I—PROSECUTE AND RECOVER

Sec. 101. Additional funding for Inspectors General.

Sec. 102. Administrative false claims.

Sec. 103. DOJ Covid–19 fraud strike force teams.

TITLE II—PREVENT

Sec. 201. Enhance Do Not Pay.

Sec. 202. Use of unemployment claims data by the Inspector General of the Department of Labor.

TITLE III—SAFEGUARD

Sec. 301. Identity Verification, Payment Integrity, and Victims of Identity Fraud Fund.

Sec. 302. DOJ grants for victim services.

1           **TITLE I—PROSECUTE AND**  
 2   **RECOVER**

3 **SEC. 101. ADDITIONAL FUNDING FOR INSPECTORS GEN-**  
 4   **ERAL.**

5           (a) IN GENERAL.—There is appropriated, out of  
 6 amounts in the Treasury not otherwise appropriated, for  
 7 fiscal year 2024, the following:

8                           (1) \$100,000,000 for the Office of the Inspec-  
 9                           tor General of the Small Business Administration, to  
 10                           remain available through fiscal year 2028—

11                                   (A) for the long-term hiring of investiga-  
 12                                   tors to pursue special cases of organized fraud  
 13                                   related to the COVID–19 pandemic; and

14                                   (B) to support the interagency strike  
 15                                   forces led by the Director for COVID–19 Fraud  
 16                                   Enforcement in the Department of Justice.

17                           (2) \$150,000,000 for the Office of the Inspec-  
 18                           tor General of the Department of Labor, to remain  
 19                           available through fiscal year 2028—

1 (A) for the long-term hiring of investiga-  
2 tors to pursue special cases of organized fraud  
3 related to the COVID–19 pandemic; and

4 (B) to support the interagency strike  
5 forces led by the Director for COVID–19 Fraud  
6 Enforcement in the Department of Justice.

7 (b) TRANSFER OF UNOBLIGATED AMOUNTS.—Any  
8 unobligated balances of amounts appropriated under para-  
9 graph (1) or (2) of subsection (a) remaining after Sep-  
10 tember 30, 2028, shall—

11 (1) be transferred to the Council of the Inspec-  
12 tors General on Integrity and Efficiency to carry out  
13 the duties of the Council; and

14 (2) remain available until expended.

15 (c) EMERGENCY DESIGNATION.—

16 (1) IN GENERAL.—The amounts provided by  
17 this section are designated as an emergency require-  
18 ment pursuant to section 4(g) of the Statutory Pay-  
19 As-You-Go Act of 2010 (2 U.S.C. 933(g)).

20 (2) DESIGNATION IN HOUSE AND SENATE.—

21 This section is designated as being for an emergency  
22 requirement pursuant to section 4001(a)(1) of S.  
23 Con. Res. 14 (117th Congress), the concurrent reso-  
24 lution on the budget for fiscal year 2022, and sec-  
25 tion 1(e) of H. Res. 1151 (117th Congress), as en-

1       grossed in the House of Representatives on June 8,  
2       2022.

3   **SEC. 102. ADMINISTRATIVE FALSE CLAIMS.**

4       (a) CHANGE IN SHORT TITLE.—

5           (1) IN GENERAL.—Subtitle B of title VI of the  
6       Omnibus Budget Reconciliation Act of 1986 (Public  
7       Law 99–509; 100 Stat. 1934) is amended—

8           (A) in the subtitle heading, by striking  
9       **“Program Fraud Civil Remedies”** and  
10       inserting **“Administrative False**  
11       **Claims”**; and

12           (B) in section 6101 (31 U.S.C. 3801 note),  
13       by striking “Program Fraud Civil Remedies Act  
14       of 1986” and inserting “Administrative False  
15       Claims Act”.

16           (2) REFERENCES.—Any reference to the Pro-  
17       gram Fraud Civil Remedies Act of 1986 in any pro-  
18       vision of law, regulation, map, document, record, or  
19       other paper of the United States shall be deemed a  
20       reference to the Administrative False Claims Act.

