

.....  
(Original Signature of Member)

119TH CONGRESS  
2D SESSION

**H. R.** \_\_\_\_\_

To establish fraud prevention and payment integrity functions and data sharing authorities within the Department of the Treasury and a permanent governmentwide Inspector General for Fraud, Accountability, and Recovery, and for other purposes.

\_\_\_\_\_  
IN THE HOUSE OF REPRESENTATIVES

Mr. SESSIONS introduced the following bill; which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To establish fraud prevention and payment integrity functions and data sharing authorities within the Department of the Treasury and a permanent governmentwide Inspector General for Fraud, Accountability, and Recovery, 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.**

4 This Act may be cited as the “Fraud Prevention and  
5 Accountability Act”.

1 **SEC. 2. ESTABLISHMENT OF FRAUD PREVENTION AND FI-**  
2 **NANCIAL INTEGRITY FUNCTIONS WITHIN**  
3 **THE DEPARTMENT OF THE TREASURY.**

4 (a) IN GENERAL.—Section 306 of title 31, United  
5 States Code, is amended to read as follows:

6 **“§ 306. Fiscal Service**

7 “(a) The Bureau of the Fiscal Service is a service  
8 in the Department of the Treasury.

9 “(b) The head of the Bureau of the Fiscal Service  
10 is the Fiscal Assistant Secretary appointed under section  
11 301(d) of this title.

12 “(c) The Bureau of the Fiscal Service, having as its  
13 head a Commissioner, shall maintain the following func-  
14 tions related to financial integrity, spending transparency,  
15 and preventing improper payments resulting in financial  
16 loss to the government, and does not include any investiga-  
17 tive or law enforcement function, which, in addition to any  
18 other duty the Secretary of the Treasury assigns—

19 “(1) shall administer and operate the Do Not  
20 Pay system required under section 3354 in a man-  
21 ner that ensures that any data provided to the Sec-  
22 retary is used only for the purposes set forth under  
23 section 3354 in accordance with applicable law; and

24 “(2) shall, in consultation with the Director of  
25 the Office of Management and Budget, establish and  
26 maintain a governmentwide data analysis program,

1 utilizing the authorities outlined under section  
2 6(c)(1) of the Federal Funding Accountability and  
3 Transparency Act (Public Law 109–282; 31 U.S.C.  
4 6101 note)—

5 “(A) to provide data sharing and analysis  
6 services to Federal agencies, States (with re-  
7 spect to any federally funded State-adminis-  
8 tered programs), and any nongovernmental en-  
9 tity administering or disbursing Federal funds,  
10 to detect fraud and prevent improper payments  
11 resulting in a financial loss to the government  
12 and, including by—

13 “(i) requiring each agency to share  
14 data of known or suspected fraudulent en-  
15 tities and transactions (resulting from in-  
16 ternal agency fraud prevention or detection  
17 investigations) with the Department of the  
18 Treasury;

19 “(ii) requiring each agency to screen  
20 their potential awardees and payees  
21 against the centralized fraud database  
22 prior to award or payment issuance;

23 “(iii) requiring each agency to screen  
24 relevant cyber activity against the central-  
25 ized fraud database prior to allowing

1 changes to virtual identity or payment in-  
2 formation;

3 “(iv) establishing governmentwide  
4 standards for the collection, labeling, and  
5 sharing of fraudulent payment data, to in-  
6 clude improper payments, with the Depart-  
7 ment of the Treasury;

8 “(v) partnering with financial institu-  
9 tions and industry to share best practices  
10 and, where appropriate, data regarding  
11 fraud patterns and results of investigations  
12 into fraudulent activity; and

13 “(vi) providing identity, eligibility, ac-  
14 count, and vital event verification and vali-  
15 dation tools and analytical services to  
16 agencies, as necessary and appropriate;  
17 and

18 “(B) that is capable of receiving (including  
19 in bulk data formats and through systems that  
20 facilitate real-time data access) any data asset,  
21 information, or record related to the adminis-  
22 tration of Federal programs (including federally  
23 funded State-administered programs) and dis-  
24 bursement of Federal funds under such pro-  
25 grams, provided to the Secretary for secure and

1 confidential use by the center or the Inspector  
2 General for Fraud, Accountability and Recovery  
3 (in accordance with any terms included in a  
4 written data sharing agreement between the  
5 Secretary and the Inspector General) to recog-  
6 nize and address patterns of fraudulent actors,  
7 information, and claims across such programs;  
8 and

9 “(3) shall provide the Inspector General for  
10 Fraud, Accountability, and Recovery, access to such  
11 information technology, data assets, information,  
12 and records to support the functions and services of  
13 the Office of the Inspector General for Fraud, Ac-  
14 countability, and Recovery established under section  
15 317, unless the Secretary determines that such ac-  
16 cess is not appropriate and notifies the appropriate  
17 congressional committees and the Office of such In-  
18 spector General in writing.

