

twice as much or 50 percent more, whatever it might be, for the weapons system you wanted.

GAO tells us that “many DoD programs fall short of cost, schedule, and performance expectations, meaning DoD pays more than anticipated, can buy less than expected, and, in some cases, delivers less capability to the warfighter.”

A major reason why there is so much waste, fraud, and abuse at the Pentagon is the fact that the Department of Defense remains the only Federal agency that hasn’t been able to pass an independent audit. That is why I have filed an amendment with Senators GRASSLEY, WYDEN, and LEE that would require the Defense Department to pass a clean audit no later than fiscal year 2025.

When you have an agency that spends some \$700 billion, I don’t think it is too much to ask that we have an independent audit of the Department of Defense.

Interestingly enough, many of us will recall what then-Secretary of Defense Donald Rumsfeld—not one of my favorite public officials—told the American people on the day before 9/11 about the serious financial mismanagement at the DOD. Here is what Donald Rumsfeld said. Needless to say, the following day was 9/11. That was the terrorist attack against the United States, so what Rumsfeld said the day before that never got a whole lot of attention. But this is what a conservative Republican Secretary of Defense said:

Our financial systems are decades old. According to some estimates, we cannot track \$2.3 trillion in transactions. We cannot share information from floor to floor in this building—

That is the Pentagon.

because it’s stored on dozens of technological systems that are inaccessible or incompatible.

And yet, nearly 20 years after Donald Rumsfeld’s statement, the Defense Department has still not passed a clean audit, despite the fact that the Pentagon controls assets in excess of \$2.2 trillion or, roughly, 70 percent of what the entire Federal Government owns.

The Commission on Wartime Contracting in Iraq and Afghanistan concluded in 2011 that \$31 billion to \$60 billion spent in Iraq and Afghanistan had been lost to fraud and waste.

Separately, in 2015, the Special Inspector General for Afghanistan Reconstruction reported that the Pentagon could not account for \$45 billion in funding for reconstruction projects. More recently, an audit conducted by Ernst & Young for the Defense Logistics Agency found that it could not properly account for some \$800 million in construction projects.

It is time to hold the Defense Department to the same level of accountability as the rest of the government. That is not a radical idea. And support for this concept is bipartisan. That is why I am delighted that this amendment is supported by Senators GRASS-

LEY and LEE, as well as Senator WYDEN, and we hope it will be supported by a strong majority of the Members of the body.

I believe in a strong military, but we cannot continue to give more money to the Pentagon than it needs when millions of children in our country are food insecure—there are kids all over this country, in every State in this country, who are hungry—and when we have 140 million people who cannot afford the basic necessities of life without going into debt.

Further, let us be very clear, when we are talking about the need to protect the American people, we are talking about the need to defeat our most immediate adversary right now, an adversary that has taken in recent months over 120,000 American lives, and that, of course, is the coronavirus.

When we talk about defense, when we talk about protecting the American people, we must get our priorities right and do everything we can to protect the American people from the coronavirus. I don’t think nuclear weapons are going to do it. I don’t think tanks are going to do it. I don’t think F-35s are going to do it. But we need to do everything we can to protect the lives and the health of the American people in terms of the coronavirus.

What virtually every scientist who has studied this issue will tell us—and they just told me that this morning as a member of the HELP Committee—is that the most effective way to prevent the transmission of this deadly virus and to stop unnecessary deaths from COVID-19 is for everybody in this country to wear a mask. It is not rocket science, not very complicated, but if you wear a mask when you are in contact with other people, the likelihood that you will spread the virus or get the virus is significantly reduced.

That is why I have filed an amendment which requires the Trump administration to use the Defense Production Act to manufacture the hundreds and hundreds of millions of high-quality masks that this country needs and to deliver them to every household in America.

This is not a radical idea. It is an idea that is being implemented all across the world, in countries like South Korea, France, Turkey, Austria, and many other countries; that is, they are distributing high-quality face masks to all of their people for free or at virtually no cost. That is what I believe we have to do.

There was a study that just came out from the University of Washington very recently, which suggested that if 95 percent of the American people wore face masks when they interact with others, we could save some 30,000 lives and hundreds of billions of dollars.

I think this is a commonsense amendment. It is beyond my comprehension how in the wealthiest nation in the world, with the strongest economy, we have not been able to

produce the personal protective equipment—the masks, gowns, gloves—that our doctors and nurses and medical personnel need. We have to do that, but we also have to produce the masks that the American people need.

As everyone knows, over the past 3 months, the coronavirus has infected more than 2.5 million Americans and caused nearly 130,000 deaths. More Americans have died from the coronavirus than were killed fighting in the wars in Korea, Vietnam, Afghanistan, and Iraq combined.