21       (b) REVERSE FALSE CLAIMS.—Chapter 38 of title  
22   31, United States Code, is amended—

23           (1) in section 3801(a)(3), by amending sub-  
24       paragraph (C) to read as follows:

1           “(C) made to an authority which has the  
2 effect of concealing or improperly avoiding or  
3 decreasing an obligation to pay or transmit  
4 property, services, or money to the authority,”;  
5 and

6           (2) in section 3802(a)(3)—

7           (A) by striking “An assessment” and in-  
8 serting “(A) Except as provided in subpara-  
9 graph (B), an assessment”; and

10           (B) by adding at the end the following:

11           “(B) In the case of a claim described in section  
12 3801(a)(3)(C), an assessment shall not be made  
13 under the second sentence of paragraph (1) in an  
14 amount that is more than double the value of the  
15 property, services, or money that was wrongfully  
16 withheld from the authority.”.

17           (c) INCREASING DOLLAR AMOUNT OF CLAIMS.—Sec-  
18 tion 3803(c) of title 31, United States Code, is amended—

19           (1) in paragraph (1), by striking “\$150,000”  
20 each place that term appears and inserting  
21 “\$1,000,000”; and

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

23           “(3) The maximum amount in paragraph (1) shall  
24 be adjusted for inflation in the same manner and to the  
25 same extent as civil monetary penalties under the Federal

1 Civil Penalties Inflation Adjustment Act (28 U.S.C. 2461  
2 note).”.

3 (d) RECOVERY OF COSTS.—Section 3806(g)(1) of  
4 title 31, United States Code, is amended to read as fol-  
5 lows:

6 “(1)(A) Except as provided in paragraph (2)—

7 “(i) any amount collected under this chapter  
8 shall be credited first to reimburse the authority or  
9 other Federal entity that expended costs in support  
10 of the investigation or prosecution of the action, in-  
11 cluding any court or hearing costs; and

12 “(ii) amounts reimbursed under clause (i)  
13 shall—

14 “(I) be deposited in—

15 “(aa) the appropriations account of  
16 the authority or other Federal entity from  
17 which the costs described in subparagraph  
18 (A) were obligated;

19 “(bb) a similar appropriations account  
20 of the authority or other Federal entity; or

21 “(cc) if the authority or other Federal  
22 entity expended nonappropriated funds,  
23 another appropriate account; and

24 “(II) remain available until expended.

1       “(B) Any amount remaining after reimbursements  
2 described in subparagraph (A) shall be deposited as mis-  
3 cellaneous receipts in the Treasury of the United States.”.

4       (e) SEMIANNUAL REPORTING.—Section 405(c) of  
5 title 5, United States Code, is amended—

6           (1) in paragraph (4), by striking “and” at the  
7 end;

8           (2) by redesignating paragraph (5) as para-  
9 graph (6); and

10          (3) by inserting after paragraph (4) the fol-  
11 lowing:

12           “(5) information relating to cases under chap-  
13 ter 38 of title 31, including—

14           “(A) the number of reports submitted by  
15 investigating officials to reviewing officials  
16 under section 3803(a)(1) of such title;

17           “(B) actions taken in response to reports  
18 described in subparagraph (A), which shall in-  
19 clude statistical tables showing—

20           “(i) pending cases;

21           “(ii) resolved cases;

22           “(iii) the average length of time to re-  
23 solve each case;

1 “(iv) the number of final agency deci-  
 2 sions that were appealed to a district court  
 3 of the United States or a higher court; and

4 “(v) if the total number of cases in a  
 5 report is greater than 2—

6 “(I) the number of cases that  
 7 were settled; and

8 “(II) the total penalty or assess-  
 9 ment amount recovered in each case,  
 10 including through a settlement or  
 11 compromise; and

12 “(C) instances in which the reviewing offi-  
 13 cial declined to proceed on a case reported by  
 14 an investigating official; and”.