19 “(d) The Secretary of the Treasury, in consultation  
20 with the Director of the Office of Management and Budg-  
21 et, shall not later than 2 years after the establishment of  
22 this section, and on an annual basis thereafter, submit,  
23 to the Committee on Oversight and Government Reform  
24 of the House of Representatives and the Committee on  
25 Homeland Security and Governmental Affairs of the Sen-

1 ate, a report, which may be included as part of another  
2 report submitted to Congress by the Secretary, on the im-  
3 plementation of the Program, including participation rates  
4 and an assessment of the Program’s effectiveness in re-  
5 ducing fraud and preventing improper payments resulting  
6 in a financial loss to the government.

7 “(e) The Secretary of the Treasury may designate an-  
8 other officer or employee of the Department to act as the  
9 Fiscal Assistant Secretary when the Fiscal Assistant Sec-  
10 retary is absent or unable to serve or when the office of  
11 Fiscal Assistant Secretary is vacant.”.

12 (b) COORDINATION IN DESIGNATING DO NOT PAY  
13 DATABASES.—Section 3354(b)(1)(B) of title 31, United  
14 States Code, is amended by inserting “in coordination  
15 with the Secretary of the Treasury” before “in consulta-  
16 tion”.

17 (c) AMENDMENT TO DATA ACT OF 2014 DATA ANAL-  
18 YSIS CENTER AUTHORIZATION.—Section 6(c)(1) of the  
19 Federal Funding Accountability and Transparency Act  
20 (Public Law 109–282; 31 U.S.C. 6101 note) is amended  
21 by striking “may” and inserting “shall”.

22 **SEC. 3. ESTABLISHMENT OF INSPECTOR GENERAL FOR**  
23 **FRAUD, ACCOUNTABILITY, AND RECOVERY.**

24 (a) ESTABLISHMENT OF INSPECTOR FOR FRAUD, AC-  
25 COUNTABILITY, AND RECOVERY.—Subchapter I of chap-

1 ter 3 of title 31, United States Code, is amended by add-  
2 ing at the end the following:

3 **“§ 317. Inspector General for Fraud, Accountability,**  
4 **and Recovery within the Department of**  
5 **the Treasury.**

6 “(a) OFFICE OF INSPECTOR GENERAL.—There is es-  
7 tablished within the Department of the Treasury, the Of-  
8 fice of the Inspector General for Fraud, Accountability,  
9 and Recovery.

10 “(b) APPOINTMENT OF INSPECTOR GENERAL; RE-  
11 MOVAL.—

12 “(1) IN GENERAL.—The head of the Office  
13 shall be the Inspector General for Fraud, Account-  
14 ability, and Recovery, who shall be appointed by the  
15 President, by and with the advice and consent of the  
16 Senate.

17 “(2) NOMINATION.—The nomination of the In-  
18 spector General shall be made without regard to po-  
19 litical affiliation and solely on the basis of integrity  
20 and demonstrated ability in accounting, auditing, fi-  
21 nancial analysis, law, management analysis, public  
22 administration, or investigations.

23 “(3) REMOVAL.—The Inspector General shall  
24 be removable from office in accordance with the pro-  
25 visions of section 403(b) of title 5.

1           “(4) POLITICAL ACTIVITY.—For purposes of  
2           section 7324 of title 5, the Inspector General shall  
3           not be considered an employee who determines poli-  
4           cies to be pursued by the United States in the na-  
5           tionwide administration of Federal law.

6           “(5) BASIC PAY.—The annual rate of basic pay  
7           of the Inspector General shall be the annual rate of  
8           basic pay for an Inspector General under section  
9           403(e) of title 5.

10          “(6) LEGAL COUNSEL.—The Inspector General  
11          for Fraud, Accountability, and Recovery shall, in ac-  
12          cordance with applicable laws and regulations gov-  
13          erning the civil service, obtain legal advice from a  
14          counsel either reporting directly to the Inspector  
15          General for Fraud, Accountability, and Recovery or  
16          another inspector general within the executive  
17          branch.

18          “(c) DUTIES AND RESPONSIBILITIES.—

19                 “(1) IN GENERAL.—It shall be the duty of the  
20                 Inspector General, in accordance with section  
21                 404(b)(1) of title 5, to conduct, supervise, or coordi-  
22                 nate oversight activities, including audits and inves-  
23                 tigations of the use of and the provision or award  
24                 of covered funds, and the management by agency  
25                 heads of any program established by the use of cov-

1       ered funds, with such related activities of the Inspec-  
2       tor General to be considered civil or criminal law en-  
3       forcement activities, including by—

4               “(A) providing support to agency Inspec-  
5       tors General, if requested by the agency Inspec-  
6       tor General, in the oversight of covered funds in  
7       order to—

8               “(i) detect and prevent fraud, waste,  
9       abuse, and mismanagement;

10              “(ii) identify major risks that cut  
11       across programs and agency boundaries;  
12       and

13              “(iii) identify and promote best prac-  
14       tices and tools to prevent, detect, and re-  
15       spond to fraud across covered funds; and

