



(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. 1156

To amend the CARES Act to extend the statute of limitations for fraud under certain unemployment programs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. SMITH of Missouri introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the CARES Act to extend the statute of limitations for fraud under certain unemployment programs, 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 “Pandemic Unemploy-
5 ment Fraud Enforcement Act”.

1 **SEC. 2. EXTENSION OF THE STATUTE OF LIMITATIONS FOR**
2 **FRAUD BY INDIVIDUALS UNDER CERTAIN UN-**
3 **EMPLOYMENT PROGRAMS.**

4 (a) PANDEMIC UNEMPLOYMENT ASSISTANCE.—Sec-
5 tion 2102 of the CARES Act (15 U.S.C. 9021) is amend-
6 ed—

7 (1) by redesignating subsection (h) as sub-
8 section (i); and

9 (2) by inserting after subsection (g) the fol-
10 lowing new subsection:

11 “(h) STATUTE OF LIMITATIONS.—

12 “(1) IN GENERAL.—Notwithstanding any other
13 provision of law and subject to paragraph (2), any
14 criminal prosecution or civil enforcement action for
15 a violation of, or conspiracy to violate, section 371,
16 641, 1028A, 1029, 1341, 1343, 1344, 1349, 1956,
17 or 1957 of title 18, United States Code, or section
18 3729 or 3801 of title 31, United States Code, with
19 respect to any unemployment compensation claim
20 funded in whole or in part by pandemic unemploy-
21 ment assistance under this section shall be brought
22 not later than 10 years after the date of the viola-
23 tion or conspiracy.

24 “(2) EXCEPTION.—Paragraph (1) shall not
25 apply with respect to a criminal prosecution or civil
26 enforcement action if the statute of limitations appli-

1 cable to such criminal prosecution or civil enforce-
2 ment action expired prior to the date of enactment
3 of the Pandemic Unemployment Fraud Enforcement
4 Act.”.

5 (b) FEDERAL PANDEMIC UNEMPLOYMENT COM-
6 PENSATION AND MIXED EARNER UNEMPLOYMENT COM-
7 PENSATION.—Section 2104(f) of the CARES Act (15
8 U.S.C. 9023(f)) is amended by adding at the end the fol-
9 lowing new paragraph:

10 “(5) STATUTE OF LIMITATIONS.—

11 “(A) IN GENERAL.—Notwithstanding any
12 other provision of law and subject to subpara-
13 graph (B), any criminal prosecution or civil en-
14 forcement action for a violation of, or con-
15 spiracy to violate, section 371, 641, 1028A,
16 1029, 1341, 1343, 1344, 1349, 1956, or 1957
17 of title 18, United States Code, or section 3729
18 or 3801 of title 31, United States Code, with
19 respect to any unemployment compensation
20 claim funded in whole or in part by Federal
21 Pandemic Unemployment Compensation or
22 Mixed Earner Unemployment Compensation
23 under this section shall be brought not later
24 than 10 years after the date of the violation or
25 conspiracy.

1 “(B) EXCEPTION.—Subparagraph (A)
2 shall not apply with respect to a criminal pros-
3 ecution or civil enforcement action if the statute
4 of limitations applicable to such criminal pros-
5 ecution or civil enforcement action expired prior
6 to the date of enactment of the Pandemic Un-
7 employment Fraud Enforcement Act.”.

8 (c) PANDEMIC EMERGENCY UNEMPLOYMENT COM-
9 PENSATION.—Section 2107(e) of the CARES Act (15
10 U.S.C. 9025(e)) is amended by adding at the end the fol-
11 lowing new paragraph:

12 “(5) STATUTE OF LIMITATIONS.—

13 “(A) IN GENERAL.—Notwithstanding any
14 other provision of law and subject to subpara-
15 graph (B), any criminal prosecution or civil en-
16 forcement action for a violation of, or con-
17 spiracy to violate, section 371, 641, 1028A,
18 1029, 1341, 1343, 1344, 1349, 1956, or 1957
19 of title 18, United States Code, or section 3729
20 or 3801 of title 31, United States Code, with
21 respect to any unemployment compensation
22 claim funded in whole or in part by pandemic
23 emergency unemployment compensation under
24 this section shall be brought not later than 10

1 years after the date of the violation or con-
2 spiracy.

3 “(B) EXCEPTION.—Subparagraph (A)
4 shall not apply with respect to a criminal pros-
5 ecution or civil enforcement action if the statute
6 of limitations applicable to such criminal pros-
7 ecution or civil enforcement action expired prior
8 to the date of enactment of the Pandemic Un-
9 employment Fraud Enforcement Act.”.

10 **SEC. 3. BUDGET OFFSET.**

11 Out of the unobligated balances of amounts made
12 available by section 2118(a) of title II of division A of
13 Public Law 116-136, as added by section 9032 of Public
14 Law 117-2, \$5,000,000 are hereby rescinded.

15 **SEC. 4. EFFECTIVE DATE.**

16 This amendments made by this Act shall take effect
17 on the date of enactment of this Act.