15 (f) INCREASING EFFICIENCY OF DOJ PROC-  
 16 ESSING.—Section 3803(j) of title 31, United States Code,  
 17 is amended—

18 (1) by inserting “(1)” before “The reviewing”;

19 and

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

21 “(2) A reviewing official shall notify the Attorney  
 22 General in writing not later than 30 days before entering  
 23 into any agreement to compromise or settle allegations of  
 24 liability under section 3802 and before the date on which



1 the reviewing official is permitted to refer allegations of  
 2 liability to a presiding officer under subsection (b).”.

3 (g) REVISION OF DEFINITION OF HEARING OFFI-  
 4 CIALS.—

5 (1) IN GENERAL.—Chapter 38 of title 31,  
 6 United States Code, is amended—

7 (A) in section 3801(a)(7)—

8 (i) in subparagraph (A), by striking  
 9 “or” at the end;

10 (ii) in subparagraph (B)(vii), by add-  
 11 ing “or” at the end; and

12 (iii) by adding at the end the fol-  
 13 lowing:

14 “(C) a member of the board of contract  
 15 appeals pursuant to section 7105 of title 41, if  
 16 the authority does not employ an available pre-  
 17 siding officer under subparagraph (A);”; and

18 (B) in section 3803(d)(2)—

19 (i) in subparagraph (A), by striking  
 20 “and” at the end;

21 (ii) in subparagraph (B)—

22 (I) by striking “the presiding”  
 23 and inserting “(i) in the case of a re-  
 24 ferral to a presiding officer described

1 in subparagraph (A) or (B) of section  
2 3801(a)(7), the presiding”;

3 (II) in clause (i), as so des-  
4 ignated, by striking the period at the  
5 end and inserting “; or”; and

6 (III) by adding at the end the  
7 following:

8 “(ii) in the case of a referral to a presiding  
9 officer described in subparagraph (C) of section  
10 3801(a)(7)—

11 “(I) the reviewing official shall submit  
12 a copy of the notice required by under  
13 paragraph (1) and of the response of the  
14 person receiving such notice requesting a  
15 hearing—

16 “(aa) to the board of contract  
17 appeals that has jurisdiction over  
18 matters arising from the agency of the  
19 reviewing official pursuant to section  
20 7105(e)(1) of title 41; or

21 “(bb) if the Chair of the board of  
22 contract appeals declines to accept the  
23 referral, to any other board of con-  
24 tract appeals; and

1 “(II) the reviewing official shall simul-  
2 taneously mail, by registered or certified  
3 mail, or shall deliver, notice to the person  
4 alleged to be liable under section 3802 that  
5 the referral has been made to an agency  
6 board of contract appeals with an expla-  
7 nation as to where the person may obtain  
8 the relevant rules of procedure promul-  
9 gated by the board; and”;

10 (iii) by adding at the end the fol-  
11 lowing:

12 “(C) in the case of a hearing conducted by a  
13 presiding officer described in subparagraph (C) of  
14 section 3801(a)(7)—

15 “(i) the presiding officer shall conduct the  
16 hearing according to the rules and procedures  
17 promulgated by the board of contract appeals;  
18 and

19 “(ii) the hearing shall not be subject to the  
20 provisions in subsection (g)(2), (h), or (i).”.

21 (2) AGENCY BOARDS.—Section 7105(e) of title  
22 41, United States Code, is amended—

23 (A) in paragraph (1), by adding at the end  
24 the following:

1           “(E) ADMINISTRATIVE FALSE CLAIMS  
2           ACT.—

3           “(i) IN GENERAL.—The boards de-  
4           scribed in subparagraphs (B), (C), and (D)  
5           shall have jurisdiction to hear any case re-  
6           ferred to a board of contract appeals under  
7           section 3803(d) of title 31.

8           “(ii) DECLINING REFERRAL.—If the  
9           Chair of a board described in subpara-  
10          graph (B), (C), or (D) determines that ac-  
11          cepting a case under clause (i) would pre-  
12          vent adequate consideration of other cases  
13          being handled by the board, the Chair may  
14          decline to accept the referral.”; and

15          (B) in paragraph (2), by inserting “or, in  
16          the event that a case is filed under chapter 38  
17          of title 31, any relief that would be available to  
18          a litigant under that chapter” before the period  
19          at the end.