Sadly, there is new evidence that this pandemic is far from over and may kill many tens of thousands more. In the past few days, new COVID-19 cases in the United States have increased dramatically—jumping to their highest level in 2 months and returning to where they were at the peak of the outbreak.

If we take bold action now, we could prevent tens of thousands of Americans from dying. That is exactly what we have to do. Unfortunately, the Trump administration continues to endanger millions of Americans by ignoring the most basic recommendations of medical professionals and recklessly downplaying the most effective tool we have to contain the pandemic; that is, simply wearing a mask.

This amendment is nothing more than listening to science and saving lives. Again, this morning, I participated in a hearing with Dr. Fauci and many others from the Trump administration. They were very clear: Masks work. Social distancing works. And we should listen to the scientists.

We are, as I mentioned earlier, at a pivotal moment in American history. We as elected officials have to respond in a transformational way. We have to stand up for people. We have to rethink the way we have done things in the past. The amendments I have offered begin the process of changing American priorities. I hope all three of those amendments will pass.

With that, I yield the floor.

I suggest the absence of a quorum.

THE PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

MR. KENNEDY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

THE PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Kentucky.

STOPPING IMPROPER PAYMENTS TO DECEASED PEOPLE ACT

MR. PAUL. Madam President, I think it is a terrible thing that the government pays checks to dead people. The problem is that Social Security is not sharing that information with Treasury. I have a bill to do that and will ask unanimous consent for it to be joined with Senator CARPER’s bill and Senator KENNEDY’s bill.

At this point, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 4104, introduced earlier today. I ask further that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. CARPER. Madam President, reserving the right to object.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Madam President, 7 years ago, the Government Accountability Office included in its recommendations—something called the High Risk List—a way for us to stop wasting money, which was not to send checks to dead people. It was called improper payments to deceased. The GAO said there was a way to fix this, a way to stop this, and it proposed a way to stop it.

I worked with the late Tom Coburn to craft and introduce that idea from the GAO into legislation. It cleared the Homeland Security and Governmental Affairs Committee not once, not twice, not three times but, I think, four times. Since the departure of Tom Coburn, it has been cosponsored by other Republicans, including, most recently, by JOHN KENNEDY of Louisiana.

Improper payments are a huge deal for our Federal Government. The Government Accountability Office tells us that, last year, improper payments, overpayments, mistaken payments, and so forth were about \$150 billion. That is billion with a “b.” The GAO thinks we ought to do something about it, and it has been thinking we ought to have done something about it for a long time.

The person who is the leader of the Government Accountability Office is a fellow named Gene Dodaro. He has been the Comptroller General for, I think, gosh, a decade or more. I was talking to Comptroller General Gene Dodaro the other night. It was right after it was reported last week that Treasury had sent out \$1.4 billion worth of checks to people who were deceased. It actually sent out checks with the word “deceased” printed on the checks for all of these dead people, and one of the people who got a check marked “deceased” was Comptroller General Gene Dodaro’s mother who died in 2018.

I happened to be on the phone last Thursday—I was talking to somebody on my cell phone—when I got interrupted by a call from a woman in Delaware whom I knew.

She was calling to say: I just heard on MSNBC that Treasury sent \$1.4 billion worth of checks to dead people. Why don’t you do something about it?

We have been talking and thinking about doing something about it for a long time, and we are still talking about doing something about it. I think the time has come to do something about it. That is sort of where we are at this point in time.

I understand this has been discussed off the floor for a little bit, and maybe one of our colleagues has an objection to the consideration of this bill by unanimous consent. It ain’t like it hasn’t been out there for people to raise objections to it, to raise concerns. They have had 7 years in which to do that, and for 7 years, the GAO has said to please fix this part of the improper payments program. This doesn’t fix \$150 billion, but it certainly is a good start. I don’t know anybody in his right mind who would say we should send checks and continue to send checks to folks who are deceased. It just makes no sense. It didn’t make sense in 2013, when the idea was first presented on the High Risk List by the GAO, and it doesn’t make sense today.

Mr. KENNEDY. Will the Senator yield?

Mr. CARPER. I am happy to yield.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. KENNEDY. Madam President, I want to associate myself with the eloquent remarks of Senator CARPER.

I don’t need to remind everyone that we have \$25 trillion worth of taxpayer debt—not our debt, taxpayer debt. It is more than \$25 trillion. If we add in the mandatory spending—the Medicare, the Medicaid, Social Security—it is over \$100 trillion, which is the entire net worth of the American people. For the most prosperous country in all of human history, it is just barely over \$100 trillion.

As Senator CARPER said, my constituents ask all the time: Why don’t you do something about it? Why don’t you just set priorities?

