

118TH CONGRESS
2D SESSION

H. R. 9992

To amend title 41, United States Code, to identify individuals who commit certain Federal felonies implicating Federal programs as an excluded source on the System for Award Management Exclusions list, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 15, 2024

Mr. SELF introduced the following bill; which was referred to the Committee on Oversight and Accountability

A BILL

To amend title 41, United States Code, to identify individuals who commit certain Federal felonies implicating Federal programs as an excluded source on the System for Award Management Exclusions list, 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 “Federal Program In-
5 tegrity and Fraud Prevention Act of 2024”.

1 **SEC. 2. EXCLUSION OF FELONY FRAUD CONVICTS TO PRO-**
2 **TECT FEDERAL FUNDS.**

3 (a) PROCUREMENT INTEGRITY.—Chapter 47 of title
4 41, United States Code, is amended by adding at the end
5 the following new section:

6 **“§4715. Protecting Federal funds from individuals**
7 **convicted of certain Federal felonies**

8 “(a) PROHIBITION.—

9 “(1) IN GENERAL.—Except as provided in sub-
10 section (b), an individual who is convicted of a cov-
11 ered felony arising out of any agency contract,
12 grant, cooperative agreement, loan, or other finan-
13 cial assistance shall be identified as an excluded
14 source on the System for Award Management Exclu-
15 sions list described in part 9 of title 48, Code of
16 Federal Regulations, and part 180 of title 2 of such
17 Code, or successor regulations.

18 “(2) NOTIFICATION OF CONVICTION.—For each
19 individual convicted of a covered felony, the Attorney
20 General shall notify the Administrator of General
21 Services in a timely manner of such conviction and
22 the Administrator shall promptly enter the 3-year
23 prohibition for such person into the System for
24 Award Management, or any successor system.

25 “(b) WAIVER.—Notwithstanding subsection (a), the
26 agency head may exempt an individual described in sub-

1 section (a)(1) from the prohibition under such subsection
2 for a case in which the agency head determines in writing
3 that the exemption is warranted. The agency head shall
4 transmit a copy of each such written exemption to Con-
5 gress immediately after making such determination.

6 “(c) DEFINITIONS.—In this section:

7 “(1) AGENCY.—The term ‘agency’ means an
8 Executive department (as defined under section 101
9 of title 5), a military department (as defined under
10 section 102 of title 5), a Government corporation (as
11 defined under section 103 of title 5), and an inde-
12 pendent establishment (as defined under section
13 104(1) of title 5).

14 “(2) CONVICTED.—The term ‘convicted’
15 means—

16 “(A) a judgment of conviction has been en-
17 tered against the individual by a Federal court,
18 regardless of whether there is an appeal pend-
19 ing;

20 “(B) there has been a finding of guilt
21 against the individual by a Federal court;

22 “(C) a plea of guilty or nolo contendere by
23 the individual has been accepted by a Federal
24 court; or

1 “(D) the individual has entered into a first
2 offender, deferred adjudication, deferred pros-
3 ecution, or other arrangement or program in
4 which judgment or conviction has been with-
5 held.

6 “(3) COVERED FELONY.—The term ‘covered
7 felony’ means a felony described under section 286,
8 287, 371, 641, 666, 1001, 1014, 1017, 1028,
9 1028A, 1030, 1031, 1040(a)(2), 1341, 1343, 1344,
10 1345, 1349, 1956, and 1957 of title 18 and section
11 16 of the Small Business Act (15 U.S.C. 645).

12 “(d) RULES OF CONSTRUCTION.—

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

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

1 (b) CLERICAL AMENDMENT.—The table of sections
2 for chapter 47 of title 41, United States Code, is amended
3 by adding at the end the following:

“4715. Protecting Federal funds from individuals convicted of certain Federal
felonies.”.

4 **SEC. 3. GUIDANCE.**

5 Not later than 1 year after the date of the enactment
6 of this Act, the Attorney General, in consultation with the
7 Administrator of General Services, shall issue guidance for
8 the implementation of, and compliance with, the require-
9 ments of section 4715 of title 41, United States Code, as
10 added by section 2.

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