

HR 4053

Improper Payments Elimination and Recovery Improvement Act of 2012

Congress: 112 (2011–2013, Ended)

Chamber: House

Policy Area: Government Operations and Politics

Introduced: Feb 16, 2012

Current Status: Became Public Law No: 112-248.

Latest Action: Became Public Law No: 112-248. (Jan 10, 2013)

Law: 112-248 (Enacted Jan 10, 2013)

Official Text: <https://www.congress.gov/bill/112th-congress/house-bill/4053>

Sponsor

Name: Rep. Towns, Edolphus [D-NY-10]

Party: Democratic • **State:** NY • **Chamber:** House

Cosponsors (20 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Altmire, Jason [D-PA-4]	D · PA		Feb 16, 2012
Rep. Barrow, John [D-GA-12]	D · GA		Feb 16, 2012
Rep. Bishop, Sanford D., Jr. [D-GA-2]	D · GA		Feb 16, 2012
Rep. Boren, Dan [D-OK-2]	D · OK		Feb 16, 2012
Rep. Boswell, Leonard L. [D-IA-3]	D · IA		Feb 16, 2012
Rep. Cardoza, Dennis A. [D-CA-18]	D · CA		Feb 16, 2012
Rep. Connolly, Gerald E. [D-VA-11]	D · VA		Feb 16, 2012
Rep. Cooper, Jim [D-TN-5]	D · TN		Feb 16, 2012
Rep. Donnelly, Joe [D-IN-2]	D · IN		Feb 16, 2012
Rep. Holden, Tim [D-PA-17]	D · PA		Feb 16, 2012
Rep. Matheson, Jim [D-UT-2]	D · UT		Feb 16, 2012
Rep. McIntyre, Mike [D-NC-7]	D · NC		Feb 16, 2012
Rep. Michaud, Michael H. [D-ME-2]	D · ME		Feb 16, 2012
Rep. Peterson, Collin C. [D-MN-7]	D · MN		Feb 16, 2012
Rep. Platts, Todd Russell [R-PA-19]	R · PA		Feb 16, 2012
Rep. Ross, Mike [D-AR-4]	D · AR		Feb 16, 2012
Rep. Schrader, Kurt [D-OR-5]	D · OR		Feb 16, 2012
Rep. Scott, David [D-GA-13]	D · GA		Feb 16, 2012
Rep. Shuler, Heath [D-NC-11]	D · NC		Feb 16, 2012
Rep. Thompson, Mike [D-CA-1]	D · CA		Feb 16, 2012

Committee Activity

Committee	Chamber	Activity	Date
Oversight and Government Reform Committee	House	Reported By	Nov 30, 2012

Subjects & Policy Tags

Policy Area:

Government Operations and Politics

Related Bills

Bill	Relationship	Last Action
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 1409	Related bill	Aug 2, 2012: Referred to the House Committee on Oversight and Government Reform.
112 S 2834	Related bill	May 7, 2012: Read twice and referred to the Committee on Homeland Security and Governmental Affairs.

(This measure has not been amended since it was reported to the House on November 30, 2012. The summary of that version is repeated here.)

Improper Payments Elimination and Recovery Improvement Act of 2012 - (Sec. 3) Requires the Director of the Office of Management and Budget (OMB) to: (1) identify, annually, a list of high-priority federal programs for greater levels of oversight and review in which the highest dollar value or highest rate of improper payments occur or for which there is a higher risk of improper payments; (2) coordinate with agencies responsible for administering high-priority programs to establish annual targets and semi-annual or quarterly actions for reducing improper payments; and (3) provide guidance to agencies for improving estimates of improper payments.

Requires federal agencies to report annually to their Inspectors General on any high-dollar improper payments identified. Requires OMB to make such reports available to the public on a central website. Requires the Inspectors General to: (1) review the assessment of the level of risk associated with agency programs and the quality of the improper payment estimates and agency methodologies in making such estimates, (2) review the oversight or financial controls to identify and prevent improper payments, and (3) submit recommendations to Congress for improving improper payment information and estimation methodology.

