

114TH CONGRESS
1ST SESSION

H. R. 112

To amend title 31, United States Code, to restore the 10 year statute of limitations applicable to collection of debt by administrative offset, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 2015

Mr. FORTENBERRY introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 31, United States Code, to restore the 10 year statute of limitations applicable to collection of debt by administrative offset, and for other purposes.

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

3 **SECTION 1. RESTORATION OF STATUTE OF LIMITATIONS.**

4 (a) IN GENERAL.—Section 3716(e) of title 31,
5 United States Code, is amended to read as follows:

6 “(e) This section does not apply—

7 “(1) to a claim under this subchapter that has
8 been outstanding for more than 10 years; or

1 “(2) when a statute explicitly prohibits using
 2 administrative offset or setoff to collect the claim or
 3 type of claim involved.”.

4 (b) RETROACTIVITY.—In the administration of sec-
 5 tion 3716(e) of title 31, United States Code, as amended
 6 by subsection (a), the following provisions of law shall be
 7 treated as if they had never been enacted:

8 (1) Section 14219 of the Food, Conservation,
 9 and Energy Act of 2008 (Public Law 110–234; 122
 10 Stat. 1483), repealed as duplicative enactment by
 11 section 4 of Public Law 110–246 (7 U.S.C. 8701
 12 note).

13 (2) Section 14219 of the Food, Conservation,
 14 and Energy Act of 2008 (Public Law 110–246; 122
 15 Stat. 2245).

16 **SEC. 2. LIMITATION ON USE OF FUNDS.**

17 The Commissioner of Social Security shall not use
 18 any funds to seek an administrative offset pursuant to sec-
 19 tion 3716 of title 31, United States Code, for collection
 20 of a debt or claim arising out of a benefit payment under
 21 title II of the Social Security Act (42 U.S.C. 401 et
 22 seq.)—

23 (1) from a child (as defined in section 216(e)
 24 of the Social Security Act (42 U.S.C. 416(e))) of the
 25 beneficiary, when such child is without fault;

1 (2) from an individual who had not attained the
2 age of 18 years on the date such debt or claim
3 arose; or

4 (3) where such debt or claim has been out-
5 standing for more than 10 years.

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