

April 28, 2026

The Honorable James Comer  
The Honorable Robert Garcia  
Committee on Oversight and Government Reform  
Rayburn House Office Building  
45 Independence Ave. SW  
Washington, DC 20515

Dear Chair Comer and Ranking Member Garcia:

We write to you regarding the markup of three bills: the Fraud Prevention and Accountability Act (H.R. 8312), the Pre-Payment Fraud Prevention and Treasury Data Access Act (H.R. 8463), and the Stopping Fraudulent Payments Act (H.R. 8464). These bills present a grave and unwarranted threat to the privacy and liberty of every American, and we urge the Committee not to advance them.

EPIC is a nonpartisan research center established in 1994 to focus public attention on emerging privacy and civil liberties issues.<sup>1</sup> EPIC has long advocated for transparency, fairness, and commonsense safeguards in the administration of government databases of personal information, including systems used in public benefits determinations.<sup>2</sup> EPIC believes it is both possible and essential to ensure the protection of personal data held by government agencies while preserving the integrity and efficacy of the programs that data supports. Americans shouldn't have to trade their privacy at the door to obtain food, healthcare, and other vital forms of public assistance.

Unfortunately, H.R. 8312, 8463, and 8464 threaten to undermine the careful balance that Congress has struck between privacy protection and program integrity and hasten the construction of the dystopian "national data bank" that Congress has long fought to prevent.<sup>3</sup> Through these bills, the Do Not Pay system managed by the Department of the Treasury would

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<sup>1</sup> See EPIC, *About EPIC*, <https://epic.org/epic/about.html>.

<sup>2</sup> See Thomas McBrien et al., *Screened & Scored in the District of Columbia*, EPIC (Nov. 2022), <https://epic.org/wp-content/uploads/2022/11/EPIC-Screened-in-DC-Report.pdf>. See also Grant Fergusson, *Public Benefits, Private Vendors: How Private Companies Help Run Our Welfare Programs*, EPIC (Jan. 26, 2023), <https://epic.org/public-benefits-private-vendors-how-private-companies-help-run-our-welfare-programs/>.

<sup>3</sup> Pub. L. No. 100-503, § 9, 102 Stat. 2507, 2514 (1988), *codified at* 5 U.S.C. § 552a note.

accumulate far, far more information than is necessary to administer and audit federally funded benefits programs. These bills would remove existing guardrails (and decline to create new ones) on what information Treasury may collect, how it may use that information, and under what conditions it may disclose it. The bills would further obscure Treasury’s actions from oversight and accountability by waiving crucial protections under the Privacy Act, enabling database fishing expeditions to surveil payees without suspicion of wrongdoing, and undercutting the ability of states to protect their residents.

The bills would do all of this for the stated purpose of addressing fraud in federal programs, yet such claims are utterly unsupported by evidence that existing audit and oversight authorities are inadequate to the task or that dragnet aggregation of personal data across government agencies would improve program integrity and efficiency. The consolidation of personal information at a national scale creates grave privacy and security risks and confers tremendous power on those who control it—power that can easily be weaponized by this administration or the next. Eliminating fraud and abuse are valid government objectives, but they are not *carte blanche* to gut Americans’ privacy or to establish Big Brother surveillance systems that trawl through our personal data without foundation or suspicion.

Moreover, these bills bear the hallmarks of another failed and destructive effort nominally directed at eliminating fraud and abuse. Beginning in January 2025, the “Department of Government Efficiency” (DOGE) embedded itself in agencies across the federal government and systematically disregarded or dismantled Congressionally established safeguards on Americans’ personal data.<sup>4</sup> Claiming to pursue (largely unsubstantiated) allegations of waste, fraud, and abuse, the DOGE unlawfully accessed sensitive government databases and extracted staggering volumes of Americans’ personal information. At Treasury, DOGE employees gained broad access to payment systems but failed to implement and follow information security rules. As a result, Treasury systems are still at great risk of improper access, modification, disclosure, and misuse.<sup>5</sup> Yet for all of this disruption, federal spending increased—not decreased—on DOGE’s watch, and its grand claims of identifying and eliminating fraud and abuse proved broadly false.<sup>6</sup> Congress has already done much of the work to balance program integrity and privacy protection through laws like the Privacy Act, the E-Government Act of 2002, and section 6103 of the Internal Revenue Code. The failures of DOGE show the danger and imprudence of undoing that work today.

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<sup>4</sup> See *EPIC’s Fight Against the Administration’s Privacy Abuses*, EPIC.org, <https://epic.org/issues/democracy-free-speech/fighting-federal-data-abuses/>.

<sup>5</sup> See Marisol Cruz Cain et al., *Department of Government Efficiency, Treasury Needs to Fully Implement Data Protection Controls*, GAO (Apr. 2026), <https://files.gao.gov/reports/GAO-26-108131/index.html>.

<sup>6</sup> Emily Badger et al., *How Did DOGE Disrupt So Much While Saving So Little?*, N.Y. Times (Dec. 23, 2025), <https://www.nytimes.com/2025/12/23/us/politics/doge-musk-trump-analysis.html>.

***The Committee should table these bills in light of the threat they pose to Americans' privacy and the lack of guardrails to prevent government misuse and abuse of personal data.***

We appreciate your consideration of EPIC's views, and we would welcome the opportunity to provide additional information to the Committee. We ask that this letter be entered into the record. EPIC looks forward to working with the Committee on these issues of vital importance to the American public.

Sincerely,

/s/ John Davisson

John Davisson  
EPIC Deputy Director  
Director of Enforcement

/s/ Abigail Kunkler

Abigail Kunkler  
EPIC Law Fellow