

114TH CONGRESS
1ST SESSION

S. 614

AN ACT

To provide access to and use of information by Federal agencies in order to reduce improper payments, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Federal Improper Pay-
3 ments Coordination Act of 2015”.

4 **SEC. 2. AVAILABILITY OF THE DO NOT PAY INITIATIVE TO**
5 **THE JUDICIAL AND LEGISLATIVE BRANCHES**
6 **AND STATES.**

7 Section 5 of the Improper Payments Elimination and
8 Recovery Improvement Act of 2012 (31 U.S.C. 3321 note)
9 is amended—

10 (1) in subsection (b)(3)—

11 (A) in the paragraph heading, by striking
12 “BY AGENCIES”;

13 (B) by striking “For purposes” and insert-
14 ing the following:

15 “(A) IN GENERAL.—For purposes”; and

16 (C) by adding at the end the following:

17 “(B) OTHER ENTITIES.—States and any
18 contractor, subcontractor, or agent of a State,
19 and the judicial and legislative branches of the
20 United States (as defined in paragraphs (2)
21 and (3), respectively, of section 202(e) of title
22 18, United States Code), shall have access to,
23 and use of, the Do Not Pay Initiative for the
24 purpose of verifying payment or award eligi-
25 bility for payments (as defined in section
26 2(g)(3) of the Improper Payments Information

1 Act of 2002 (31 U.S.C. 3321 note)) when, with
2 respect to a State, the Director of the Office of
3 Management and Budget determines that the
4 Do Not Pay Initiative is appropriately estab-
5 lished for that State and any contractor, sub-
6 contractor, or agent of the State, and, with re-
7 spect to the judicial and legislative branches of
8 the United States, when the Director of the Of-
9 fice of Management and Budget determines
10 that the Do Not Pay Initiative is appropriately
11 established for the judicial branch or the legis-
12 lative branch, as applicable.

13 “(C) CONSISTENCY WITH PRIVACY ACT OF
14 1974.—To ensure consistency with the principles
15 of section 552a of title 5, United States Code
16 (commonly known as the ‘Privacy Act of
17 1974’), the Director of the Office of Manage-
18 ment and Budget may issue guidance that es-
19 tablishes privacy and other requirements that
20 shall be incorporated into Do Not Pay Initiative
21 access agreements with States, including any
22 contractor, subcontractor, or agent of a State,
23 and the judicial and legislative branches of the
24 United States.”; and
25 (2) in subsection (d)(2)—

1 (A) in subparagraph (B), by striking
2 “and” after the semicolon;

3 (B) in subparagraph (C), by striking the
4 period at the end and inserting “; and”; and

5 (C) by inserting after subparagraph (C)
6 the following:

7 “(D) may include States and their quasi-
8 government entities, and the judicial and legis-
9 lative branches of the United States (as defined
10 in paragraphs (2) and (3), respectively, of sec-
11 tion 202(e) of title 18, United States Code) as
12 users of the system in accordance with sub-
13 section (b)(3).”.

14 **SEC. 3. IMPROVING THE SHARING AND USE OF DATA BY**
15 **GOVERNMENT AGENCIES TO CURB IM-**
16 **PROPER PAYMENTS.**

17 The Improper Payments Elimination and Recovery
18 Improvement Act of 2012 (31 U.S.C. 3321 note) is
19 amended—

20 (1) in section 5(a)(2), by striking subparagraph
21 (A) and inserting the following:

22 “(A) The death records maintained by the
23 Commissioner of Social Security.”; and

24 (2) by adding at the end the following:

1 **“SEC. 7. IMPROVING THE USE OF DATA BY GOVERNMENT**
2 **AGENCIES FOR CURBING IMPROPER PAY-**
3 **MENTS.**

4 “(a) PROMPT REPORTING OF DEATH INFORMATION
5 BY THE DEPARTMENT OF STATE AND THE DEPARTMENT
6 OF DEFENSE.—Not later than 1 year after the date of
7 enactment of this section, the Secretary of State and the
8 Secretary of Defense shall establish a procedure under
9 which each Secretary shall, promptly and on a regular
10 basis, submit information relating to the deaths of individ-
11 uals to each agency for which the Director of the Office
12 of Management and Budget determines receiving and
13 using such information would be relevant and necessary.

14 “(b) GUIDANCE TO AGENCIES REGARDING DATA AC-
15 CESS AND USE FOR IMPROPER PAYMENTS PURPOSES.—

16 “(1) IN GENERAL.—Not later than 1 year after
17 the date of enactment of this section, the Director
18 of the Office of Management and Budget, in con-
19 sultation with the Council of the Inspectors General
20 on Integrity and Efficiency, the heads of other rel-
21 evant Federal, State, and local agencies, and Indian
22 tribes and tribal organizations, as appropriate, shall
23 issue guidance regarding implementation of the Do
24 Not Pay Initiative under section 5 to—

25 “(A) the Department of the Treasury; and

1 “(B) each agency or component of an
2 agency—

3 “(i) that operates or maintains a
4 database of information described in sec-
5 tion 5(a)(2); or

6 “(ii) for which the Director deter-
7 mines improved data matching would be
8 relevant, necessary, or beneficial.

9 “(2) REQUIREMENTS.—The guidance issued
10 under paragraph (1) shall—

11 “(A) address the implementation of sub-
12 section (a); and

13 “(B) include the establishment of deadlines
14 for access to and use of the databases described
15 in section 5(a)(2) under the Do Not Pay Initia-
16 tive.”.

17 **SEC. 4. DATA ANALYTICS.**

18 Section 5 of the Improper Payments Elimination and
19 Recovery Improvement Act of 2012 (31 U.S.C. 3321
20 note), is amended by adding at the end the following:

21 “(h) REPORT ON IMPROPER PAYMENTS DATA ANAL-
22 YSIS.—Not later than 180 days after the date of enact-
23 ment of the Federal Improper Payments Coordination Act
24 of 2015, the Secretary of the Treasury shall submit to
25 Congress a report which shall include a description of—

1 “(1) data analytics performed as part of the Do
2 Not Pay Business Center operated by the Depart-
3 ment of the Treasury for the purpose of detecting,
4 preventing, and recovering improper payments
5 through preaward, postaward prepayment, and
6 postpayment analysis, which shall include a descrip-
7 tion of any analysis or investigations incorporating—

8 “(A) review and data matching of pay-
9 ments and beneficiary enrollment lists of State
10 programs carried out using Federal funds for
11 the purposes of identifying eligibility duplica-
12 tion, residency ineligibility, duplicate payments,
13 or other potential improper payment issues;

14 “(B) review of multiple Federal agencies
15 and programs for which comparison of data
16 could show payment duplication; and

17 “(C) review of other information the Sec-
18 retary of the Treasury determines could prove
19 effective for identifying, preventing, or recov-
20 ering improper payments, which may include in-
21 vestigation or review of information from mul-
22 tiple Federal agencies or programs;

23 “(2) the metrics used in determining whether
24 the analytic and investigatory efforts have reduced,

1 or contributed to the reduction of, improper pay-
2 ments or improper awards; and

3 “(3) the target dates for implementing the data
4 analytics operations performed as part of the Do
5 Not Pay Business Center”.

Passed the Senate July 28, 2015.

Attest:

Secretary.

114TH CONGRESS
1ST SESSION

S. 614

AN ACT

To provide access to and use of information by
Federal agencies in order to reduce improper
payments, and for other purposes.