

109TH CONGRESS
2^D SESSION

H. R. 4730

To amend title 37, United States Code, to require the phased recovery of overpayments of pay and allowances made to members of the uniformed services, to delay the start of overpayment recovery from members who are wounded or injured, or who incur an illness, in a combat operation or combat zone, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 8, 2006

Mr. LEWIS of Kentucky introduced the following bill; which was referred to the Committee on Armed Services

A BILL

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1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. PHASED RECOVERY OF OVERPAYMENTS OF**
2 **PAY MADE TO MEMBERS OF THE UNIFORMED**
3 **SERVICES.**

4 (a) PHASE RECOVERY REQUIRED; MAXIMUM
5 MONTHLY INSTALLMENT.—Subsection (c) of section 1007
6 of title 37, United States Code, is amended by adding at
7 the end the following new paragraph:

8 “(3) If the indebtedness of a member of the uni-
9 formed services to the United States is due to the overpay-
10 ment of pay or allowances to the member through no fault
11 of the member, the amount of the overpayment shall be
12 recovered in monthly installments. The amount deducted
13 from the pay of the member for a month to recover the
14 overpayment amount may not exceed 20 percent of the
15 member’s pay for that month.”.

16 (b) RECOVERY DELAY FOR INJURED MEMBERS.—
17 Such subsection is further amended by inserting after
18 paragraph (3), as added by subsection (a), the following
19 new paragraph:

20 “(4) If a member of the uniformed services is injured
21 or wounded under the circumstances described in section
22 310(a)(2)(C) of this title or, while in the line of duty, in-
23 curs a wound, injury, or illness in a combat operation or
24 combat zone designated by the Secretary of Defense, any
25 overpayment of pay or allowances made to the member
26 while the member recovers from the wound, injury, or ill-

1 ness may not be deducted from the member's pay until
2 after the end of the 90-day period beginning on the date
3 on which the member is notified of the overpayment.”.

4 (c) CONFORMING AMENDMENTS.—Such subsection is
5 further amended—

6 (1) by inserting “(1)” before “Under regula-
7 tions”;

8 (2) by striking “his pay” both places it appears
9 and inserting “the member's pay”;

10 (3) by striking “However, after” and inserting
11 the following:

12 “(2) After”; and

13 (4) by inserting “by a member of the uniformed
14 services” after “actually received”.

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