20          (3) REGULATIONS.—Not later than 180 days  
21          after the date of enactment of this Act, each author-  
22          ity head, as defined in section 3801 of title 31,  
23          United States Code, and each board of contract ap-  
24          peals of a board described in subparagraph (B), (C),  
25          or (D) of section 7105(e) of title 41, United States

1 Code, shall amend procedures regarding proceedings  
2 as necessary to implement the amendments made by  
3 this subsection.

4 (h) REVISION OF LIMITATIONS.—Section 3808 of  
5 title 31, United States Code, is amended by striking sub-  
6 section (a) and inserting the following:

7 “(a) A notice to the person alleged to be liable with  
8 respect to a claim or statement shall be mailed or delivered  
9 in accordance with section 3803(d)(1) not later than the  
10 later of—

11 “(1) 6 years after the date on which the viola-  
12 tion of section 3802 is committed; or

13 “(2) 3 years after the date on which facts mate-  
14 rial to the action are known or reasonably should  
15 have been known by the authority head, but in no  
16 event more than 10 years after the date on which  
17 the violation is committed.”.

18 (i) DEFINITIONS.—Section 3801 of title 31, United  
19 States Code, is amended—

20 (1) in subsection (a)—

21 (A) in paragraph (8), by striking “and” at  
22 the end;

23 (B) in paragraph (9), by striking the pe-  
24 riod at the end and inserting a semicolon; and

25 (C) by adding at the end the following:

1 “(10) ‘material’ has the meaning given the term  
2 in section 3729(b) of this title; and

3 “(11) ‘obligation’ has the meaning given the  
4 term in section 3729(b) of this title.”; and

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

6 “(d) For purposes of subsection (a)(10), materiality  
7 shall be determined in the same manner as under section  
8 3729 of this title.”.

9 (j) PROMULGATION OF REGULATIONS.—Not later  
10 than 180 days after the date of enactment of this Act,  
11 each authority head, as defined in section 3801 of title  
12 31, United States Code, shall—

13 (1) promulgate regulations and procedures to  
14 carry out this section and the amendments made by  
15 this section; and

16 (2) review and update existing regulations and  
17 procedures of the authority to ensure compliance  
18 with this section and the amendments made by this  
19 section.

20 **SEC. 103. DOJ COVID-19 FRAUD STRIKE FORCE TEAMS.**

21 (a) IN GENERAL.—There is appropriated, out of  
22 amounts in the Treasury not otherwise appropriated,  
23 \$300,000,000, to remain available until expended, to the  
24 Attorney General to—

1           (1) prosecute the full range of COVID–19 pan-  
2           demic relief benefit fraud;

3           (2) bring the most egregious and sophisticated  
4           offenders of COVID–19 benefit fraud to justice; and

5           (3) recover stolen COVID–19 benefit funds for  
6           the people of the United States.

7           (b) USE OF FUNDS.—The Attorney General may use  
8           amounts appropriated under subsection (a) to support—

9           (1) COVID–19 fraud enforcement strike  
10          forces—

11           (A) comprised of prosecutors, analysts, law  
12          enforcement officers, and support staff; and

13           (B) tasked with prosecuting criminal net-  
14          works and individuals who defrauded COVID–  
15          19 pandemic relief benefit programs, includ-  
16          ing—

17           (i) the paycheck protection program  
18          established under section 7(a)(36) of the  
19          Small Business Act (15 U.S.C.  
20          636(a)(36)) and economic injury disaster  
21          loans made under section 7(b)(2) of the  
22          Small Business Act (15 U.S.C. 636(b)(2))  
23          related to COVID–19; and

1 (ii) the unemployment insurance ben-  
2 efit programs authorized during the  
3 COVID–19 pandemic;

4 (2) data scientists and analysts supporting  
5 COVID–19 pandemic relief fraud investigations and  
6 the recovery of fraudulently obtained pandemic relief  
7 funds; and

8 (3) prosecutors and support staff focused on—

9 (A) investigating and prosecuting COVID–  
10 19 pandemic fraud; and

11 (B) recovering fraudulently obtained  
12 COVID–19 pandemic relief funds.