Now, we have had a lot of wasteful spending—all of us in the U.S. Congress—going back years. I don’t need to remind everyone of some of the wasteful spending, but this is why people are so cynical.

In the past, this Congress, not this particular Congress, spent \$370,000 to study whether mothers love dogs as much as their kids. In the past, the U.S. Congress spent \$700,000 to restore a Buddhist temple in Vietnam. In the past, not this Congress but a past Congress spent \$400,000, which it gave to a major university—I kid you not—to study the oddity of the duck penis. Yet we just set a record. We just sent \$1.4 billion to 1.1 million people in America who are deceased when we owe \$25 trillion, and we know they are deceased.

Senator CARPER’s bill, which he has been working on for 7 years, and my bill, which I have been working on with him for the last 3½ years, will stop this. It is not a heavy lift.

I am not criticizing the Treasury Department. It did a great job of sending out about \$270 billion to 161 million people through the CARES Act, and I thank it for that, but do you know the problem? The problem is it sent \$1.4 billion to 1.1 million dead people. Why did that happen?

Here is why: We have what is called the Death Master File. If you die in

America, your State or others in your State send to the Social Security Administration the fact that you are dead. The Social Security Administration makes a list that is called the Death Master File. It is not a perfect list, but it is fairly accurate and can be better. The problem is, the Social Security Administration has taken the position for years that it can only share the Death Master File with a few other agencies.

It has said: We don’t have the authority to share it with other agencies, only with a couple of agencies.

Guess which one agency it couldn’t share the death file with—the Department of the Treasury. That is why we wasted \$1.4 billion.

It is a very simple fix, and Senator CARPER has worked on it for 7 years. Here is what our bill will do. It is really quite simple.

First of all, it tells the Social Security Administration to share the death records with everybody in the Federal Government who writes checks so we don’t send dead people money. Duh.

It will allow Federal agencies access to each other’s databases. Imagine that. They would talk to each other.

It would direct agencies to use this information to curb improper payments, and it would direct the Social Security Administration to do a better job.

Now, how simple is that? How simple is that? We are spending, right now, \$800 million a year. That is on top of the \$1.4 billion that we just wasted—took and threw it in the dirt. We threw it in the dirt. Like clockwork, every year we send \$800 million to dead people. It has all been in the papers, and it is a very easy fix, and that is what Senator CARPER’s and my bill does.

I yield the floor.

Mr. PAUL. Madam President, at this point we have a pending motion.

The PRESIDING OFFICER. There is a unanimous consent request pending. There is a reservation and the right to object.

Mr. PAUL. Madam President, I am asking, are there any objections? If there are no objections, I guess it passes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The bill (S. 4104) was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 4104

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Stopping Improper Payments to Deceased People Act”.

SEC. 2. DISTRIBUTION OF DEATH INFORMATION FURNISHED TO OR MAINTAINED BY THE SOCIAL SECURITY ADMINISTRATION.

(a) IN GENERAL.—

(1) IN GENERAL.—Section 205(r) of the Social Security Act (42 U.S.C. 405(r)) is amended—

(A) in paragraph (2)—

(i) by striking “may” and inserting “shall”; and

(ii) by inserting “, and to ensure the completeness, timeliness, and accuracy of,” after “transmitting”;

(B) by striking paragraphs (3), (4), and (5) and inserting the following:

“(3)(A) In the case of individuals with respect to whom federally funded benefits are provided by (or through) a Federal or State agency, the Commissioner of Social Security shall, to the extent feasible, provide such information through a cooperative arrangement with such agency for ensuring proper payment of those benefits with respect to such individuals if—

“(i) under such arrangement the agency agrees to such safeguards as the Commissioner determines are necessary or appropriate to protect the information from unauthorized use or disclosure;

“(ii) under such arrangement the agency provides reimbursement to the Commissioner of Social Security for the reasonable cost of carrying out such arrangement, including the reasonable costs associated with the collection and maintenance of information regarding deceased individuals furnished to the Commissioner pursuant to paragraph (1); and

“(iii) such arrangement does not conflict with the duties of the Commissioner of Social Security under paragraph (1).

“(B) The Commissioner of Social Security shall, to the extent feasible, provide for the use of information regarding all deceased individuals furnished to or maintained by the Commissioner under this subsection, through a cooperative arrangement in order for a Federal agency to carry out any of the following purposes, if the requirements of clauses (i), (ii), and (iii) of subparagraph (A) are met:

“(i) Under such arrangement, the agency operating the Do Not Pay working system established under section 5 of the Improper Payments Elimination and Recovery Improvement Act of 2012 may compare death information disclosed by the Commissioner with personally identifiable information reviewed through the working system, and may redisclose such comparison of information, as appropriate, to any Federal or State agency authorized to use the working system.

