

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.*



114<sup>TH</sup> CONGRESS  
1<sup>ST</sup> 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.