13 (c) TRANSFERS.—The Attorney General may trans-  
14 fer amounts appropriated under subsection (a) to Federal  
15 law enforcement agencies for the purposes described in  
16 subsections (a) and (b), including—

17 (1) the Fraud Section of the Criminal Division  
18 of the Department of Justice;

19 (2) relevant offices of inspector general;

20 (3) the Federal Bureau of Investigation;

21 (4) Homeland Security Investigations;

22 (5) the United States Secret Service;

23 (6) the United States Postal Inspection Service;

24 (7) the criminal investigation unit of the Inter-  
25 nal Revenue Service; and





1 curately disburse payments to the recipients of such pay-  
2 ments, including by—

3 “(A) verifying the accuracy of the bank account  
4 information to which a payment is to be disbursed;  
5 and

6 “(B) comparing the bank account of the pro-  
7 posed recipient to other payment records available to  
8 the agency.

9 “(2) The Secretary of the Treasury and, with the ap-  
10 proval of the Secretary of the Treasury, the head of the  
11 executive agency having jurisdiction over a disbursing offi-  
12 cial, may issue guidance to carry out this subsection.”.

13 (b) DO NOT PAY INITIATIVE ACCESS TO THE NA-  
14 TIONAL DIRECTORY OF NEW HIRES.—Section 453(j) of  
15 the Social Security Act (42 U.S.C. 653(j)) is amended by  
16 adding at the end the following:

17 “(12) INFORMATION TO ASSIST IN THE PRE-  
18 VENTION OF IMPROPER PAYMENTS.—

19 “(A) IN GENERAL.—The Secretary of the  
20 Treasury shall have access to the information in  
21 the National Directory of New Hires for the  
22 purpose of assisting entities in identifying, pre-  
23 venting, and recovering improper payments.

24 “(B) REDISCLOSURE.—For the purpose of  
25 identifying, preventing, and recovering improper

1 payments, the head of the agency operating the  
2 Do Not Pay Working System may redisclose in-  
3 formation in the National Directory of New  
4 Hires to—

5 “(i) its agents and contractors;

6 “(ii) Federal and non-Federal agen-  
7 cies authorized to receive information in  
8 the National Directory of New Hires di-  
9 rectly from the Secretary; and

10 “(iii) such additional persons and en-  
11 tities as agreed to by the Secretary and the  
12 head of the agency operating the Do Not  
13 Pay Working System.

14 “(C) REIMBURSEMENT OF HHS COSTS.—

15 The head of the agency operating the Do Not  
16 Pay Working System shall reimburse the Sec-  
17 retary, in accordance with subsection (k)(3), for  
18 the costs incurred by the Secretary in fur-  
19 nishing the information transmitted under this  
20 paragraph.”.

21 (c) ACCESS TO INFORMATION COVERED BY FCRA.—

22 (1) DEFINITIONS.—Section 603(k)(1) of the  
23 Fair Credit Reporting Act (15 U.S.C. 1681a(k)(1))  
24 is amended—

1 (A) in subparagraph (A), by striking  
2 “and” at the end;

3 (B) in subparagraph (B), by striking the  
4 period at the end and inserting “; and”; and

5 (C) by adding at the end the following:

6 “(C) does not include—

7 “(i) any change to a Federal disburse-  
8 ment, including the termination of such  
9 disbursement, that is—

10 “(I) based on a consumer report;

11 and

12 “(II) made to improve the accu-  
13 racy of the disbursement; or

14 “(ii) any action taken by an author-  
15 ized user of the Working System of the Do  
16 Not Pay Initiative authorized by section  
17 3354 of title 31, United States Code, in  
18 connection with the disbursement of a pay-  
19 ment, as defined in section 3351 of that  
20 title, that is based on a consumer report.”.

21 (2) PERMISSIBLE USES OF CONSUMER RE-  
22 PORTS.—Section 604(a) of the Fair Credit Report-  
23 ing Act (15 U.S.C. 1681b(a)) is amended by adding  
24 at the end the following:

1           “(7) To the Secretary of the Treasury for the  
2           purpose of assisting Federal and non-Federal enti-  
3           ties identify, prevent, and recover improper pay-  
4           ments, including redisclosing information in a con-  
5           sumer report to—

6                     “(A) agents and contractors of the Depart-  
7                     ment of the Treasury; and

8                     “(B) Federal and non-Federal entities au-  
9                     thorized to receive such information directly  
10                    from the Secretary.”.