“(ii) The tax administration duties of the agency.

“(iii) Oversight activities of the Inspector General of an agency that is provided information regarding all deceased individuals pursuant to this subsection.

“(iv) Civil or criminal enforcement activities that are authorized by law.

“(C) With respect to the reimbursement to the Commissioner of Social Security for the reasonable cost of carrying out a cooperative arrangement described in subparagraph (A) between the Commissioner of Social Security and an agency, the Commissioner shall—

“(i) establish a defined calculation method for purposes of calculating the reasonable cost of carrying out the arrangement that does not take into account any services, information, or unrelated payments provided by the agency to the Commissioner; and

“(ii) reimbursement payments shall be accounted for and recorded separately from other transactions.

“(4) The Commissioner of Social Security may enter into similar arrangements with States to provide information regarding all deceased individuals furnished to or maintained by the Commissioner under this subsection for use by States in programs wholly funded by the States, or for use in the administration of a benefit pension plan or re-

tirement system for employees of a State or a political subdivision thereof, if the requirements of clauses (i), (ii), and (iii) of paragraph (3)(A) are met. For purposes of this paragraph, the terms retirement system and political subdivision have the meanings given such terms in section 218(b).

“(5) The Commissioner of Social Security may use or provide for the use of information regarding all deceased individuals furnished to or maintained by the Commissioner under this subsection for statistical purposes and research activities by Federal and State agencies (including research activities conducted under a contract or a cooperative arrangement (as such terms are defined for purposes of sections 6303 and 6305, respectively, of title 31, United States Code) with such an agency) if the requirements of clauses (i) and (ii) of paragraph (3)(A) are met.”; and

(C) in paragraph (8)(A)(i), by striking “subparagraphs (A) and (B) of paragraph (3)” and inserting “clauses (i), (ii), and (iii) of paragraph (3)(A)”.

(2) REPEAL.—Effective on the date that is 5 years after the date of enactment of this Act, the amendments made by this subsection to paragraphs (3), (4), (5), and (8) of section 205(r) of the Social Security Act (42 U.S.C. 405(r)) are repealed, and the provisions of section 205(r) of the Social Security Act (42 U.S.C. 405(r)) so amended are restored and revived as if such amendments had not been enacted.

(b) AMENDMENTS TO INTERNAL REVENUE CODE.—

(1) IN GENERAL.—Section 6103(d)(4) of the Internal Revenue Code of 1986 is amended—

(A) in subparagraphs (A) and (B), by striking “Secretary of Health and Human Services” each place it appears and inserting “Commissioner of Social Security”; and

(B) in subparagraph (B)(ii), by striking “such Secretary” and all that follows through “deceased individuals.” and inserting “such Commissioner pursuant to such contract, except that such contract may provide that such information is only to be used by the Social Security Administration (or any other Federal agency) for purposes authorized in the Social Security Act or this title.”.

(2) EFFECTIVE DATE.—The amendments made by this subsection take effect 180 days after the date of enactment of this Act.

(c) REPORT TO CONGRESS ON ALTERNATIVE SOURCES OF DEATH DATA.—

(1) REQUIREMENTS.—The Commissioner of Social Security, in coordination with the Secretary of the Treasury, shall conduct a review of potential alternative sources of death data maintained by the non-Federal sources, including sources maintained by State agencies or associations of State agencies, for use by Federal agencies and programs. The review shall include analyses of—

(A) the accuracy and completeness of such data;

(B) interoperability of such data;

(C) the extent to which there is efficient accessibility of such data by Federal agencies;

(D) the cost to Federal agencies of accessing and maintaining such data;

(E) the security of such data;

(F) the reliability of such data; and

(G) a comparison of the potential alternate sources of death data to the death data distributed by the Commissioner of Social Security.

(2) REPORT.—Not later than 4 years after the date of enactment of this Act, the Director of the Office of Management and Budget shall submit a report to Congress on the results of the review and analyses required under paragraph (1). The report shall include a recommendation by the Director of the Of-

fice of Management and Budget regarding whether to extend the agency access to death data distributed by the Commissioner of Social Security provided under the amendments made by subsection (a)(1) beyond the date on which such amendments are to be repealed under subsection (a)(2).

SEC. 3. IMPROVING THE USE OF DATA BY GOVERNMENT AGENCIES TO CURB IMPROPER PAYMENTS.

The Improper Payments Elimination and Recovery Improvement Act of 2012 (31 U.S.C. 3321 note) is amended by adding at the end the following:

“SEC. 8. IMPROVING THE USE OF DEATH DATA BY GOVERNMENT AGENCIES.

