

118TH CONGRESS  
2D SESSION

# H. R. 8131

To improve the oversight of inmate accounts, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 26, 2024

Mr. GOODEN of Texas (for himself, Mr. TIFFANY, and Mr. WEBER of Texas) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Financial Services, 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

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## A BILL

To improve the oversight of inmate accounts, 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 “Bureau of Prisons In-  
5 mate Trust Fund Accountability Act”.

6 **SEC. 2. PRISON INMATE FUNDS.**

7 (a) IN GENERAL.—Chapter 303 of title 18, United  
8 States Code, is amended by inserting after section 4044  
9 the following:

1 **“§ 4044A. Oversight of inmate funds**

2       “(a) CENTRALIZATION AND DIGITIZATION.—Not  
3 later than September 30, 2025, the Director of the Bu-  
4 reau of Prisons, in coordination with the Director of the  
5 Financial Crimes Enforcement Network, shall centralize  
6 access to and digitize covered inmate accounts.

7       “(b) MONITORING.—Not later than September 30,  
8 2025, and every 6 months thereafter, the Director of the  
9 Bureau of Prisons, in coordination with the Director of  
10 the Financial Crimes Enforcement Network, shall monitor  
11 covered inmate accounts to deter and report illicit finan-  
12 cial activity.

13       “(c) MONTHLY ACCOUNT INFORMATION TRANS-  
14 FERS.—Not later than September 30, 2025, and every  
15 month thereafter, the Director of the Bureau of Prisons  
16 shall transfer any pertinent account information, including  
17 deposits and withdrawals, to the Treasury Offset Program  
18 of the Department of Treasury’s Bureau of the Fiscal  
19 Service and the Office of Child Support Enforcement of  
20 the Department of Health and Human Services.

21       “(d) APPLICATION OF TOP TO PRISONER TRUST  
22 FUNDS.—Covered inmate accounts shall be subject to the  
23 Treasury Offset Program, operated by the Department of  
24 the Treasury’s Bureau of the Fiscal Service, with respect  
25 to any funds exceeding \$500 for a fiscal year.

1 “(e) DEBT COLLECTION.—In carrying out subsection  
2 (d), the following shall apply:

3 “(1) PRIORITIZATION.—Payments shall be  
4 prioritized as follows:

5 “(A) Victim restitution.

6 “(B) Child support.

7 “(C) Other outstanding debts.

8 “(2) MANAGEMENT.—Appropriate efforts shall  
9 be made to assist the inmate in making reasonable  
10 payments to satisfy the debts of the inmate.

11 “(f) DEFINITIONS.—In this section:

12 “(1) COVERED INMATE ACCOUNTS.—The term  
13 ‘covered inmate accounts’ means each inmate ac-  
14 count in the following trust funds:

15 “(A) Funds of Federal prisoners.

16 “(B) Commissary funds, Federal prisons.

17 “(2) DIRECTOR OF THE BUREAU OF PRISONS.—  
18 The term ‘Director of the Bureau of Prisons’ means  
19 the Attorney General, acting through the Director of  
20 the Bureau of Prisons.

21 “(3) DIRECTOR OF THE FINANCIAL CRIMES EN-  
22 FORCEMENT NETWORK.—The term ‘Director of the  
23 Financial Crimes Enforcement Network’ means the  
24 Secretary of the Treasury, acting through the Direc-  
25 tor of the Financial Crimes Enforcement Network.”.

1 (b) CLERICAL AMENDMENT.—The table of sections  
 2 for chapter 303 of title 18, United States Code, is amend-  
 3 ed by inserting after the item related to section 4044 the  
 4 following:

“4044A. Oversight of inmate funds.”.

