

117TH CONGRESS
1ST SESSION

H. R. 5966

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.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 12, 2021

Mr. TRONE (for himself and Mr. EMMER) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

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.

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. SHORT TITLE.**

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

1 **SEC. 2. REPAYMENT BY THE SECRETARY OF VETERANS AF-**
2 **FAIRS OF ESTATES OF DECEASED BENE-**
3 **FICIARIES FOR CERTAIN BENEFITS PAID BY**
4 **THE SECRETARY AND MISUSED BY FIDU-**
5 **CIARIES.**

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

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

10 (2) by inserting after subsection (b) the fol-
11 lowing new subsection (c):

12 “(c) REISSUANCE OF AMOUNTS IN THE CASE OF A
13 DECEASED BENEFICIARY.—(1) If a beneficiary described
14 in subsection (a) predeceases a payment under subsection
15 (a) or (b), the Secretary shall pay such benefits, subject
16 to paragraph (2), to an individual or entity in the fol-
17 lowing order:

18 “(A) The estate of the beneficiary.

19 “(B) A successor fiduciary serving the beneficiary
20 when the beneficiary died.

21 “(C) The next inheritor determined by a court of
22 competent jurisdiction.

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

1 (3) in subsection (e), as redesignated, by strik-
2 ing “subsection (a) or (b)” and inserting “this sec-
3 tion”.

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