

S 1409

Improper Payments Elimination and Recovery Improvement Act of 2012

Congress: 112 (2011–2013, Ended)

Chamber: Senate

Policy Area: Government Operations and Politics

Introduced: Jul 22, 2011

Current Status: Referred to the House Committee on Oversight and Government Reform.

Latest Action: Referred to the House Committee on Oversight and Government Reform. (Aug 2, 2012)

Official Text: <https://www.congress.gov/bill/112th-congress/senate-bill/1409>

Sponsor

Name: Sen. Carper, Thomas R. [D-DE]

Party: Democratic • **State:** DE • **Chamber:** Senate

Cosponsors (4 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Brown, Scott P. [R-MA]	R · MA		Jul 22, 2011
Sen. Collins, Susan M. [R-ME]	R · ME		Jul 22, 2011
Sen. Lieberman, Joseph I. [ID-CT]	ID · CT		Jul 22, 2011
Sen. Casey, Robert P., Jr. [D-PA]	D · PA		Mar 12, 2012

Committee Activity

Committee	Chamber	Activity	Date
Homeland Security and Governmental Affairs Committee	Senate	Reported By	Jul 12, 2012
Oversight and Government Reform Committee	House	Referred To	Aug 2, 2012

Subjects & Policy Tags

Policy Area:

Government Operations and Politics

Related Bills

Bill	Relationship	Last Action
112 HR 4053	Related bill	Jan 10, 2013: Became Public Law No: 112-248.
112 HR 4310	Related bill	Jan 2, 2013: Became Public Law No: 112-239.
112 S 3254	Related bill	Dec 12, 2012: Pursuant to the provisions of H. Res. 829, papers are returned to the Senate.
112 S 2834	Related bill	May 7, 2012: Read twice and referred to the Committee on Homeland Security and Governmental Affairs.

Improper Payments Elimination and Recovery Improvement Act of 2012 - (Sec. 3) Amends the Improper Payments Information Act of 2002 to require the Director of the Office of Management and Budget (OMB) to: (1) identify, on an annual basis, a list of high-priority federal programs for greater levels of oversight and review of improper payments; (2) coordinate with executive agencies responsible for administering high-priority programs to establish semi-annual or quarterly targets and actions for reducing improper payments; and (3) provide guidance to agencies for improving estimates of improper payments.

Requires agencies to report to their Inspectors General on an annual basis on any high-priority programs in which the highest dollar value or rate of improper payments occurs or for which there is a higher risk of improper payments. Requires OMB to make agency reports available on a central website.

(Sec. 5) Requires each agency to review prepayment and pre-award procedures and available databases to determine program or award eligibility and prevent improper payments before releasing any federal funds.

Establishes a Do Not Pay Initiative based on information from databases maintained by the federal government, including: (1) the Death Master File of the Social Security Administration (SSA), (2) the Excluded Parties List System of the General Services Administration (GSA), (3) the Debt Check Database of the Department of the Treasury, (4) the Credit Alert System or Credit Alert Interactive Voice Response System of the Department of Housing and Urban Development (HUD), (5) the List of Excluded Individuals/Entities of the Office of Inspector General of the Department of Health and Human Services (HHS), and (6) any other database designated by the Director of OMB that substantially assists in preventing improper payments.

Requires the Director to: (1) provide to Congress a plan for the inclusion of other databases in the Do Not Pay Initiative, for agency access to the Initiative, and for multilateral data use agreements for carrying out the Initiative; (2) establish a working system for prepayment and pre-award review that includes the Do Not Pay Initiative; (3) establish a plan for improving the quality, accuracy, and timeliness of death data maintained by SSA; and (4) submit annual reports to Congress on whether the Do Not Pay Initiative has reduced improper payments or awards. Requires each agency to review all payments and awards for all of its programs through the working system not later than June 1, 2013.

Amends the Privacy Act to authorize each agency head and Inspector General to enter into computer matching agreements that allow ongoing data matching for detecting and preventing improper payments. Requires OMB to issue guidance: (1) for such agreements, including standards for reimbursement of costs, retention and timely destruction of records, and prohibitions on duplication and redisclosure of records; and (2) for Data Integrity Boards established under the Privacy Act to improve their effectiveness and responsiveness and ensure privacy protections.

Directs the Attorney General to submit recommendations for increasing the use of, access to, and the technical feasibility of using data on the federal, state, and local conviction and incarceration status of individuals to identify and prevent improper payments and fraud.

(Sec. 6) Requires the Director to determine the current and historical rates and amounts of recovery of improper payments and targets for recovering improper payments.

Actions Timeline

- **Aug 2, 2012:** Received in the House.
- **Aug 2, 2012:** Message on Senate action sent to the House.
- **Aug 2, 2012:** Referred to the House Committee on Oversight and Government Reform.
- **Aug 1, 2012:** Measure laid before Senate by unanimous consent. (consideration: CR S5894-5898; text of measure as reported in Senate: CR S5894-5896)
- **Aug 1, 2012:** Passed/agreed to in Senate: Passed Senate with an amendment by Unanimous Consent.
- **Aug 1, 2012:** Passed Senate with an amendment by Unanimous Consent.
- **Jul 12, 2012:** Committee on Homeland Security and Governmental Affairs. Reported by Senator Lieberman with an amendment in the nature of a substitute. With written report No. 112-181.
- **Jul 12, 2012:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 449.
- **Oct 19, 2011:** Committee on Homeland Security and Governmental Affairs. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Jul 22, 2011:** Introduced in Senate
- **Jul 22, 2011:** Read twice and referred to the Committee on Homeland Security and Governmental Affairs.