5 **SEC. 3. BUREAU OF PRISONS SUSPICIOUS ACTIVITY RE-**  
 6 **PORTS.**

7 Section 5318(g) of title 31, United States Code, is  
 8 amended—

9 (1) by redesignating paragraph (11) as para-  
 10 graph (12); and

11 (2) by inserting after paragraph (10) the fol-  
 12 lowing:

13 “(11) REPORTING BY THE BUREAU OF PRIS-  
 14 ONS.—

15 “(A) IN GENERAL.—The requirement to  
 16 report a suspicious transaction under this sub-  
 17 section shall apply to the Attorney General (act-  
 18 ing through the Director of the Bureau of Pris-  
 19 ons), with respect to transactions in a covered  
 20 trust fund, to the same extent as such require-  
 21 ment applies to financial institutions.

22 “(B) COVERED TRUST FUND DEFINED.—

23 In this paragraph, the term ‘covered inmate ac-  
 24 counts’ means each inmate account in the fol-  
 25 lowing trust funds:

1 “(i) Funds of Federal prisoners.

2 “(ii) Commissary funds, Federal pris-  
3 ons.”.

4 **SEC. 4. TASK FORCE.**

5 (a) IN GENERAL.—The Attorney General (in con-  
6 sultation with the Director of the Bureau of Prisons and  
7 the Director of the Executive Office for United States At-  
8 torneys), the Director of the Administrative Office of the  
9 United States Courts, the Secretary of Health and Human  
10 Services (in consultation with the Commissioner of the Of-  
11 fice of Child Support Enforcement), the Secretary of the  
12 Treasury, and the Director of the United States Marshals  
13 Service, shall establish a joint task force (referred to in  
14 this section as the “Inmate Financial Accountability Task  
15 Force”)—

16 (1) to develop a strategic plan to improve the  
17 criminal and civil debt collection process and estab-  
18 lish an effective coordination mechanism among each  
19 entity involved in such process; and

20 (2) to develop a strategic plan to improve over-  
21 sight of Bureau of Prison Inmate Trust Fund Ac-  
22 counts for detecting and deterring illicit financial ac-  
23 tivity and money laundering.

1 (b) REQUIRED REVIEW OF PROCEDURES.—Not later  
2 than 180 days after the date of enactment of this section,  
3 the Inmate Financial Accountability Task Force shall—

4 (1) review the long-standing problems in the  
5 collection of outstanding criminal and civil debt, in-  
6 cluding fragmented processes and lack of coordina-  
7 tion;

8 (2) review and enhance training and examina-  
9 tion procedures to improve the capabilities of crimi-  
10 nal and civil debt reporting and collection by Federal  
11 agencies;

12 (3) recommend the proper accounting, report-  
13 ing, collecting, and managing of criminal and civil  
14 debt eligible for referral to Treasury for collection  
15 actions;

16 (4) review and enhance training and examina-  
17 tions procedures to improve the capabilities of anti-  
18 money laundering to detect financial transactions re-  
19 lating to Bureau of Prison Inmate Trust Fund Ac-  
20 counts;

21 (5) review and enhance procedures for referring  
22 potential cases relating to money laundering and il-  
23 licit financial activity to the appropriate law enforce-  
24 ment agency; and

1           (6) determine, as appropriate, whether require-  
2           ments for Bureau of Prisons are sufficient to detect  
3           and deter money laundering relating to Bureau of  
4           Prison Inmate Trust Fund Accounts.

5           (c) REPORTS.—

6           (1) CRIMINAL AND CIVIL DEBT COLLECTION  
7           REPORT.—Not later than 1 year after the date of  
8           the enactment of this section, the Inmate Financial  
9           Accountability Task Force shall submit to the Com-  
10          mittee on Financial Services and the Committee on  
11          the Judiciary of the House of Representatives, the  
12          Committee on Banking, Housing, and Urban Affairs  
13          and the Committee on the Judiciary of the Senate,  
14          a report containing—

15                (A) an analysis of criminal and civil debt  
16                collection efforts of the United States Govern-  
17                ment;

18                (B) appropriate legislative, administrative,  
19                and other recommendations to strengthen  
20                criminal and civil debt collection processes; and

21                (C) required recommendations, including—

22                       (i) feedback from stakeholders, includ-  
23                       ing victims of crime advocacy groups, such  
24                       as the National Association of Victim As-  
25                       sistance Administrators, National Associa-