“(a) GUIDANCE BY THE OFFICE OF MANAGEMENT AND BUDGET.—

“(1) GUIDANCE TO AGENCIES.—Not later than 1 year after the date of enactment of this section, and in consultation with the Council of Inspectors General on Integrity and Efficiency and the heads of other relevant Federal, State, and local agencies, and Indian tribes and tribal organizations, the Director of the Office of Management and Budget shall issue guidance for each agency or component of an agency that operates or maintains a database of information relating to beneficiaries, annuity recipients, or any purpose described in section 205(r)(3)(B) of the Social Security Act (42 U.S.C. 405(r)(3)(B)) for which improved data matching with databases relating to the death of an individual (in this section referred to as death databases) would be relevant and necessary regarding implementation of this section to provide such agencies or components access to the death databases no later than 1 year after such date of enactment.

“(2) PLAN TO ASSIST STATES AND LOCAL AGENCIES AND INDIAN TRIBES AND TRIBAL ORGANIZATIONS.—Not later than 1 year after the date of enactment of this section, the Secretary of Health and Human Services and the Secretary of the Treasury shall jointly develop a plan to assist States and local agencies, and Indian tribes and tribal organizations, in providing electronically to the Federal Government records relating to the death of individuals, which may include recommendations to Congress for any statutory changes or financial assistance to States and local agencies and Indian tribes and tribal organizations that are necessary to ensure States and local agencies and Indian tribes and tribal organizations can provide such records electronically. The plan may include recommendations for the authorization of appropriations or other funding to carry out the plan.

“(b) REPORTS.—

“(1) REPORT TO CONGRESS ON IMPROVING DATA MATCHING REGARDING PAYMENTS TO DECEASED INDIVIDUALS.—Not later than 1 year after the date of enactment of this section, the Secretary of the Treasury, in consultation with the heads of other relevant Federal agencies, and in consultation with States and local agencies, Indian tribes and tribal organizations, shall submit to Congress a plan to improve how States and local agencies and Indian tribes and tribal organizations that provide benefits under a federally funded program will improve data matching with the Federal Government with respect to the death of individuals who are recipients of such benefits.

“(2) ANNUAL REPORT.—Not later than 1 year after the date of enactment of this section, and for each of the 4 succeeding years, the Secretary of the Treasury shall submit to Congress a report regarding the implementation of this section. The first report submitted under this paragraph shall include the recommendations of the Secretary required under subsection (a)(2).

“(c) DEFINITIONS.—In this section, the terms Indian tribe and tribal organization have the meanings given those terms in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).”.

SEC. 4. PLAN FOR ENSURING THE ACCURACY AND COMPLETENESS OF DEATH DATA MAINTAINED AND DISTRIBUTED BY THE SOCIAL SECURITY ADMINISTRATION.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Commissioner of Social Security shall submit to Congress a plan, which shall include an estimate of the cost of implementing the policies and procedures described in such plan, to improve the accuracy and completeness of the death data (including, where feasible and cost-effective, data regarding individuals who are not eligible for or receiving benefits under titles II or XVI of the Social Security Act) maintained and distributed by the Social Security Administration.

(b) CONTENT OF PLAN.—In developing the plan required under subsection (a), the Commissioner of Social Security shall consider whether to include the following elements:

- (1) Procedures for—
 - (A) identifying individuals who are extremely elderly, as determined by the Commissioner, but for whom no record of death exists in the records of the Social Security Administration;
 - (B) verifying the information contained in the records of the Social Security Administration with respect to individuals described in subparagraph (A) and correcting any inaccuracies; and
 - (C) where appropriate, disclosing corrections made to the records of the Social Security Administration.
- (2) Improved policies and procedures for identifying and correcting erroneous death records, including policies and procedures for—
 - (A) identifying individuals listed as dead who are actually alive;
 - (B) identifying individuals listed as alive who are actually dead; and
 - (C) allowing individuals or survivors of deceased individuals to notify the Social Security Administration of potential errors.
- (3) Improved policies and procedures to identify and correct discrepancies in the records of the Social Security Administration, including social security number records.
- (4) A process for employing statistical analysis of the death data maintained and distributed by the Social Security Administration to determine an estimate of the number of erroneous records.
- (5) Recommendations for legislation, as necessary.