(Sec. 5) Requires federal agencies to review prepayment and preaward procedures and available databases to determine program or award eligibility and prevent improper payments before releasing any federal funds. Includes among the databases that agencies shall review: (1) the Death Master File of the Social Security Administration (SSA), (2) the General Services Administration (GSA) Excluded Parties List System, (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), and (5) the List of Excluded Individuals/Entities of the Office of Inspector General of the Department of Health and Human Services (HHS).

Establishes the Do Not Pay Initiative, which shall include the use of the aforementioned databases and any other databases designated by OMB. Directs OMB to report annually on the operation of the Initiative, with an evaluation of whether the Initiative has reduced improper payments or awards, and provide the frequency of corrections or identification of incorrect database information.

Requires OMB to establish a working system for prepayment and preaward review that includes the Do Not Pay Initiative. Requires each agency to review, not later than June 1, 2013, all of its payments and awards for all programs established through the working system.

Authorizes agency heads and Inspectors General to enter into computer matching agreements to assist in the detection and prevention of improper payments. Requires OMB to issue guidance to agencies in implementing matching agreements and to establish procedures for correcting data in the Do Not Pay Initiative database.

Requires the Attorney General to report on using data on the conviction and incarceration status of individuals to identify and prevent improper payments by federal agencies.

Requires OMB to establish and report to Congress on a plan for improving the quality, accuracy, and timeliness of death data maintained by SSA.

(Sec. 6) Directs OMB to determine current and historical rates and amounts of recovery of improper payments and targets for recovering improper payments, including specific information on amounts and payments recovered by

recovery audit contractors.

Actions Timeline

- **Jan 10, 2013:** Signed by President.
- **Jan 10, 2013:** Became Public Law No: 112-248.
- **Dec 31, 2012:** Presented to President.
- **Dec 21, 2012:** Message on Senate action sent to the House.
- **Dec 20, 2012:** Passed/agreed to in Senate: Passed Senate without amendment by Unanimous Consent.
- **Dec 20, 2012:** Passed Senate without amendment by Unanimous Consent.
- **Dec 17, 2012:** Received in the Senate, read twice.
- **Dec 13, 2012:** Mr. Chaffetz moved to suspend the rules and pass the bill, as amended.
- **Dec 13, 2012:** Considered under suspension of the rules. (consideration: CR H6768-6771)
- **Dec 13, 2012:** DEBATE - The House proceeded with forty minutes of debate on H.R. 4053.
- **Dec 13, 2012:** At the conclusion of debate, the Yeas and Nays were demanded and ordered. Pursuant to the provisions of clause 8, rule XX, the Chair announced that further proceedings on the motion would be postponed.
- **Dec 13, 2012:** Considered as unfinished business. (consideration: CR H6781-6782)
- **Dec 13, 2012:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by the Yeas and Nays: (2/3 required): 402 - 0 (Roll no. 626).(text: CR H6768-6770)
- **Dec 13, 2012:** On motion to suspend the rules and pass the bill, as amended Agreed to by the Yeas and Nays: (2/3 required): 402 - 0 (Roll no. 626). (text: CR H6768-6770)
- **Dec 13, 2012:** Motion to reconsider laid on the table Agreed to without objection.
- **Nov 30, 2012:** Reported (Amended) by the Committee on Oversight and Government Reform. H. Rept. 112-698.
- **Nov 30, 2012:** Placed on the Union Calendar, Calendar No. 509.
- **Sep 20, 2012:** Committee Consideration and Mark-up Session Held.
- **Sep 20, 2012:** Ordered to be Reported (Amended) by Unanimous Consent.
- **Feb 16, 2012:** Introduced in House
- **Feb 16, 2012:** Referred to the House Committee on Oversight and Government Reform.

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