

117TH CONGRESS
2D SESSION

S. 4405

To establish a joint task force to improve the collection of restitution and improve oversight of the Bureau of Prisons Inmate Trust Fund Accounts for the purpose of deterring illicit financial activity, money laundering, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 15, 2022

Mr. KENNEDY introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To establish a joint task force to improve the collection of restitution and improve oversight of the Bureau of Prisons Inmate Trust Fund Accounts for the purpose of deterring illicit financial activity, money laundering, 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 “Inmate Financial Ac-
5 countability Task Force Act”.

1 **SEC. 2. TASK FORCE.**

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

13 (1) a strategic plan to improve the criminal and
 14 civil debt collection process and establish an effective
 15 coordination mechanism among each entity involved
 16 in that process; and

17 (2) a strategic plan to improve oversight of Bu-
 18 reau of Prisons Inmate Trust Fund Accounts for de-
 19 tecting and deterring illicit financial activity and
 20 money laundering.

21 (b) REQUIRED REVIEW OF PROCEDURES.—Not later
 22 than 180 days after the date of enactment of this Act,
 23 the Inmate Financial Accountability Task Force shall—

24 (1) review the long-standing problems in the
 25 collection of outstanding criminal and civil debt, in-

1 including fragmented processes and lack of coordina-
2 tion;

3 (2) review and enhance training and examina-
4 tion procedures to improve the capabilities of crimi-
5 nal and civil debt reporting and collection by Federal
6 agencies;

7 (3) recommend the proper accounting, report-
8 ing, collecting, and management of criminal and civil
9 debt eligible for referral to the Secretary of the
10 Treasury for collection actions;

11 (4) review and enhance training and examina-
12 tion procedures to improve the capabilities of anti-
13 money laundering processes to detect financial trans-
14 actions relating to Bureau of Prisons Inmate Trust
15 Fund Accounts;

16 (5) review and enhance procedures for referring
17 potential cases relating to money laundering and il-
18 licit financial activity to the appropriate law enforce-
19 ment agency; and

20 (6) determine, as appropriate, whether require-
21 ments for the Bureau of Prisons are sufficient to de-
22 tect and deter money laundering relating to Bureau
23 of Prisons Inmate Trust Fund Accounts.

24 (c) REPORTS.—

1 (1) CRIMINAL AND CIVIL DEBT COLLECTION
2 REPORT.—Not later than 1 year after the date of
3 enactment of this Act, the Inmate Financial Ac-
4 countability Task Force shall submit to the Com-
5 mittee on Banking, Housing, and Urban Affairs and
6 the Committee on the Judiciary of the Senate and
7 the Committee on Financial Services and the Com-
8 mittee on the Judiciary of the House of Representa-
9 tives, a report containing—

10 (A) an analysis of criminal and civil debt
11 collection efforts of the Federal Government;

12 (B) appropriate legislative, administrative,
13 and other recommendations to strengthen
14 criminal and civil debt collection processes; and

15 (C) recommendations, including—

16 (i) feedback from stakeholders, includ-
17 ing financial institutions and advocacy
18 groups for victims of crime, on policy pro-
19 posals derived from the analysis conducted
20 by the Inmate Financial Accountability
21 Task Force that would enhance the efforts
22 and programs of Federal and State agen-
23 cies to improve criminal and civil debt re-
24 porting and collection, including any rec-

ommended changes to internal policies,
procedures, and controls;

(ii) any recommended changes to expand information sharing relating to criminal and civil debt reporting and collection between financial institutions, appropriate law enforcement agencies, appropriate State agencies, and appropriate Federal agencies;

(iii) any recommended changes to enhance the efforts and programs of Federal and State agencies to improve criminal and civil debt reporting and collection and expand information sharing of the Bureau of Prisons Inmate Trust Fund Accounts with appropriate law enforcement agencies; and

(iv) any recommended changes, if necessary, to existing statutes to more effectively report and collect criminal and civil debt.

(2) ANTI-MONEY LAUNDERING REPORT.—Not later than 1 year after the date of enactment of this Act, the Inmate Financial Accountability Task Force shall submit to the Committee on Banking, Housing, and Urban Affairs and the Committee on the Judici-

1 ary of the Senate, the Committee on Financial Serv-
2 ices and the Committee on the Judiciary of the
3 House of Representatives, a report containing—

4 (A) an analysis of anti-money laundering
5 efforts of the Federal Government and Federal
6 financial institutions relating to Bureau of Pris-
7 ons Inmate Trust Fund Accounts;

8 (B) appropriate legislative, administrative,
9 and other recommendations to improve anti-
10 money laundering efforts relating to Bureau of
11 Prisons Inmate Trust Fund Accounts; and

12 (C) recommendations, including—

13 (i) feedback from Federal agencies on
14 best practices under successful programs
15 related to anti-money laundering efforts in
16 place that may be suitable for broader
17 adoption by the Director of the Bureau of
18 Prisons;

19 (ii) feedback from stakeholders, in-
20 cluding law enforcement agencies and fi-
21 nancial institutions, on policy proposals de-
22 rived from the analysis conducted by the
23 Inmate Financial Accountability Task
24 Force that would enhance anti-money
25 laundering efforts and oversight of Bureau

of Prisons Inmate Trust Fund Accounts,
including any recommended changes to internal policies, procedures, and controls to improve anti-money laundering efforts;

(iii) any recommended changes to training programs at the Bureau of Prisons to better equip employees to deter and detect money laundering relating to Bureau of Prisons Inmate Trust Fund Accounts; and

(iv) recommended changes, if necessary, to existing statutes to more effectively detect and deter money laundering relating to Bureau of Prisons Inmate Trust Fund Accounts.

(d) LIMITATION.—Nothing in this Act shall be construed to grant rulemaking authority to the Inmate Financial Accountability Task Force.

(e) BUREAU OF PRISONS INMATE TRUST FUND ACCOUNTS.—In this Act, the term “Bureau of Prisons Inmate Trust Fund Accounts” refers to—

- (1) funds of Federal prisoners held in trust by the Bureau of Prisons; and
- (2) commissary funds of Federal prisoners.

○