11 **SEC. 202. USE OF UNEMPLOYMENT CLAIMS DATA BY THE**  
12                     **INSPECTOR GENERAL OF THE DEPARTMENT**  
13                     **OF LABOR.**

14           (a) IN GENERAL.—Subject to subsection (b), the In-  
15           specter General of the Department of Labor (in this sec-  
16           tion referred to as the “Inspector General”) shall, for the  
17           purpose of conducting audits, investigations, and other  
18           oversight activities authorized under chapter 4 of part I  
19           of title 5, United States Code, relating to unemployment  
20           compensation programs, be allowed to access data sub-  
21           mitted to each of the following systems:

22                     (1) The system designated by the Secretary of  
23                     Labor for the electronic transmission of requests for  
24                     information relating to interstate claims for unem-  
25                     ployment compensation.

1           (2) The system designated by the Secretary of  
2 Labor for cross-matching claimants of unemploy-  
3 ment compensation under State law against data-  
4 bases to prevent and detect fraud and improper pay-  
5 ments.

6           (b) REQUIREMENTS.—

7           (1) USE.—The Inspector General may only use  
8 unemployment compensation claim and wage data  
9 for the purpose of conducting audits, investigations,  
10 and other oversight activities authorized under chap-  
11 ter 4 of part I of title 5, United States Code, for un-  
12 employment compensation programs.

13           (2) REDISCLOSURE.—The Inspector General  
14 may only redisclose unemployment compensation  
15 claim and wage data to Federal, State, or local gov-  
16 ernment officials. Any such redisclosure may only be  
17 made for purposes of auditing, investigating, or con-  
18 ducting other oversight activities authorized under  
19 chapter 4 of part I of title 5, United States Code,  
20 for unemployment compensation programs. The In-  
21 spector General may not redisclose unemployment  
22 compensation claim and wage data to nongovern-  
23 ment officials or foreign officials.

24           (3) CYBERSECURITY AND PRIVACY.—The In-  
25 spector General shall appropriately and securely

1 store, and establish data access, entry, and deletion  
2 requirements for, unemployment compensation claim  
3 and wage data following best practices identified in  
4 consultation with the Director of the National Insti-  
5 tute of Standards and Technology and the Director  
6 of the Cybersecurity and Infrastructure Security  
7 Agency.

8 (4) DOCUMENTATION.—The Inspector General  
9 shall appropriately document the reasons for access-  
10 ing unemployment compensation claim and wage  
11 data, including the reasons for accessing the data of  
12 an individual claimant.

13 (c) EFFECTIVE DATE.—The provisions of subsections  
14 (a) and (b) shall apply beginning on the date that is one  
15 year after the date of enactment of this section.

16 (d) REPORT TO CONGRESS AND THE SECRETARY.—  
17 Not later than 180 days after the date of enactment of  
18 this section, the Inspector General shall submit to the ap-  
19 propriate committees of jurisdiction of the Senate and the  
20 House of Representatives and to the Secretary of Labor  
21 a report on the Inspector General’s plan to use, redisclose,  
22 store, and delete unemployment compensation claim and  
23 wage data. Such plan shall incorporate the requirements  
24 under paragraphs (1), (2), (3), and (4) of subsection (b).

# TITLE III—SAFEGUARD

## SEC. 301. IDENTITY VERIFICATION, PAYMENT INTEGRITY, AND VICTIMS OF IDENTITY FRAUD FUND.

### (a) DEFINITIONS.—

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of General Services.

(2) DIRECTOR.—The term “Director” means the Director of the Office of Management and Budget.

(3) FEDERAL AGENCY.—The term “Federal agency” has the meaning given the term “agency” in section 306(f) of title 5, United States Code.

