

Restoring Benefits to Defrauded Veterans Act

[Public Law 118–114]

[This law has not been amended]

【Currency: This publication is a compilation of the text of Public Law 118–114. It was last amended by the public law listed in the As Amended Through note above and below at the bottom of each page of the pdf version and reflects current law through the date of the enactment of the public law listed at <https://www.govinfo.gov/app/collection/comps/>】

【Note: While this publication does not represent an official version of any Federal statute, substantial efforts have been made to ensure the accuracy of its contents. The official version of Federal law is found in the United States Statutes at Large and in the United States Code. The legal effect to be given to the Statutes at Large and the United States Code is established by statute (1 U.S.C. 112, 204).】

AN ACT To amend title 38, United States Code, to direct the Secretary of Veterans Affairs to repay the estates of deceased beneficiaries for certain benefits paid by the Secretary and misused by fiduciaries of such beneficiaries.

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

SECTION 1. [38 U.S.C. 101 note] SHORT TITLE.

This Act may be cited as the “Restoring Benefits to Defrauded Veterans Act”.

SEC. 2. REISSUANCE BY THE SECRETARY OF VETERANS AFFAIRS OF ESTATES OF DECEASED BENEFICIARIES FOR CERTAIN BENEFITS PAID BY THE SECRETARY AND MISUSED BY FIDUCIARIES.

Section 6107 of title 38, United States Code, is amended—

(1) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively;

(2) by inserting after subsection (b) the following new subsection (c):

“(c) REISSUANCE OF AMOUNTS IN THE CASE OF A DECEASED BENEFICIARY.—(1) If a beneficiary described in subsection (a) predeceases a payment under subsection (a) or (b), the Secretary shall pay such benefits, subject to paragraph (2), to an individual or entity in accordance with section 5121 of this title.

“(2) The Secretary may not make a payment under this subsection to a fiduciary who misused benefits of the beneficiary.”; and

(3) in subsection (e), as redesignated, by striking “subsection (a) or (b)” and inserting “this section”.