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(Original Signature of Member)

119TH CONGRESS
2D SESSION

H. R. _____

To enhance information-sharing capabilities between Federal law enforcement and State agencies to detect, investigate, and prosecute fraud in certain Federal programs, and to protect individual privacy.

IN THE HOUSE OF REPRESENTATIVES

M____. _____ introduced the following bill; which was referred to the
Committee on _____

A BILL

To enhance information-sharing capabilities between Federal law enforcement and State agencies to detect, investigate, and prosecute fraud in certain Federal programs, and to protect individual privacy.

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 “Preventing Rip-offs
5 and Obtaining Oversight of Funds Act” or the “PROOF
6 Act”.

1 **SEC. 2. AUTHORIZATION FOR INFORMATION SHARING AND**
2 **ACCESS.**

3 (a) IN GENERAL.—The head of a State administering
4 a program described in subsection (b) shall, upon receipt
5 of a written request from the Attorney General, provide
6 such information as the Attorney General may require for
7 purposes of investigating or prosecuting alleged fraud
8 committed with regard to such program.

9 (b) PROGRAMS DESCRIBED.—The programs de-
10 scribed in this subsection are the following:

11 (1) A State plan under title XIX of the Social
12 Security Act (42 U.S.C. 1396 et seq.) (or waiver of
13 such plan).

14 (2) The supplemental nutrition assistance pro-
15 gram established under the Food and Nutrition Act
16 of 2008 (7 U.S.C. 2011 et seq.).

17 (3) The Temporary Assistance for Needy Fami-
18 lies program established under part A of title IV of
19 the Social Security Act (42 U.S.C. 601 et seq.).

20 (4) State unemployment compensation pro-
21 grams receiving funding under title III of the Social
22 Security Act (42 U.S.C. 501 et seq.).

23 (5) The Coronavirus Relief Fund established
24 under section 601 of the Social Security Act (42
25 U.S.C. 801).

1 (6) The Coronavirus State and Local Fiscal Re-
2 covery Funds established under sections 602 and
3 603 of the Social Security Act (42 U.S.C. 802, 803).

4 (7) The Emergency Rental Assistance programs
5 established under section 501 of subtitle A of title
6 V of division N of the Consolidated Appropriations
7 Act, 2021 (15 U.S.C. 9058a) and section 3201 of
8 the American Rescue Plan Act of 2021 (15 U.S.C.
9 9058c).

10 (8) Elementary and secondary school emergency
11 relief grants under—

12 (A) section 18003 of the CARES Act
13 (Public Law 116–136; 20 U.S.C. 3401 note);

14 (B) section 313 of the Coronavirus Re-
15 sponse and Relief Supplemental Appropriations
16 Act, 2021 (Public Law 116–260; 20 U.S.C.
17 3401 note); and

18 (C) section 2001 of the American Rescue
19 Plan Act of 2021 (Public Law 117–2; 20
20 U.S.C. 3401 note).

21 (9) The Broadband Equity, Access, and Deploy-
22 ment Program established under section
23 60102(b)(1) of the Infrastructure Investment and
24 Jobs Act (47 U.S.C. 1702(b)(1)).

1 (10) The Community Development Block Grant
2 program administered by the Department of Hous-
3 ing and Urban Development under title I of the
4 Housing and Community Development Act of 1974
5 (42 U.S.C. 5301 et seq.).

6 (11) Public Assistance and Hazard Mitigation
7 grant programs administered by the Federal Emer-
8 gency Management Agency under the Robert T.
9 Stafford Disaster Relief and Emergency Assistance
10 Act (42 U.S.C. 5121 et seq.).

11 (12) The State Small Business Credit Initiative
12 program established under the Small Business Jobs
13 Act of 2010 (12 U.S.C. 5701 et seq.).

14 (13) Any other program pursuant to which
15 funds are made available to States identified by the
16 Attorney General as vulnerable to fraud.

17 (c) SCOPE OF INFORMATION.—The requirement
18 under subsection (a) applies to the following:

19 (1) Identity verification records.

20 (2) Benefit disbursement logs.

21 (3) Provider billing statements.

22 (4) Demographic information directly related to
23 an active fraud investigation.

1 (5) Any other information, as determined ap-
2 propriate by the Attorney General for purposes of
3 the investigation or prosecution of alleged fraud.

4 **SEC. 3. INFORMATION PROTECTION AND PRIVACY SAFE-**
5 **GUARDS.**

6 (a) COMPLIANCE WITH PRIVACY LAWS.—The Attor-
7 ney General shall handle all information obtained under
8 section 2 in accordance with section 552a of title 5, United
9 States Code (commonly known as the “Privacy Act of
10 1974”), and, where applicable, the regulations promul-
11 gated under section 264(c) of the Health Insurance Port-
12 ability and Accountability Act of 1996 (42 U.S.C. 1320d–
13 2 note).

14 (b) SECURITY PROTOCOL.—The Attorney General
15 shall establish information security protocols to ensure
16 that information transferred from a State agency—

17 (1) is encrypted using industry-standard proto-
18 cols;

19 (2) may only be accessed by authorized per-
20 sonnel; and

21 (3) is destroyed and permanently removed from
22 any database upon the conclusion of the relevant
23 legal proceedings or investigation.

24 (c) LIMITATION ON USE.—A Federal agency may
25 only use information obtained under this Act for law en-

1 forcement purposes related to fraud, and may not disclose
2 such information for any unrelated administrative or com-
3 mercial purpose.

4 **SEC. 4. REPORTING REQUIREMENTS.**

5 Not later than 1 year after the date of enactment
6 of this Act, and annually thereafter, the Attorney General
7 shall submit a report to the Committee on the Judiciary
8 of the Senate and the Committee on the Judiciary of the
9 House of Representatives detailing—

10 (1) the number of requests issued to State
11 agencies pursuant to this Act;

12 (2) the programs with respect to which such re-
13 quests were made; and

14 (3) the number of fraud investigations initiated
15 and convictions secured using the information ob-
16 tained.

17 **SEC. 5. EFFECTIVE DATE.**

18 This Act shall take effect on the date that is 60 days
19 after the date of the enactment of this Act.

20 **SEC. 6. SEVERABILITY.**

21 If any provision of this Act, or the application of such
22 provision to any person or circumstance, is held to be un-
23 constitutional, the remainder of this Act, and the applica-
24 tion of the provisions of such to any person or cir-
25 cumstance, shall not be affected thereby.

1 **SEC. 7. DEFINITION.**

2 In this Act, the term “State” means each of the sev-
3 eral States, the District of Columbia, the Commonwealth
4 of Puerto Rico, and any other territory or possession of
5 the United States.