

118TH CONGRESS
2D SESSION

H. R. 8343

To amend title 31, United States Code, to include information on improper payments under Federal programs, to change the treatment of certain Federal programs with respect to susceptibility to significant improper payments, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 10, 2024

Mr. MOORE of Utah (for himself and Ms. SPANBERGER) introduced the following bill; which was referred to the Committee on Oversight and Accountability, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title 31, United States Code, to include information on improper payments under Federal programs, to change the treatment of certain Federal programs with respect to susceptibility to significant 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.**

4 This Act may be cited as the “Enhancing Improper
5 Payment Accountability Act”.

1 **SEC. 2. INCLUDING IMPROPER PAYMENT INFORMATION IN**
2 **PRESIDENTS BUDGET SUBMISSION.**

3 Section 1105(a) of title 31, United States Code, is
4 amended by adding at the end the following:

5 “(40) information on Federal programs and ac-
6 tivities with respect to which reports on improper
7 payments (as such term is defined in section 3351)
8 are required to be submitted or published under sub-
9 chapter IV of chapter 33 but have not been so sub-
10 mitted, and a detailed explanation on why such re-
11 ports were not so submitted and any barriers the
12 agency faces in preparing and filing such reports.”.

13 **SEC. 3. IDENTIFICATION OF NEW PROGRAMS AND ACTIVI-**
14 **TIES SUSCEPTIBLE TO SIGNIFICANT IM-**
15 **PROPER PAYMENTS.**

16 Section 3352 of title 31, United States Code, is
17 amended—

18 (1) in subsection (a)—

19 (A) in paragraph (3)(C)(i), by striking
20 “paragraph (1)” and inserting in its place
21 “paragraphs (1) and (4)”; and

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

23 “(4) NEW PROGRAMS AND ACTIVITIES.—In ad-
24 dition to those programs and activities identified
25 under paragraph (a)(1)(B), the head of each execu-
26 tive agency shall annually identify as susceptible to

1 significant improper payments, notwithstanding
2 paragraphs (a)(3)(A) and (a)(3)(B), any program or
3 activity that—

4 “(A) has or is expected to have outlays ex-
5 ceeding \$100,000,000 in any one of its first
6 three fiscal years of operation; and

7 “(B) is in its first four years of oper-
8 ation.”; and

9 (2) in subsection (c)(1), by striking “subsection
10 (a)(1)” and inserting in its place “subsection (a)(1)
11 or (a)(4)”.

12 **SEC. 4. ANTI-FRAUD REPORT REQUIREMENT.**

13 Section 3357 of title 31, United States Code, is
14 amended by striking subsection (d) and inserting the fol-
15 lowing:

16 “(d) REPORTS.—

17 “(1) IN GENERAL.—For each fiscal year begin-
18 ning in the first fiscal year after the date of the en-
19 actment of the Enhancing Improper Payment Ac-
20 countability Act, each agency shall submit to Con-
21 gress, in the report containing the annual financial
22 statement of the agency, a report on the progress of
23 the agency in—

24 “(A) implementing—

1 “(i) the financial and administrative
2 controls required to be established under
3 subsection (c);

4 “(ii) the fraud risk principles in the
5 Standards for Internal Control in the Fed-
6 eral Government; and

7 “(iii) Office of Management and
8 Budget Circular A–123 with respect to the
9 leading practices for managing fraud risk;

10 “(B) identifying fraud risks and
11 vulnerabilities, including with respect to payroll,
12 beneficiary payments, grants, large contracts,
13 and purchase and travel cards; and

14 “(C) establishing strategies, procedures,
15 and other steps to curb fraud.

16 “(2) ADDITIONAL REQUIREMENTS.—Any report
17 under paragraph (1) shall include, as defined by the
18 leading practices identified in the report published
19 by the Government Accountability Office on July 28,
20 2015, titled ‘Framework for Managing Fraud Risks
21 in Federal Programs’—

22 “(A) identification of—

23 “(i) any dedicated entity that leads
24 the agency’s fraud risk management activi-
25 ties and its roles;

1 “(ii) responsibilities of such entity, in-
2 cluding any program or operation for
3 which that entity is responsible;

4 “(iii) capacity, including any limita-
5 tions, to strategically manage fraud risks;
6 and

7 “(iv) any program or operation for
8 which there is not a dedicated entity that
9 leads fraud risk management activities,
10 along with a detailed justification for not
11 having a dedicated entity;

12 “(B) status of the agency’s fraud risk pro-
13 files, including the date of the last update and
14 date of planned update, for all programs and
15 operations, and if there is not a fraud risk pro-
16 file for a program or operation, a detailed jus-
17 tification for why such program or operation
18 does not have such a profile; and

19 “(C) status of the agency’s antifraud strat-
20 egies, including the date of last update and date
21 of planned update, for all programs and oper-
22 ations, and if there is not an antifraud strategy
23 for a program or operation, a detailed justifica-

- 1 tion for why such program or operation does
- 2 not have such a strategy.”.

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