16              “(B) coordinating with relevant agency In-  
17       spectors General and, as appropriate, the Fiscal  
18       Service to—

19              “(i) provide support in conducting in-  
20       vestigations, audits, and reviews relating to  
21       covered funds, including through—

22              “(I) the establishment or use of  
23       an independent data analytics plat-  
24       form, which shall incorporate to the  
25       extent practicable and feasible the

1 data analytic platform maintained by  
2 the Pandemic Response Accountability  
3 Committee prior to the enactment of  
4 this section;

5 “(II) the sharing of data, tools,  
6 and services;

7 “(III) the development and en-  
8 hancement of data practices, analysis,  
9 and visualization; and

10 “(IV) any other appropriate  
11 means as determined by the Inspector  
12 General in coordination with relevant  
13 Inspectors General from any agency  
14 that expends or obligates covered  
15 funds;

16 “(ii) provide analytical products to  
17 agencies to promote program integrity,  
18 prevent improper payments, and facilitate  
19 verification efforts to ensure proper ex-  
20 penditure and utilization of covered funds,  
21 and assist with civil and criminal investiga-  
22 tions or litigation relating to fraud, waste,  
23 abuse and mismanagement of covered  
24 funds;

1           “(iii) review the economy, efficiency,  
2           and effectiveness in the administration of,  
3           and the detection of fraud, waste, abuse,  
4           and mismanagement in, programs and op-  
5           erations using covered funds;

6           “(iv) as appropriate and practicable,  
7           identify data assets and information  
8           records collected, produced, and main-  
9           tained by the Office that can be securely  
10          provided through data sharing agreements,  
11          including in bulk data formats and  
12          through systems that facilitate real-time  
13          data access, with the Secretary of the  
14          Treasury to support the functions and ac-  
15          tivities of the Fiscal Service and civil and  
16          criminal investigations or litigation relating  
17          to fraud, waste, abuse, and mismanage-  
18          ment of covered funds; and

19          “(v) expeditiously report to the Attor-  
20          ney General any instance in which the In-  
21          spector General has reasonable grounds to  
22          believe there has been a violation of Fed-  
23          eral criminal law;

24          “(C) establish an advisory committee com-  
25          posed of other Inspectors General, with at least

1 three representing an agency specified under  
2 section 901(b) of title 31, United States Code,  
3 and three from another agency, in accordance  
4 with the following:

5 “(i) GENERAL FUNCTIONS.—The ad-  
6 visory committee may identify and  
7 prioritize cross-agency fraud risks and ac-  
8 tivities to prevent, detect, and otherwise  
9 mitigate such risks, including by review-  
10 ing—

11 “(I) the economy, efficiency, and  
12 effectiveness in the administration of,  
13 and the detection of fraud, waste,  
14 abuse, and mismanagement in, pro-  
15 grams and operations using covered  
16 funds; and

17 “(II) whether there are appro-  
18 priate mechanisms for interagency col-  
19 laboration relating to the oversight of  
20 covered funds, including coordinating  
21 and collaborating to the extent prac-  
22 ticable with State and local govern-  
23 ment entities.

24 “(ii) RECOMMENDATIONS.—The Com-  
25 mittee may, in coordination with the Sec-

1           retary of the Treasury and the Director of  
2           the Office of Management and Budget,  
3           make recommendations to agencies on  
4           measures to prevent or address fraud,  
5           waste, abuse, and mismanagement, and to  
6           mitigate major risks that cut across pro-  
7           grams and agency boundaries, relating to  
8           covered funds.

9           “(iii) PREVENTING DUPLICATION IN  
10          OVERSIGHT FUNCTIONS.—With a view to  
11          preventing duplication in government func-  
12          tions and provide for ongoing coordination  
13          of resources to prevent fraud and improper  
14          payments in Federal programs and spend-  
15          ing the Committee may—

16                 “(I) provide recommendations to  
17                 the Secretary of the Treasury to as-  
18                 sist the Secretary in making rec-  
19                 ommendations         under         section  
20                 321(a)(11) of title 31; and

21                 “(II) provide any such additional  
22                 recommendations in a timely manner  
23                 to the appropriate congressional com-  
24                 mittees as the Committee determines  
25                 necessary and to ensure that the defi-

1                   nition of ‘covered funds’ established  
2                   under section 317(l) of title 31 is leg-  
3                   islatively expanded, as necessary;

4                   “(D) the Inspector General may provide  
5                   investigative support to prosecutive and enforce-  
6                   ment authorities to protect program integrity  
7                   and prevent, detect, and prosecute fraud of cov-  
8                   ered funds; and

9                   “(E) coordinating the oversight and inves-  
10                  tigative activities with the Comptroller General  
11                  of the United States, State and local govern-  
12                  ment Inspectors General, and State and local  
13                  auditors, as appropriate.

14                  “(2) MAINTENANCE OF SYSTEMS.—The Inspec-  
15                  tor General shall establish, maintain, and oversee  
16                  such systems, procedures, and controls as the In-  
17                  spector General considers appropriate to discharge  
18                  the duties of the Inspector General under paragraph  
19                  (1).

