

114TH CONGRESS
1ST SESSION

H. R. 2320

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

IN THE HOUSE OF REPRESENTATIVES

MAY 14, 2015

Mr. MULVANEY (for himself, Mrs. BUSTOS, Mr. CARTER of Georgia, Mr. CONNOLLY, and Mr. WESTMORELAND) introduced the following bill; which was referred to the Committee on Oversight and Government Reform

A BILL

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,*

3 **SECTION 1. SHORT TITLE.**

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

1 **SEC. 2. AVAILABILITY OF THE DO NOT PAY INITIATIVE TO**
2 **THE JUDICIAL AND LEGISLATIVE BRANCHES**
3 **AND STATES.**

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

7 (1) in subsection (b)(3)—

8 (A) in the paragraph heading, by striking
9 “BY AGENCIES”; and

10 (B) by adding at the end the following:
11 “States and any contractor, subcontractor, or
12 agent of a State, and the judicial and legislative
13 branches of the United States (as defined in
14 paragraphs (2) and (3), respectively, of section
15 202(e) of title 18, United States Code), shall
16 have access to, and use of, the Do Not Pay Ini-
17 tiative to verify payment or award eligibility for
18 payments (as defined in section (2)(g)(3) of the
19 Improper Payments Information Act of 2002,
20 31 U.S.C. 3321 note) when, with respect to a
21 State, the Director of the Office of Manage-
22 ment and Budget determines that the Do Not
23 Pay Initiative is appropriately established for
24 that State and any contractor, subcontractor, or
25 agent of the State, and, with respect to the ju-
26 dicial and legislative branches of the United

States, when the Director of the Office of Management and Budget determines that the Do Not Pay Initiative is appropriately established for the judicial branch or the legislative branch, as applicable.”; and

(2) in subsection (d)(2)—

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

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

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

“(D) may include States and their quasi-government entities, and the judicial and legislative branches of the United States (as defined in paragraphs (2) and (3), respectively, of section 202(e) of title 18, United States Code) as users of the system in accordance with subsection (b)(3).”.

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

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

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

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

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

6 **“SEC. 7. IMPROVING THE USE OF DATA BY GOVERNMENT**
7 **AGENCIES FOR CURBING IMPROPER PAY-**
8 **MENTS.**

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

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

21 “(1) IN GENERAL.—Not later than 6 months
22 after the date of the enactment of this section, and
23 in consultation with the Council of the Inspectors
24 General on Integrity and Efficiency, the heads of
25 other relevant Federal, State, and local agencies,

1 and Indian tribes and tribal organizations, the Di-
2 rector of the Office of Management and Budget
3 shall issue guidance regarding implementation of the
4 Do Not Pay Initiative under section 5 to—

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

6 “(B) each agency or component of an
7 agency—

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

11 “(ii) for which the Director deter-
12 mines improved data matching would be
13 relevant, necessary, or beneficial.

14 “(2) REQUIREMENTS.—The guidance issued
15 under paragraph (1) shall—

16 “(A) address the implementation of sub-
17 section (a); and

18 “(B) include the establishment of deadlines
19 for access to and use of the databases described
20 in section 5(a)(2) under the Do Not Pay Initia-
21 tive.”.

22 **SEC. 4. DATA ANALYTICS.**

23 Section 5 of the Improper Payments Elimination and
24 Recovery Improvement Act of 2012 (31 U.S.C. 3321

1 note), as amended by section 2, is further amended by
2 adding at the end the following:

3 “(h) REPORT ON IMPROPER PAYMENTS DATA ANAL-
4 YSIS.—Not later than 180 days after the date of the enact-
5 ment of the Federal Improper Payments Coordination Act
6 of 2015, the Secretary of the Treasury shall submit to
7 Congress a report that includes a description of—

8 “(1) data analytics performed as part of the Do
9 Not Pay Initiative for the purpose of detecting, pre-
10 venting, and recovering improper payments through
11 pre-award, post-award, pre-payment, and post-pay-
12 ment analysis, which shall include a description of
13 any analysis or investigations incorporating—

14 “(A) review and data matching of pay-
15 ments and beneficiary enrollment lists of State
16 programs carried out using Federal funds for
17 the purposes of identifying eligibility duplica-
18 tion, residency ineligibility, duplicate payments,
19 or other potential improper payment issues;

20 “(B) review of multiple agencies and pro-
21 grams for which comparison of data could show
22 payment duplication; and

23 “(C) review of other information the Sec-
24 retary of the Treasury determines could prove
25 effective for identifying, preventing, or recov-

1 ering improper payments, which may include in-
2 vestigation or review of information from mul-
3 tiple agencies or programs;

4 “(2) the metrics used in determining whether
5 the analytic and investigatory efforts have reduced,
6 or contributed to the reduction of, improper pay-
7 ments or improper awards; and

8 “(3) the target dates for implementing the data
9 analytics operations performed as part of the Do
10 Not Pay Initiative.”.

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