

**Explanation of Changes Reflected in the Chairman's
Amendment in the Nature of a Substitute to
H.R. 2716, the *Ending Improper Payments to Deceased People Act***

December 9, 2025

The Chairman's amendment in the nature of a substitute includes the following changes to H.R. 2716 as introduced (page and line references are to H.R. 2716 as introduced):

1. Page 1, line 9: Strike "Section" and replace with "Section 205(r) of the Social Security Act (42 U.S.C. 405(r)), as amended by section".
2. Page 1, line 9: Strike "801(a)" and replace with "801(a)(7)".
3. Page 2, line 1: Insert "," after "(Public Law 116-260)".
4. Page 2, lines 2-5: Strike all and replace with "(11) and inserting the following:
 "(11) The Commissioner of Social Security shall, to".
5. Page 2, line 10: After "system" insert "to help prevent improper payments of, and support the recovery of improperly paid, benefits or other payments".
6. Page 2, lines 14-20: Strike all after "agency." and replace with "The Commissioner of Social Security and the agency operating the Do Not Pay working system shall, while the data described in the preceding sentence is being provided to the agency operating the Do Not Pay working system, enter into an agreement based upon an agreed upon methodology, which covers the proportional share of State death data costs, which the Commissioner of Social Security and the agency operating the Do Not Pay working system may periodically review.
 "(12) The Commissioner of Social Security may not record a death to a record that may be provided under this section for any individual unless the Commissioner of Social Security has found it has clear and convincing evidence to support that the individual should be presumed to be deceased.'".
 (b) IMPROVING COORDINATION REGARDING INDIVIDUALS
 INCORRECTLY IDENTIFIED AS DECEASED.—Section 205(r)(7) of the Social Security Act (42 U.S.C. 405(r)(7)), as added by section 801(a)(4) of title VIII of division FF of the Consolidated Appropriations Act, 2021 (Public Law 116-260), is amended by striking "and" at the end of subparagraph (A), by striking the period at the end of subparagraph (B) and inserting "; and", and by adding at the end the following new subparagraph:
 "(C) notify any agency that has a cooperative arrangement with the Commissioner of Social Security under paragraph (3) or (11) of the error.".".
7. Page 2, line 22: Strike "December 28" and replace with "December 27".