(b) CONTENT OF PLAN.—In developing the plan required under subsection (a), the Commissioner of Social Security shall consider whether to include the following elements:

- (1) Procedures for—
 - (A) identifying individuals who are extremely elderly, as determined by the Commissioner, but for whom no record of death exists in the records of the Social Security Administration;
 - (B) verifying the information contained in the records of the Social Security Administration with respect to individuals described in subparagraph (A) and correcting any inaccuracies; and
 - (C) where appropriate, disclosing corrections made to the records of the Social Security Administration.
- (2) Improved policies and procedures for identifying and correcting erroneous death records, including policies and procedures for—
 - (A) identifying individuals listed as dead who are actually alive;
 - (B) identifying individuals listed as alive who are actually dead; and
 - (C) allowing individuals or survivors of deceased individuals to notify the Social Security Administration of potential errors.
- (3) Improved policies and procedures to identify and correct discrepancies in the records of the Social Security Administration, including social security number records.
- (4) A process for employing statistical analysis of the death data maintained and distributed by the Social Security Administration to determine an estimate of the number of erroneous records.
- (5) Recommendations for legislation, as necessary.

(b) CONTENT OF PLAN.—In developing the plan required under subsection (a), the Commissioner of Social Security shall consider whether to include the following elements:

- (1) Procedures for—
 - (A) identifying individuals who are extremely elderly, as determined by the Commissioner, but for whom no record of death exists in the records of the Social Security Administration;
 - (B) verifying the information contained in the records of the Social Security Administration with respect to individuals described in subparagraph (A) and correcting any inaccuracies; and
 - (C) where appropriate, disclosing corrections made to the records of the Social Security Administration.
- (2) Improved policies and procedures for identifying and correcting erroneous death records, including policies and procedures for—
 - (A) identifying individuals listed as dead who are actually alive;
 - (B) identifying individuals listed as alive who are actually dead; and
 - (C) allowing individuals or survivors of deceased individuals to notify the Social Security Administration of potential errors.
- (3) Improved policies and procedures to identify and correct discrepancies in the records of the Social Security Administration, including social security number records.
- (4) A process for employing statistical analysis of the death data maintained and distributed by the Social Security Administration to determine an estimate of the number of erroneous records.
- (5) Recommendations for legislation, as necessary.

SEC. 5. REPORT ON INFORMATION SECURITY.

Not later than 90 days after the date of the enactment of this Act, the Commissioner of Social Security shall submit a report to the Committees on Ways and Means, Oversight and Reform, and Homeland Security of the House of Representatives, and the Committees on Finance and Homeland Security and Governmental Affairs of the Senate that—

- (1) identifies all information systems of the Social Security Administration containing sensitive information; and
- (2) describes the measures the Commissioner is taking to secure and protect such information systems.

SEC. 6. LIMITED ACCESS TO DEATH INFORMATION MAINTAINED BY THE SOCIAL SECURITY ADMINISTRATION FOR RECOVERY OF ERRONEOUS REBATE PAYMENTS.

(a) IN GENERAL.—Section 205(r) of the Social Security Act (42 U.S.C. 405(r)), as amended by section 2, is further amended by adding at the end the following new paragraph:

“(10)(A) Notwithstanding any provision or requirement under paragraph (3), not later than 30 days after the date of enactment of this paragraph, the Commissioner of Social Security shall provide the Secretary with access to any records or information maintained by the Commissioner of Social Security pursuant to paragraph (1), provided that—

“(i) such records and information are used by the Secretary solely for purposes of carrying out subsection (h) of section 6428 of the Internal Revenue Code of 1986; and

“(ii) the Secretary agrees to establish safeguards to assure the maintenance of the confidentiality of any records or information disclosed.

“(B) In this paragraph, the term ‘Secretary’ means the Secretary of the Treasury or the Secretary’s delegate.”.

(b) RECOVERY OF REBATE PAYMENTS TO DECEASED INDIVIDUALS.—Section 6428 of the Internal Revenue Code of 1986 is amended—

- (1) by redesignating subsection (h) as subsection (i), and
- (2) by inserting after subsection (g) the following new subsection:

“(h) RECOVERY OF REBATE PAYMENTS TO DECEASED INDIVIDUALS.—In the case of any individual who is shown on the records or information disclosed to the Secretary under section 205(r)(10) of the Social Security Act as being deceased before January 1, 2020, if the Secretary has distributed a payment to such individual pursuant to subsection (f), the Secretary shall, to the extent practicable, carry out any measures as are deemed appropriate to suspend, cancel, and recover such payment.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this Act.

Mr. PAUL. Thank you.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. KENNEDY. Mr. President, I would now like to yield to Senator CARPER. I think I have the floor.

The PRESIDING OFFICER. The Senator has been recognized.

Mr. KENNEDY. I would like to yield to Senator CARPER, who I believe will have a motion with respect to our bill, which I call the Stop Paying Dead People Act.

I believe I still have the floor.

The PRESIDING OFFICER. The Senator does have the floor.