20                  “(3) TECHNICAL ASSISTANCE AND DATA ANA-  
21                  LYTICS SUPPORT.—In addition to the duties of the  
22                  Inspector General with respect to covered funds, for  
23                  any Inspector General enumerated under section  
24                  424(b)(1) of title 5, the Inspector General may pro-  
25                  vide technical assistance to support independent

1 oversight activities on a reimbursable or non-reim-  
2 bursable basis provided that appropriate data pri-  
3 vacy and security protection provisions are provided  
4 for in agreements to provide such technical assist-  
5 ance. Such technical assistance may include, but not  
6 be limited to the following:

7 “(A) Sharing data available to the Inspec-  
8 tor General, as appropriate under a data shar-  
9 ing agreement.

10 “(B) Sharing and providing data analytics  
11 services.

12 “(C) Supporting the development of data  
13 analytics tools and capabilities.

14 “(D) Sharing of data analysis best prac-  
15 tices.

16 “(4) ADDITIONAL DUTIES AND RESPONSIBIL-  
17 ITIES.—In addition to the duties described in para-  
18 graphs (1) and (2), the Inspector General shall have  
19 the duties and responsibilities of inspectors general  
20 under section 404 of title 5, United States Code.

21 “(5) DUTIES BEYOND TREASURY.—Notwith-  
22 standing any reference to the establishment in sec-  
23 tion 404 of title 5, the Inspector General for Fraud,  
24 Accountability, and Recovery is not limited in their

1 duties and responsibilities to the Department of the  
2 Treasury.

3 “(d) POWERS AND AUTHORITIES.—

4 “(1) IN GENERAL.—In addition to the duties of  
5 the Inspector General under subsection (c), the In-  
6 spector General shall have the authorities provided  
7 under section 406 of title 5, except that the author-  
8 ity of the Inspector General shall extend beyond the  
9 Department of the Treasury to all covered funds.

10 “(2) TREATMENT OF OFFICE.—The Office shall  
11 be considered to be an office described in section  
12 406(f)(3) of title 5 and shall be exempt from an ini-  
13 tial determination by the Attorney General under  
14 subsection (f)(2) of such section.

15 “(3) TREATMENT OF RECORDS.—In carrying  
16 out the duties and functions under this subsection  
17 with respect to the oversight of covered funds, the  
18 Office shall—

19 “(A) be considered to be conducting civil  
20 or criminal law enforcement activity for the  
21 purposes of section 552a(b)(7) of title 5; and

22 “(B) for the purposes of sections 552 and  
23 552a of title 5, be considered to be a component  
24 which performs as its principal function an ac-  
25 tivity pertaining to the enforcement of criminal

1 laws, and its records may constitute investiga-  
2 tory material compiled for law enforcement pur-  
3 poses.

4 “(e) PERSONNEL, FACILITIES, AND OTHER RE-  
5 SOURCES.—

6 “(1) APPOINTMENT OF OFFICERS AND EMPLOY-  
7 EES.—Notwithstanding section 406(a)(7) of title 5,  
8 the Inspector General may exercise the authorities of  
9 subsections (b) through (i) of section 3161 of title  
10 5 (without regard to subsections (a) or (b)(2) of that  
11 section) as if the Office of the Inspector General  
12 were a temporary organization, as defined in such  
13 section, to appoint such officers and employees as  
14 may be necessary for carrying out the duties of the  
15 Inspector General and to otherwise carry out the  
16 functions of the Office of the Inspector General  
17 under this section, including appointing an Assistant  
18 Inspector General for Investigations.

19 “(2) ADDITIONAL STAFF.—Upon the request of  
20 an Inspector General of an Office established under  
21 chapter 4 of title 5, the Inspector General may de-  
22 tail, on a nonreimbursable basis, any personnel of  
23 the Office to that Inspector General to assist in car-  
24 rying out any audit, review, or investigation per-  
25 taining to the oversight of covered funds.

1           “(3) ANNUITANTS.—

2                   “(A) IN GENERAL.—The Office may em-  
3           ploy an annuitant receiving an annuity from the  
4           Civil Service Retirement and Disability Fund  
5           for purposes of the oversight of covered funds.

6                   “(B) TREATMENT OF ANNUITANTS.—The  
7           employment of annuitants under this paragraph  
8           shall be subject to the provisions of section  
9           9902(g) of title 5, as if the Office were the De-  
10          partment of Defense.

11           “(4) CONTRACTS.—The Inspector General may  
12          enter into contracts and other arrangements for au-  
13          dits, studies, analyses, and other services with public  
14          agencies and with private persons, and make such  
15          payments as may be necessary to carry out the du-  
16          ties of the Office.

17          “(f) REQUESTS FOR INFORMATION.—

18                   “(1) IN GENERAL.—Upon request of the In-  
19          spector General for information or assistance from  
20          any department, agency, or other entity of the Fed-  
21          eral Government, the head of that department, agen-  
22          cy, or entity shall, to the extent practicable and not  
23          in contravention of any existing law, furnish that in-  
24          formation or assistance to the Office, or an author-  
25          ized designee.