(4) FUND.—The term “Fund” means the Identity Verification, Payment Integrity, and Victims of Identity Fraud Fund established under subsection (b)(1).

### (b) ESTABLISHMENT.—

(1) IN GENERAL.—There is established within the Treasury of the United States a fund, which shall be known as the “Identity Verification, Payment Integrity, and Victims of Identity Fraud Fund”.

(2) ADMINISTRATION.—The Director and the Administrator shall jointly administer the Fund.



1 (c) USE OF FUNDS.—

2 (1) MANDATORY TRANSFER.—Upon the date of  
3 enactment of this Act, the Director and the Admin-  
4 istrator shall jointly transfer from the Fund—

5 (A) not less than \$75,000,000 to the Com-  
6 missioner of Social Security to support—

7 (i) the development of a Social Secu-  
8 rity number verification service for use by  
9 Federal agencies—

10 (I) that compares identity infor-  
11 mation of an individual, including the  
12 name, date of birth, and Social Secu-  
13 rity number of the individual, pro-  
14 vided by a Federal agency against the  
15 identity information of the individual  
16 maintained by the Social Security Ad-  
17 ministration;

18 (II) that, based on the compari-  
19 son performed under subclause (I),  
20 will provide a Federal agency with a  
21 privacy-preserving response of  
22 “Match” or “No match” to confirm or  
23 not confirm the validity of the identity  
24 information provided by the Federal  
25 agency described in subclause (I);

1 (III) the development of which  
2 may not begin until the date on which  
3 the Commissioner of Social Security  
4 receives the full amount of the trans-  
5 fer required under this subparagraph;  
6 and

7 (IV) subject to safeguards deter-  
8 mined necessary by the Commissioner  
9 of Social Security, the full cost for the  
10 use of which the heads of Federal  
11 agencies shall reimburse the Social  
12 Security Administration, including for  
13 the costs of administration and associ-  
14 ated ongoing maintenance; and

15 (ii) the implementation of the Social  
16 Security number verification service devel-  
17 oped under clause (i) by Federal agencies;

18 (B) not less than \$25,000,000 to the Of-  
19 fice of Payment Integrity of the Department of  
20 the Treasury to support the development and  
21 enhancement of governmentwide solutions and  
22 data sharing to prevent fraud and enhance pay-  
23 ment integrity in Federal programs and feder-  
24 ally funded programs administered by States;

1 (C) not less than \$25,000,000 to the Ad-  
2 ministrator to support—

3 (i) the development by the Secretary  
4 of the Treasury, in coordination with the  
5 Director and the Administrator, of a pilot  
6 program for an identity fraud early warn-  
7 ing system; and

8 (ii) the implementation of the pilot  
9 program described in clause (i) by Federal  
10 agencies and State, local, Tribal, and terri-  
11 torial governments; and

12 (D) not less than \$200,000,000 to the  
13 Federal Trade Commission to support—

14 (i) the enhancement of  
15 IdentityTheft.gov to offer a single platform  
16 that combines services from across Federal  
17 agencies for victims of identity fraud; and

18 (ii) the implementation of  
19 IdentifyTheft.gov by Federal agencies and  
20 State, local, Tribal, and territorial govern-  
21 ments.

22 (2) OTHER AMOUNTS.—The Director and the  
23 Administrator shall make the amounts remaining in  
24 the Fund after the completion of the transfers re-

1       quired under paragraph (2) available to the heads of  
2       Federal agencies to—

3               (A) develop, deploy, and support the adop-  
4               tion by Federal agencies and State, local, Trib-  
5               al, and territorial governments of capabilities to  
6               reduce identity fraud;

7               (B) improve eligibility verification proc-  
8               esses;

9               (C) improve the integrity of Federal pro-  
10              grams and State, local, Tribal and territorial  
11              government programs;

12              (D) improve the secure, reliable, and equi-  
13              table digital access to services of the Federal  
14              Government and State, local, Tribal, and terri-  
15              torial governments;

16              (E) combat improper payments by the  
17              Federal Government;

18              (F) expand services for victims of identity  
19              fraud, including by—