Mr. KENNEDY. I would like to yield, if he wishes the time, to Senator CARPER to make a motion. If he is not prepared to make a motion, I am.

The PRESIDING OFFICER (Mr. BOOZMAN). Is there objection to the yielding?

The Senator from Delaware.

Mr. CARPER. Senator WYDEN has some concerns about the legislation. Would he just take a couple minutes and explain what those are?

Again, I think my friend knows that it is something we have worked on for 7 years—same concept reported out of committee unanimously, repeatedly, and we are still waiting to get it done.

Let me yield to the Senator from Oregon.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, parliamentary inquiry: Has this bill passed now on UC?

The PRESIDING OFFICER. Which bill are you referring to?

The Paul bill passed, S. 4104.

Mr. WYDEN. The Paul bill passed that my colleagues are discussing.

The PRESIDING OFFICER. S. 4104 has passed.

Mr. WYDEN. All right. Well, I will just tell my colleagues—and I made it clear I was on my way here—I think that this is a flawed approach to a very serious problem, and the reason I feel this way, as the ranking Democrat on the Finance Committee, is this gives Social Security more responsibilities without any additional resources, and it comes at a time when I think there are going to be real challenges for Social Security as it tries to pay benefits.

Around here you always have a chance to take another crack at it. I was on my way over here to offer to work with my colleagues—the Senator from Louisiana, the Senator from Delaware—but apparently it was so important that I couldn’t come over here and make that offer, and I think the Senate will regret this.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. KENNEDY. Mr. President, I want to respond to that because the Senator from Oregon knows how much I admire him. But my understanding, after talking with his chief of staff—and as I said, Senator CARPER has been working on this for 7 years. I have been working on it for 3½ years.

We hotlined this bill, I think, last Thursday. We had no objections. Well, actually, I take that back. We had a couple of objections, and we worked them all out.

Then we got down here today at 3:25 to start, and we found out that Senator WYDEN had an objection, so we tried to reach Senator WYDEN. We couldn’t. We talked to his chief of staff. I was listening to the call. He said that Senator WYDEN wasn’t available. He didn’t know when he would be available. We tried to do it tomorrow, but we weren’t sure. That is why we—Senator CARPER and I—proceeded.

I am more than willing to sit down and work with Senator WYDEN. He knows that. We are working on a number of other bills together. But I want to reiterate the urgency of this. The American people are laughing at us. They are laughing at us. We sent out 1.1 million checks. Do you know what the check said? “John Doe, deceased.” It said: “John Doe, deceased.” The time has come to do something about it.

Now, something just passed. I am going to ask for a ruling from the Chair to find out what passed.

The PRESIDING OFFICER. S. 4104.

Mr. KENNEDY. Was that Senator PAUL’s bill?

The PRESIDING OFFICER. Yes.

Mr. KENNEDY. Combined with Senator CARPER’s bill and my bill?

The PRESIDING OFFICER. Let me just read this:

I ask unanimous consent that the Senate proceed to the immediate consideration of S. 4104, introduced earlier today. I further ask that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

So that was the entirety of the request.

The title is “to amend the Improper Payments Elimination and Recovery Improvement Act of 2012, including making changes to the Do Not Pay Initiative, for improved detection, prevention, and recovery of improper payments to deceased individuals, and for other purposes.”

Mr. KENNEDY. So if I might ask, does that mean that both bills together have passed?

The PRESIDING OFFICER. I am not sure what is in the bills, but I would assume that that is the case.

We did not have the paperwork beforehand.

Mr. KENNEDY. Mr. President, excuse me. My understanding is that Senator PAUL’s bill and the Carper-Kennedy bill were merged together, so we had two bills.

Is my understanding correct?

The PRESIDING OFFICER. To be honest, the Chair cannot answer that.

Mr. KENNEDY. I believe the RECORD will reflect that is correct, that Senator PAUL—I am not asking you to comment on the accuracy of what I am about to say, but I believe the RECORD will reflect that Senator PAUL’s bill was merged with the Carper-Kennedy bill and that those bills have passed as one bill.

Now, having said that, if Senator WYDEN or anybody else would like to sit down with Senator CARPER and me and make some improvements to the bill, I am more than happy to do this and to do that.

I will not speak for my good friend and mentor Senator CARPER, but I know he would share in my feelings, and I would extend that courtesy to Senator WYDEN and to any other Senator who would like to make some changes.

Let me reiterate again: This is a serious problem. We hotlined this bill on Thursday. We have worked out many difficult issues, and we found out that there was another Senator who couldn’t be available—he said, 5 minutes ago—and that is why we proceeded. But I am willing to unproceed to work with RON or anybody else who wants to improve this bill. But improving this bill, for me, doesn’t mean—I have only been here 3 or 4 years, but I have learned—I have learned the hard way—that sometimes negotiations can last years.