1           “(2) REFUSAL TO PROVIDE REQUESTED INFOR-  
2           MATION OR ASSISTANCE.—Whenever information or  
3           assistance requested by the Inspector General is, in  
4           the judgment of the Inspector General, unreasonably  
5           refused or not provided, the Inspector General shall  
6           immediately report the circumstances to the appro-  
7           priate congressional committees.

8           “(g) REPORTS.—

9           “(1) ANNUAL REPORTS.—

10           “(A) IN GENERAL.—Not later than 60  
11           days after the date on which a Inspector Gen-  
12           eral is confirmed, and once every year there-  
13           after until the Inspector General is no longer  
14           serving in such position, the Inspector General  
15           shall submit to the appropriate committees of  
16           Congress a report summarizing the activities of  
17           the Inspector General.

18           “(B) CONTENTS.—Each report submitted  
19           under subparagraph (A)—

20           “(i) shall include—

21           “(I) for the period covered by the  
22           report, a detailed statement the activi-  
23           ties conducted by the Inspector Gen-  
24           eral, including estimates of fraudulent  
25           payments the Office helped prevent

1 and assisted in recovering or pros-  
2 ecuting; and

3 “(II) policy and legislative rec-  
4 ommendations to improve govern-  
5 mentwide fraud and improper pay-  
6 ment prevention and payment and  
7 program integrity improvements; and

8 “(ii) may include a classified annex.

9 “(2) PERIODIC REPORTS.—

10 “(A) MANAGEMENT ALERTS.—The Inspec-  
11 tor General shall submit to the President and  
12 Congress, including the appropriate congres-  
13 sional committees, such periodic reports as may  
14 be necessary to notify the President and the Di-  
15 rector of the Office of Management and Budg-  
16 et, and Congress of any potential program man-  
17 agement, risk, or funding accountability, or  
18 payment integrity problems related to the use  
19 and provision or awarding of covered funds that  
20 require immediate attention by Federal agencies  
21 or Congress.

22 “(B) UPDATE REPORTS.—The Inspector  
23 General shall submit to Congress such other re-  
24 ports or provide such periodic updates on the  
25 work of the Office as the Inspector General

1           considers appropriate on the use of covered  
2           funds including any recommended changes to  
3           the scope of covered funds under subsection  
4           (1)(2).

5           “(3) PUBLIC AVAILABILITY.—The Inspector  
6           General shall publish on the website established  
7           under subsection (k) all reports submitted under this  
8           subsection.

9           “(4) REDACTIONS.—Any portion of a report  
10          submitted under this subsection may be redacted  
11          when made publicly available, if that portion would  
12          disclose information that is not subject to disclosure  
13          under sections 552 and 552a of this title, or is oth-  
14          erwise prohibited from disclosure by law.

15          “(5) RULE OF CONSTRUCTION.—Nothing in  
16          this subsection may be construed to authorize the  
17          public disclosure of information that is—

18                 “(A) specifically prohibited from disclosure  
19                 by any other provision of law;

20                 “(B) specifically required by Executive  
21                 order to be protected from disclosure in the in-  
22                 terest of national defense or national security or  
23                 in the conduct of foreign affairs; or

24                 “(C) a part of an ongoing criminal inves-  
25                 tigation.

1           “(h) FUNDING, TRANSFER OF FUNDS, ASSETS, AND  
2 OBLIGATIONS.—

3           “(1) FUNDING.—Beginning in fiscal year 2035,  
4 and annually thereafter, there is authorized to be  
5 appropriated \$10,000,000 to the Office to carry out  
6 the duties and functions of this section.

7           “(2) TRANSFER AUTHORITY.—The Office may  
8 transfer funds appropriated to the Office for ex-  
9 penses to support administrative support services  
10 and audits, reviews, or other activities related to  
11 oversight of covered funds to any Inspector General  
12 Office and the Department of the Treasury.

13           “(3) TRANSFER OF ASSETS AND OBLIGA-  
14 TIONS.—

15           “(A) IN GENERAL.—Upon the effective  
16 date of this section, the assets and obligations  
17 held by or available in connection with the Pan-  
18 demic Response Accountability Committee es-  
19 tablished under section 15010 of the CARES  
20 Act (Public Law 116–136; 134 Stat. 533) shall  
21 be transferred to the Office.

22           “(B) ASSETS DEFINED.—In this para-  
23 graph, the term ‘assets’ includes contracts,  
24 agreements (including data use agreements and  
25 memoranda of understanding), facilities, prop-

1           erty, data, records, unobligated or unexpended  
2           balances of appropriations, personnel identified  
3           by the Chairperson and Executive Director of  
4           the Pandemic Response Accountability Com-  
5           mittee pursuant to section 317(e)(1) of title 31,  
6           and other funds or resources.