20                      (i) providing individualized training  
21                      and program development assistance to  
22                      legal services organizations, nonprofit or-  
23                      ganizations, and Federal agencies and  
24                      State, local, Tribal, and territorial govern-

1                   ments that directly assist victims of iden-  
2                   tity fraud in need of remediation;

3                   (ii) expanding data protection and  
4                   other enforcement efforts relating to iden-  
5                   tity fraud;

6                   (iii) coordinating with Federal agen-  
7                   cies and State, local, Tribal, and territorial  
8                   governments with respect to identity fraud  
9                   prevention and remediation services; and

10                  (iv) enhancing fraud and identity  
11                  fraud services and information, such as re-  
12                  porting websites, information technology  
13                  systems, and outreach to the public, in-  
14                  cluding collaboration with consumer service  
15                  organizations and Federal agencies and  
16                  State, local, Tribal, and territorial govern-  
17                  ments;

18                  (G) support the operations of the Fund;

19                  and

20                  (H) in support of the goals of the Fund,  
21                  support investments in the development of  
22                  foundational privacy-enhancing technology, in-  
23                  cluding secure multiparty computation and  
24                  other privacy-preserving data sharing capabili-

1           ties, for use by Federal agencies and State,  
2           local, Tribal, and territorial governments.

3           (d) APPROPRIATIONS.—

4           (1) IN GENERAL.—There is appropriated, out  
5           of amounts in the Treasury not otherwise appro-  
6           priated, \$600,000,000 to the Fund for fiscal year  
7           2024.

8           (2) AVAILABILITY.—

9           (A) IN GENERAL.—Subject to subpara-  
10          graph (B), amounts appropriated under para-  
11          graph (1) shall remain available until Sep-  
12          tember 30, 2028.

13          (B) EXCEPTION.—Amounts appropriated  
14          under paragraph (1) that are transferred in ac-  
15          cordance with subsection (c)(1)(A) shall remain  
16          available until expended.

17          (e) EMERGENCY DESIGNATION.—

18          (1) IN GENERAL.—The amounts provided by  
19          this section are designated as an emergency require-  
20          ment pursuant to section 4(g) of the Statutory Pay-  
21          As-You-Go Act of 2010 (2 U.S.C. 933(g)).

22          (2) DESIGNATION IN HOUSE AND SENATE.—  
23          This section is designated as being for an emergency  
24          requirement pursuant to section 4001(a)(1) of S.  
25          Con. Res. 14 (117th Congress), the concurrent reso-

1 lution on the budget for fiscal year 2022, and sec-  
2 tion 1(e) of H. Res. 1151 (117th Congress), as en-  
3 grossed in the House of Representatives on June 8,  
4 2022.

5 **SEC. 302. DOJ GRANTS FOR VICTIM SERVICES.**

6 (a) IN GENERAL.—

7 (1) APPROPRIATION.—Out of amounts in the  
8 Treasury not otherwise appropriated, there are ap-  
9 propriated to the Director of the Office for Victims  
10 of Crime \$175,000,000, to remain available until ex-  
11 pended, to award discretionary grants under the Vic-  
12 tims of Crime Act of 1984 (34 U.S.C. 20101 et  
13 seq.).

14 (2) USE.—The Director of the Office for Vic-  
15 tims of Crime shall use the amounts appropriated  
16 under paragraph (1) to award grants to assist vic-  
17 tims of identity theft.

18 (b) EMERGENCY DESIGNATION.—

19 (1) IN GENERAL.—The amounts provided by  
20 this section are designated as an emergency require-  
21 ment pursuant to section 4(g) of the Statutory Pay-  
22 As-You-Go Act of 2010 (2 U.S.C. 933(g)).

23 (2) DESIGNATION IN HOUSE AND SENATE.—

24 This section is designated as being for an emergency  
25 requirement pursuant to section 4001(a)(1) of S.

1 Con. Res. 14 (117th Congress), the concurrent reso-  
2 lution on the budget for fiscal year 2022, and sec-  
3 tion 1(e) of H. Res. 1151 (117th Congress), as en-  
4 grossed in the House of Representatives on June 8,  
5 2022.

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