

S 890

Fighting Fraud to Protect Taxpayers Act of 2011

Congress: 112 (2011–2013, Ended)

Chamber: Senate

Policy Area: Law

Introduced: May 5, 2011

Current Status: By Senator Leahy from Committee on the Judiciary filed written report. Report No. 112-142.

Latest Action: By Senator Leahy from Committee on the Judiciary filed written report. Report No. 112-142. (Jan 30, 2012)

Official Text: <https://www.congress.gov/bill/112th-congress/senate-bill/890>

Sponsor

Name: Sen. Leahy, Patrick J. [D-VT]

Party: Democratic • **State:** VT • **Chamber:** Senate

Cosponsors (3 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Grassley, Chuck [R-IA]	R · IA		May 5, 2011
Sen. Coons, Christopher A. [D-DE]	D · DE		May 12, 2011
Sen. Klobuchar, Amy [D-MN]	D · MN		May 12, 2011

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Hearings By (subcommittee)	Jun 30, 2011

Subjects & Policy Tags

Policy Area:

Law

Related Bills

No related bills are listed.

(This measure has not been amended since it was introduced. The summary has been expanded because action occurred on the measure.)

Fighting Fraud to Protect Taxpayers Act of 2011 - (Sec. 2) Amends the 21st Century Department of Justice Appropriations Authorization Act to establish, as a separate account in the Department of Justice (DOJ) Working Capital Fund, a supplemental fraud fighting account. Authorizes the Attorney General to: (1) credit, as an offsetting collection to that account, up to .5% of all amounts collected pursuant to DOJ civil debt collection litigation activities; and (2) use amounts in that account for the cost of the investigation and conduct of criminal, civil, or administrative proceedings relating to fraud offenses.

Rescinds all unobligated balances in the debt collection management account and the supplemental fraud fighting account (covered amounts) in excess of \$175 million at the end of FY2012 and the end of each fiscal year thereafter. Directs the Secretary of the Treasury to rescind sums from the debt collection management account and the supplemental fraud fighting account in a ratio of six dollars to one dollar, respectively.

Directs the Attorney General to submit an annual report that identifies, for the most recent fiscal year before the date of the report: (1) the amount credited to the debt collection management account and the amount credited to the supplemental fraud fighting account from civil debt collection litigation, (2) the amount expended from the debt collection management account for civil debt collection, (3) the amounts expended from the supplemental fraud fighting account and the justification for the expenditure of such amounts, and (4) the unobligated balance in the debt collection management account and the unobligated balance in the supplemental fraud fighting account at the end of the fiscal year.

(Sec. 3) Amends the False Claims Act to provide that the cost of prosecutions under such Act shall be credited to the appropriations accounts of the executive agency from which the funds used for the costs were paid.

(Sec. 4) Amends the federal criminal code to: (1) permit the Attorney General, the Deputy Attorney General, or an Assistant Attorney General (currently, only a U.S. attorney) to bring an interlocutory appeal from a district court decision or order suppressing or excluding evidence or requiring the return of seized property in a criminal proceeding; (2) extend the international money laundering statute to tax evasion and tax fraud crimes; (3) expand the prohibition against trafficking in a password through which a protected computer may be accessed without authorization; (4) permit the prosecution of federal mail fraud offenses in any district in which an act in furtherance of the offense is committed; and (5) make the prohibition against fraud and related activity in connection with identification documents (identity theft) applicable to organizations (e.g., corporations).

(Sec. 8) Expands the authority of the United States Secret Service to conduct undercover investigative operations. Authorizes the Secret Service to: (1) purchase facilities and lease space within the United States and acquire on a commercial basis proprietary corporations and business entities as part of undercover investigative operations, (2) make deposits of appropriated amounts and proceeds from undercover investigative operations in financial institutions, and (3) use the proceeds from undercover operations to offset necessary and reasonable expenses. Requires the Director of the Secret Service to conduct financial audits of closed undercover investigation operations and report on such audits.

(Sec. 9) Directs the Attorney General to report to the Judiciary Committees of Congress annually on settlements or compromises of claims or actions entered into with DOJ that relate to alleged violations involving major fraud against the United States or false claims and that result from a claim for damages of more than \$100,000.

Actions Timeline

- **Jan 30, 2012:** By Senator Leahy from Committee on the Judiciary filed written report. Report No. 112-142.
- **Jun 30, 2011:** Committee on the Judiciary Subcommittee on Administrative Oversight and the Courts. Hearings held. With printed Hearing: S.Hrg. 112-357.
- **May 19, 2011:** Committee on the Judiciary. Ordered to be reported without amendment favorably.
- **May 19, 2011:** Committee on the Judiciary. Reported by Senator Leahy without amendment. Without written report.
- **May 19, 2011:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 60.
- **May 5, 2011:** Introduced in Senate
- **May 5, 2011:** Sponsor introductory remarks on measure. (CR S2733)
- **May 5, 2011:** Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S2733-2735)