7           “(C) USE OF UNEXPENDED BALANCES OF  
8           APPROPRIATIONS.—Any unobligated and unex-  
9           pended balances of appropriations and funds  
10          transferred pursuant to subparagraph (B) may  
11          be used to support the work of the Inspector  
12          General, regardless of the purpose of the origi-  
13          nal appropriation.

14          “(i) MEMBERSHIP IN COUNCILS AND COMMIT-  
15          TEES.—The Inspector General shall be a member of the  
16          Council of the Inspectors General on Integrity and Effi-  
17          ciency.

18          “(j) CORRECTIVE RESPONSES TO AUDIT PROB-  
19          LEMS.—Agency heads shall—

20                 “(1) take action to address deficiencies identi-  
21                 fied by a report or investigation of the Inspector  
22                 General; or

23                 “(2) with respect to a deficiency identified  
24                 under paragraph (1), certify to the appropriate con-  
25                 gressional committees that they do not concur with

1 the recommendation and no action is necessary, fea-  
2 sible, or appropriate.

3 “(k) WEBSITE.—The Office shall establish and main-  
4 tain a user-friendly, public-facing website—

5 “(1) to foster greater accountability and trans-  
6 parency in the use of covered funds, including future  
7 supplemental relief and recovery funds as may be  
8 added to the definition of covered funds, which shall  
9 have a uniform resource locator that is descriptive  
10 and memorable;

11 “(2) that shall be a centralized, governmentwide  
12 portal or gateway to key information relating to the  
13 oversight of covered funds, as appropriate, and to  
14 the extent practicable provide connections to other  
15 government websites with related anti-fraud, im-  
16 proper payment, and oversight and accountability in-  
17 formation; and

18 “(3) provide information, including findings  
19 from the Office, agency Inspectors General, or State  
20 auditors as to the oversight of covered funds, includ-  
21 ing related audits, inspections, or other reports.

22 “(l) DEFINITIONS.—In this section:

23 “(1) APPROPRIATE CONGRESSIONAL COM-  
24 MITTEE.—The term ‘appropriate congressional com-  
25 mittees’ means the following:

1           “(A) The Committees on Appropriations of  
2 the Senate and the House of Representatives.

3           “(B) The Committee on Homeland Security and Governmental Affairs of the Senate.

4           “(C) The Committee on Oversight and  
5 Government Reform of the House of Represent-  
6 atives.

7           “(D) Any other relevant congressional  
8 committee of jurisdiction.

9           “(2) COVERED FUNDS.—The term ‘covered  
10 funds’ means the following:

11           “(A) Any funds, including loans or tax  
12 credits, that are made available in any form to  
13 any non-Federal entity or individual, under the  
14 following:

15           “(i) Division A or B of the CARES  
16 Act (Public Law 116–136).

17           “(ii) The Coronavirus Preparedness  
18 and Response Supplemental Appropria-  
19 tions Act, 2020 (Public Law 116–123).

20           “(iii) The Families First Coronavirus  
21 Response Act (Public Law 116–127).

22           “(iv) The Paycheck Protection Pro-  
23 gram and Health Care Enhancement Act  
24 (Public Law 116–139).

1 “(v) Division M or N of the Consoli-  
2 dated Appropriations Act, 2021 (Public  
3 Law 116–260).

4 “(vi) The American Rescue Plan Act  
5 of 2021 (Public Law 117–2).

6 “(vii) Any loan guaranteed or made  
7 by the Small Business Administration, in-  
8 cluding any direct loan or guarantee of a  
9 trust certificate, under the Small Business  
10 Act (15 U.S.C. 631 et seq.), the Small  
11 Business Investment Act of 1958 (15  
12 U.S.C. 661 et seq.), or any other provision  
13 of law.

14 “(viii) Unemployment compensation,  
15 as defined in section 85 of the Internal  
16 Revenue Code of 1986.

17 “(ix) The Infrastructure Investment  
18 and Jobs Act (Public Law 117–58).

19 “(x) Public Law 117–169 (commonly  
20 known as the ‘Inflation Reduction Act’).

21 “(xi) The Honoring our PACT Act of  
22 2022 (Public Law 117–168).

23 “(xii) The CHIPS Act of 2022 (divi-  
24 sion A of Public Law 117–167 (commonly

1 known as the ‘CHIPS and Science Act of  
2 2022’).

3 “(xiii) The Act titled ‘An Act to pro-  
4 vide for reconciliation pursuant to title II  
5 of H. Con. Res. 14’ (Public Law 119–21).

6 “(B) A Federal award (as defined under  
7 section 7501) in an amount not less than  
8 \$50,000.

9 “(C) Any intramural payment made gov-  
10 ernmentwide for research activity.

11 “(D) Any emergency spending related to  
12 disaster relief or economic recovery.

13 “(3) FEDERAL AWARDS.—The term ‘Federal  
14 awards’ has the meaning given such term in section  
15 7501.

16 “(4) FEDERAL FINANCIAL ASSISTANCE.—The  
17 term ‘Federal financial assistance’ has the meaning  
18 given such term in section 7501.

