

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 6916
OFFERED BY MR. COMER OF KENTUCKY**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Federal Program In-
3 tegrity and Fraud Prevention Act of 2026”.

**4 SEC. 2. PROHIBITING FEDERAL FUNDS FROM BEING PRO-
5 VIDED TO INDIVIDUALS CONVICTED OF CER-
6 TAIN FEDERAL FELONIES.**

7 (a) PROHIBITION.—Subchapter II of chapter 33 of
8 title 31, United States Code, is amended by adding at the
9 end the following:

**10 “§ 3337. Prohibiting Federal Funds from being pro-
11 vided to individuals convicted of certain
12 Federal felonies.**

13 “(a) PROHIBITION.—

14 “(1) IN GENERAL.—The head of an agency may
15 not award Federal contract or grant, or provide
16 Federal financial assistance, to an individual con-
17 victed of a covered felony arising out of any Federal
18 contract, grant, cooperative agreement, loan, or

1 other financial assistance during the three year pe-
2 riod following the date of the conviction.

3 “(2) APPLICATION.—The prohibition under
4 paragraph (1) shall apply to any individual convicted
5 after the date of the enactment of this section.

6 “(b) WAIVER.—

7 “(1) AUTHORITY.—The head of an agency may
8 waive the prohibition under subsection (a) with re-
9 spect to an individual if the head of the agency de-
10 termines such waiver is justifiable.

11 “(2) WRITTEN CONGRESSIONAL NOTIFICATION
12 OF WAIVER.—Immediately after making the deter-
13 mination to waive the prohibition under subsection
14 (a) with respect to an individual, the head of an
15 agency shall provide to Congress a written notifica-
16 tion of such waiver, that includes the justification
17 for the waiver.

18 “(c) NOTICE REQUIREMENTS.—For each individual
19 convicted of a covered felony—

20 “(1) the Attorney General shall notify the Ad-
21 ministrator of General Services in a timely manner
22 of such conviction; and

23 “(2) the Administrator shall promptly update
24 the System for Award Management Exclusions list
25 described in part 9 of title 48, Code of Federal Reg-

1 ulations, and part 180 of title 2 of such Code, or
2 any successor regulation, to include such individual.

3 “(d) GUIDANCE.—Not later than 1 year after the
4 date of the enactment of this Act, the Director of the Of-
5 fice of Management and Budget shall issue guidance for
6 the implementation of, and compliance with, the require-
7 ments of this section.

8 “(e) FEDERAL ACQUISITION REGULATION.—The
9 Federal Acquisition Regulation shall be revised as nec-
10 essary to implement the provisions of this section.

11 “(f) RULES OF CONSTRUCTION.—

12 “(1) FEDERAL INTERESTS.—Nothing in this
13 section may be construed to prohibit an agency from
14 seeking or taking any other available criminal, civil,
15 or administrative action to protect Federal Govern-
16 ment interests, including the proposal or implemen-
17 tation of suspension or debarment actions pursuant
18 to subpart 9.4 of title 48, Code of Federal Regula-
19 tions, and part 180 of title 2 of such Code.

20 “(2) EXCLUSION.—Nothing in subsection (b)
21 may be construed to affect any other statutory or
22 regulatory waiver authority related to an exclusion.

23 “(g) DEFINITIONS.—In this section:

24 “(1) AGENCY.—The term ‘agency’ means—

1 “(A) an Executive department (as defined
2 under section 101 of title 5);

3 “(B) a military department (as defined
4 under section 102 of title 5);

5 “(C) a Government corporation (as defined
6 under section 103 of title 5); and

7 “(D) an independent establishment (as de-
8 fined under section 104(1) of title 5).

9 “(2) CONVICTED.—The term ‘convicted’ means
10 any of the following:

11 “(A) A judgment of conviction has been
12 entered against the individual by a Federal
13 court, except for any individual whose convic-
14 tion has been reversed or vacated.

15 “(B) A plea of guilty or nolo contendere by
16 the individual has been accepted by a Federal
17 court, except for any case in which the convic-
18 tion entered as result of such plea has been re-
19 versed or vacated.

20 “(C) The individual has entered into a
21 first offender, deferred adjudication, deferred
22 prosecution, or other arrangement or program
23 in which the individual admitted guilt or re-
24 sponsibility to the underlying offense.

1 “(3) COVERED FELONY.—The term ‘covered
2 felony’ means a felony described under section 286,
3 287, 371, 641, 666, 1001, 1014, 1017, 1028,
4 1028A, 1030, 1031, 1040(a)(2), 1341, 1343, 1344,
5 1345, 1349, 1956, or 1957 of title 18 or section 16
6 of the Small Business Act (15 U.S.C. 645).”.

7 (b) TABLE OF CONTENTS.—The table of contents for
8 subchapter II of chapter 33 of title 31, United States
9 Code, is amended by adding at the end the following:

“3337. Prohibiting Federal funds from being provided to individuals convicted
of certain Federal felonies.”.