Do you know what? I have said it before: Doing nothing is hard. You never know when you are finished, and we need to do something on this.

I am embarrassed to go home. I feel like putting on a bag in the airplane when I get out so that my constituents will not see me. We sent out \$1.4 billion of taxpayer money to 1.1 million dead

people, and all we had to do was pass a simple bill that says to people at Social Security: Share your death file with the rest of your colleagues. What is controversial about that?

Mr. CARPER. Will the gentleman yield?

Mr. KENNEDY. Certainly.

Mr. CARPER. I think the concern raised by Senator WYDEN is if the Social Security Administration is going to be sharing this information not just with the IRS and a handful of agencies, there is going to be some cost involved in that sharing. That is a legitimate concern. Speaking for myself—and my guess is speaking for my friend from Louisiana—if there is an additional cost incurred by the Social Security Administration, I am sure it is going to be a lot less than \$1.4 billion that we have just wasted in sending out these \$1,200 checks over the last several months.

I will pledge—and will invite my friend from Louisiana to join me—to assure Senator WYDEN that we will work with him and his staff and the folks at the Social Security Administration to make sure that the Social Security Administration is made whole if the legislation that we have just apparently adopted here—if it actually is adopted and signed into law, we will make the Social Security Administration whole. That is a very fair thing to ask of us, and we should do that.

Mr. KENNEDY. Will the Senator yield?

Mr. CARPER. I would be happy to.

Mr. KENNEDY. Senator, do I understand correctly that one of Senator WYDEN’s problems or issues is the cost?

Mr. CARPER. The cost that might be incurred by the Social Security Administration because they would be asked to share this information more widely among Federal agencies than they do today.

Mr. KENNEDY. Well, will the Senator yield for 30 seconds?

Then I would suggest, Senator CARPER, through the Presiding Officer, that we sit down with Senator WYDEN and try to address these very legitimate concerns.

For the moment, I happen to be chairman of the Financial Services and General Government Subcommittee in Appropriations, and it may be that we can address those concerns there, and I would be more than happy to.

But I am equally happy to report to the American people that the U.S. Senate finally did something to stop paying dead people hard-earned taxpayer money, and I want to give most of the credit to Senator CARPER because he is a patient man. He has been working on this for 7 years. He is a more patient man than I am.

I yield the floor.

Mr. CARPER. Mr. President, I thank my colleague for his work, his efforts, and his tenacity.

I yield the floor.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2021—Continued

The PRESIDING OFFICER. The Senator from Minnesota.

UNANIMOUS CONSENT REQUEST—S. 4033

Ms. KLOBUCHAR. Mr. President, I come to the floor today to discuss the threats facing our upcoming elections—threats from the coronavirus and threats posed by foreign adversaries—and to once again urge my Republican colleagues to immediately take up legislation to address these threats.

As ranking member of the Rules Committee, I am proud to be speaking on the floor today with my Democratic colleagues—including Senators BLUMENTHAL, WARNER, DURBIN, COONS, and WYDEN—who will speak during the next hour on the need to protect our elections and make voting safe and easy throughout this pandemic and beyond. And that is safe and easy for Democrats, for Republicans, for Independents, for members of any party or anyone who wants to vote. This is not a partisan issue. Voting in our democracy is not a partisan issue. Everyone who wants to vote should be able to vote for whomever they want to vote for.

Today there are primaries happening in Colorado and Utah—two of the five States that vote almost entirely by mail—as well as Oklahoma.

As cases of coronavirus in this country rise, it is vital that all voters be able to cast their ballots from home, to cast their ballots by mail—a system that Colorado and Utah know to be safe and secure. We have heard Senator ROMNEY speak out strongly in defense of vote-by-mail and how it works in Utah. We have heard elected officials in Colorado, both Democrats and Republicans—these two States that have primaries today—say that their system works, that their democracies work.

This week we are also working to pass the National Defense Authorization Act. Colleagues, let me be clear. If we are concerned about defending our country, then we must protect our democracy, and if our elections are not safe, then our democracy is not secure. Election security is national security.

We shouldn’t spend more on military bands—I love military bands, but we shouldn’t spend more on military bands than we do on securing our elections on a Federal level—especially now, when we have foreign adversaries that the intelligence officials in the Trump administration have long said were emboldened by the last election—as in Russia—and will try to do this again.

We should not be spending more on military bands than securing our election on a Federal level when, in fact, we have a situation where a pandemic has made it unsafe for people to vote, especially seniors and people with pre-existing conditions, especially our veterans.