19 “(5) INSPECTOR GENERAL.—The term ‘Inspec-  
20 tor General’ means the Inspector General for Fraud,  
21 Accountability, and Recovery.

22 “(6) OFFICE.—The term ‘Office’ means the Of-  
23 fice of the Inspector General for Fraud, Account-  
24 ability, and Recovery.

1           “(7) STATE.—The term ‘State’ means each of  
2           the several States, the District of Columbia, each  
3           commonwealth, territory, or possession of the United  
4           States, and each federally recognized Indian Tribe.

5           “(m) RULE OF CONSTRUCTION.—Nothing in this sec-  
6           tion shall be construed to—

7           “(1) affect the independent authority of an In-  
8           spector General to determine whether to conduct an  
9           audit or investigation of covered funds; or

10           “(2) require any Inspector General to provide  
11           funding to support the activities of the Office.”.

12           (b) OFFICE OF MANAGEMENT AND BUDGET DIREC-  
13           TIVE.—On or before March 1, 2029, the Director of the  
14           Office of Management and Budget, in coordination with  
15           the Secretary of the Treasury and the Inspector General  
16           of Fraud, Accountability, and Recovery, shall issue a di-  
17           rective to the head of each agency in the executive branch  
18           that disburses or awards covered funds (as such term is  
19           defined section 317(n) of title 31, United States Code, as  
20           added by subsection (a)) that requires the agency to iden-  
21           tify and report opportunities to use the information sys-  
22           tem and data analytics products of the Fiscal Service to  
23           detect and prevent waste, fraud, abuse, and improper pay-  
24           ments in expenditure of covered funds to the Director and  
25           Secretary within 60 days after receiving the directive.

1 (c) TRANSITIONAL PROVISION.—

2 (1) IN GENERAL.—Notwithstanding sections  
3 403 and 3345 through 3349 of title 5, United States  
4 Code, and section 317(b)(1) of title 31, United  
5 States Code, (as added by subsection (a)), the indi-  
6 vidual described in paragraph (2) shall temporarily  
7 perform the functions and duties of the Office of the  
8 Inspector General Fraud, Accountability, and Pre-  
9 vention in an acting capacity until such permanent  
10 Inspector General can be appointed under the proc-  
11 ess established by such section 317(b)(1).

12 (2) INDIVIDUAL DESCRIBED.—The individual  
13 described in this paragraph is—

14 (A) the Chairperson of the Pandemic Re-  
15 sponse Accountability Committee established  
16 under section 15010 of the CARES Act (Public  
17 Law 116–136; 134 Stat. 533) (hereafter  
18 “PRAC”) as of the date this section takes ef-  
19 fect; or

20 (B) if the position described in subpara-  
21 graph (A) is vacant as of the date on which this  
22 section takes effect, the Executive Director of  
23 the PRAC.

24 (d) TRANSFER OF EMPLOYEES.—Each employee of  
25 the PRAC who is to be transferred to the Office of the

1 Inspector General of Fraud, Accountability, and Recovery  
2 under section 317(h)(3) of title 31, United States Code,  
3 as added by subsection (a), shall be appointed to positions  
4 in such Office under terms and conditions of employment  
5 that are substantively the same as the terms and condi-  
6 tions of employment applicable to such employee as an em-  
7 ployee of PRAC as of the day immediately preceding the  
8 date on which this section takes effect.

9 (e) TABLE OF SECTIONS.—The table of sections for  
10 subchapter I of chapter 3 of title 31, United States Code,  
11 is amended by adding at the end the following:

“317. Inspector General for Fraud, Accountability, and Recovery within the De-  
partment of the Treasury.”.

12 (f) EFFECTIVE DATE.—This section, and the amend-  
13 ments made by this section, shall take effect on December  
14 31, 2028.

15 **SEC. 4. DATA SHARING FOR FRAUD PREVENTION AND PRO-**  
16 **GRAM INTEGRITY.**

17 (a) AUTHORITY TO NEGOTIATE DATA SHARING  
18 AGREEMENTS; REQUIREMENT TO PROVIDE FUTURE LEG-  
19 ISLATIVE RECOMMENDATIONS TO CONGRESS.—Section  
20 321(a) of title 31, United States Code, is amended—

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

23 (2) in paragraph (9), by striking the period at  
24 the end and inserting a semicolon; and

1 (3) by inserting at the end the following:

2 “(10) enter into memoranda of understanding  
3 with the heads of other Federal agencies, including  
4 Offices of Inspector General and Federal law en-  
5 forcement agencies, and private entities as may be  
6 appropriate and allowable under existing law to se-  
7 cure access to such data assets and information re-  
8 sources as may be appropriate for the Fiscal Service  
9 to use to—

10 “(A) prevent fraud and improper payments  
11 in Federal programs and spending;

12 “(B) support the activities and functions  
13 of the Do Not Pay Initiative;

14 “(C) beginning on December 31, 2028,  
15 support the activities and functions of the—