1           tion of Victim Compensation Board Ad-  
2           ministrators, National Child Support En-  
3           forcement Association, National Tribal  
4           Child Support Association, National Attor-  
5           ney General Association, Council of Prison  
6           Locals 33, and financial institutions, on  
7           policy proposals derived from the analysis  
8           conducted by the Inmate Financial Ac-  
9           countability Task Force that would en-  
10          hance the efforts and programs of Federal  
11          and State agencies to improve criminal and  
12          civil debt reporting and collection, includ-  
13          ing any recommended changes to internal  
14          policies, procedures, and controls;

15               (ii) any recommended changes to ex-  
16          pand information sharing relating to crimi-  
17          nal and civil debt reporting and collection  
18          between financial institutions, appropriate  
19          law enforcement agencies, appropriate  
20          State agencies, and appropriate Federal  
21          agencies;

22               (iii) any recommended changes to en-  
23          hance the efforts and programs of Federal  
24          and State agencies to improve criminal and  
25          civil debt reporting and collection and ex-



1           pand information sharing of the Bureau of  
2           Prison Trust Fund Inmate Trust Fund  
3           Accounts with appropriate law enforcement  
4           agencies; and

5                   (iv) any recommended changes, if nec-  
6                   essary, to existing statutes to more effec-  
7                   tively report and collect criminal and civil  
8                   debt.

9           (2) ANTI-MONEY LAUNDERING REPORT.—Not  
10          later than 1 year after the date of enactment of this  
11          section, the Inmate Financial Accountability Task  
12          Force shall submit to the Committee on Financial  
13          Services and the Committee on the Judiciary of the  
14          House of Representatives, the Committee on Bank-  
15          ing, Housing, and Urban Affairs and the Committee  
16          on the Judiciary of the Senate, a report con-  
17          taining—

18                   (A) an analysis of anti-money laundering  
19                   efforts of the United States Government and  
20                   United States financial institutions relating to  
21                   Bureau of Prison Inmate Trust Fund Accounts;

22                   (B) appropriate legislative, administrative,  
23                   and other recommendations to improve anti-  
24                   money laundering efforts relating to Bureau of  
25                   Prison Inmate Trust Fund Accounts; and

1 (C) required recommendations, including—

2 (i) feedback from Federal agencies on  
3 best practices of successful programs re-  
4 lated to anti-money laundering efforts in  
5 place that may be suitable for broader  
6 adoption by the Director of the Bureau of  
7 Prison;

8 (ii) feedback from stakeholders, in-  
9 cluding law enforcement agencies and fi-  
10 nancial institutions, on policy proposals de-  
11 rived from the analysis conducted by the  
12 Inmate Financial Accountability Task  
13 Force that would enhance anti-money  
14 laundering efforts and oversight of Bureau  
15 of Prison Inmate Trust Fund Accounts, in-  
16 cluding any recommended changes to inter-  
17 nal policies, procedures, and controls to  
18 improve anti-money laundering efforts;

19 (iii) any recommended changes to  
20 training programs at the Bureau of Pris-  
21 ons to better equip employees to deter and  
22 detect money laundering relating to Bu-  
23 reau of Prison Inmate Trust Fund Ac-  
24 counts; and

1                   (iv) recommended changes, if nec-  
2                   essary, to existing statute to more effec-  
3                   tively detect and deter money laundering  
4                   relating to Bureau of Prison Inmate Trust  
5                   Fund Accounts.

6           (d) LIMITATION.—Nothing in this section shall be  
7 construed to grant rulemaking authority to the Task  
8 Force.

9           (e) BUREAU OF PRISON INMATE TRUST FUND AC-  
10 COUNTS.—In this section, the term “Bureau of Prison In-  
11 mate Trust Fund Accounts” refers to the following trust  
12 funds:

- 13                   (1) Funds of Federal prisoners.  
14                   (2) Commissary funds, Federal prisons.

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