16 “(i) the Fiscal Service; and

17 “(ii) the Office of the Inspector Gen-  
18 eral for Fraud, Accountability, and Recov-  
19 ery established under section 317, in co-  
20 ordination with such Office;

21 “(D) provide such data to relevant Federal  
22 agencies for the identification, prevention, and  
23 reduction of waste, fraud, and abuse relating to  
24 Federal spending and use in the conduct of

1 criminal and other investigations, as appro-  
2 priate; and

3 “(E) in a manner that ensures any related  
4 data sharing agreements provide long term, re-  
5 liable access to such data assets and informa-  
6 tion resources, provide the best value to the tax-  
7 payer by avoiding duplicative data sharing  
8 agreements, include appropriate privacy protec-  
9 tions, and require, as appropriate, reimburse-  
10 ment to the Treasury for the reasonable cost of  
11 carrying out the agreement.

12 “(11) with respect to any supplemental emer-  
13 gency disaster, pandemic, economic relief, or other  
14 such supplemental appropriations legislative meas-  
15 ures totaling more than \$100,000,000,000 in total  
16 funding being considered by Congress or any legisla-  
17 tive measure establishing a new program with more  
18 than \$100,000,000 in anticipated additional spend-  
19 ing in a single fiscal year following the enactment of  
20 such legislative measure being considered by Con-  
21 gress, provide, in coordination with the Director of  
22 the Office of Management and Budget and the Of-  
23 fice of the Inspector General for Fraud, Account-  
24 ability, and Recovery, to the leadership of the House  
25 of Representatives and Senate, the Committees on

1 Appropriations of the House of Representatives and  
2 Senate, the Committee on Homeland Security and  
3 Governmental Affairs of the Senate, and the Com-  
4 mittee on Oversight and Government Reform of the  
5 House of Representatives any legislative rec-  
6 ommendations on such measures to ensure that—

7 “(A) existing fraud prevention and over-  
8 sight functions and entities of the Federal Gov-  
9 ernment or are not supplanted or duplicated  
10 under such legislative measure, but are instead  
11 required to be used or expanded under such leg-  
12 islative measure;

13 “(B) any additional resources or authori-  
14 ties for such existing functions and entities are  
15 adequately provided for in such legislative  
16 measures in order to provide adequate fraud  
17 prevention and oversight of funds appropriated  
18 for and expended under such program; and

19 “(C) fraud prevention, payment integrity,  
20 and spending transparency best practices are  
21 implemented in such legislation to ensure  
22 that—

23 “(i) reporting obligations for Federal  
24 fund recipients are harmonized govern-  
25 mentwide and conditioned through legally

1 enforceable mechanisms prior to award;  
2 and

3 “(ii) any sub-recipients and sub-  
4 awardees of Federal fund recipients are  
5 also included in reporting obligations for  
6 such recipients for the purposes of ensur-  
7 ing proper recipient reporting and trans-  
8 parency on the use of funds.”.

9 (b) COORDINATION AND DUTIES OF THE OFFICE OF  
10 MANAGEMENT AND BUDGE.—Not later than 270 days  
11 after the date of the enactment of this Act, the Director  
12 of the Office of Management and Budget, in coordination  
13 with the Secretary of the Treasury, shall—

14 (1) update or revise as necessary any regula-  
15 tions, memorandum, circulars, or guidance docu-  
16 ments to ensure the full and timely implementation  
17 of this section; and

18 (2) issue any necessary governmentwide guid-  
19 ance to Federal agencies to ensure the full and time-  
20 ly implementation of this section.

21 **SEC. 5. TERMINATION AND TRANSFER OF ASSETS OF PAN-**  
22 **DEMIC RESPONSE ACCOUNTABILITY COM-**  
23 **MITTEE.**

24 (a) TERMINATION.—Section 15010(k) of the CARES  
25 Act (Public Law 116–136; 15 U.S.C. 9053) is amended

1 by striking “September 30, 2034” and inserting “Decem-  
2 ber 31, 2028”.

3 (b) TRANSFER OF ASSETS.—On December 31, 2028,  
4 all the assets and obligations held by or available in con-  
5 nection with the Pandemic Response Accountability Com-  
6 mittee shall be transferred to the Office of the Inspector  
7 General for Fraud, Accountability, and Recovery estab-  
8 lished under section 317 of title 31, United States Code,  
9 as added by this Act.

10 (c) TECHNICAL AMENDMENT.—On December 31,  
11 2028, section 15010 of the CARES Act (Public Law 116–  
12 136; 15 U.S.C. 9053) is repealed.

13 (d) DEFINITION OF ASSETS.—In this section, the  
14 term “assets” includes contracts, agreements (including  
15 data use agreements and memoranda of understanding),  
16 facilities, property, data, records, unobligated or unex-  
17 pended balances of appropriations, personnel identified by  
18 the Chairperson and Executive Director of the Pandemic  
19 Response Accountability Committee pursuant to section  
20 317(e)(1) of title 31, United States Code, as added by this  
21 Act, and other funds or resources.