

115TH CONGRESS
2D SESSION

S. 2884

To require the Secretary of Veterans Affairs to develop a standard letter format to be provided to individuals who are indebted to the United States by virtue of their participation in benefits programs administered by the Secretary, to provide notice of debt by electronic means to such individuals when so elected, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 17, 2018

Mrs. FISCHER (for herself, Mr. TESTER, Mr. BROWN, Mr. CORNYN, Mr. HELLER, and Mr. RUBIO) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To require the Secretary of Veterans Affairs to develop a standard letter format to be provided to individuals who are indebted to the United States by virtue of their participation in benefits programs administered by the Secretary, to provide notice of debt by electronic means to such individuals when so elected, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Veterans Fair Debt
3 Notice Act of 2018”.

4 **SEC. 2. DEPARTMENT OF VETERANS AFFAIRS NOTICE RE-**
5 **LATING TO DEBT COLLECTION ACTIVITIES.**

6 (a) **DEBT NOTIFICATION LETTER FORMATS.**—The
7 Secretary of Veterans Affairs shall collaborate with vet-
8 erans service organizations to develop a standard format
9 for any letter provided to individuals who the Secretary
10 determines are indebted to the United States by virtue of
11 such person’s participation in a benefits program adminis-
12 tered by the Secretary. Such letter shall be written in plain
13 language and shall include a notice of the debt and a clear
14 explanation of—

15 (1) why the individual is indebted to the United
16 States by virtue of such person’s participation in a
17 benefits program administered by the Secretary; and
18 (2) the options available to the individual.

19 (b) **DELIVERY OF DEBT NOTICES BY STANDARD**
20 **MAIL AND ELECTRONIC MEANS.**—The Secretary shall de-
21 velop a method by which individuals may elect to receive
22 notice of debt by electronic means and shall ensure, to the
23 extent practicable, that the letter developed under sub-
24 section (a) is delivered—

1 (1) by both standard mail and by electronic
2 means to intended recipients who have made such an
3 election; and

4 (2) only by standard mail to intended recipients
5 who have not made such an election.

6 (c) NOTICE TO CONGRESS.—

7 (1) NOTICES OF COMPLETION.—Upon comple-
8 tion of the development of the standard letter format
9 required under subsection (a) and upon completion
10 of development of the method under subsection (b),
11 the Secretary shall submit to Congress notice of the
12 completion of the development.

13 (2) PROGRESS REPORTS.—If the Secretary has
14 not submitted each notice required by paragraph (1)
15 by the date that is 90 days after the date of the en-
16 actment of this Act, the Secretary shall—

17 (A) submit to Congress a report describing
18 the progress of the Secretary toward imple-
19 menting subsections (a) and (b) and an expla-
20 nation for why the respective development has
21 not been completed; and

22 (B) every 30 days thereafter until all of
23 the notices required by paragraph (1) have been
24 submitted, submit to Congress an update to the
25 report under subparagraph (A) that includes an

1 additional explanation for the failure to com-
2 plete the respective development.

3 (d) STUDY AND REPORT.—

4 (1) STUDY.—The Secretary of Veterans Affairs,
5 in coordination with the Secretary of the Treasury,
6 shall conduct a study on the process by which indi-
7 viduals who are indebted to the United States by vir-
8 tue of their participation in a benefits program ad-
9 ministered by the Secretary of Veterans Affairs are
10 notified of debt collection efforts relating to such in-
11 debtedness.

12 (2) ELEMENTS.—The study required by para-
13 graph (1) shall include the following:

14 (A) An analysis of the scope of the prob-
15 lem of individuals who are indebted to the
16 United States by virtue of their participation in
17 a benefits program administered by the Sec-
18 retary of Veterans Affairs not receiving debt
19 collection notices relating to such indebtedness.

20 (B) Identification of administrative actions
21 the Secretary of Veterans Affairs and the Sec-
22 retary of the Treasury can carry out to reduce
23 the number of incorrect or unknown addresses
24 of such individuals in the databases of the De-
25 partment Veterans Affairs and the Department

1 of the Treasury and a timeline for carrying out
2 such actions.

3 (C) An estimate of the costs associated
4 with sending debt collection notices to such in-
5 dividuals by certified mail.

6 (D) An analysis of whether, or to what ex-
7 tent, sending debt collection notices to such in-
8 dividuals by certified mail would address the
9 problem analyzed under subparagraph (A).

10 (E) An analysis of the requirements and
11 resources that would be necessary to develop
12 the capability for creating a single consolidated
13 snapshot of a veteran's debt.

14 (F) An analysis of the extent to which in-
15 dividuals indebted to the United States by vir-
16 tue of their participation in a benefits program
17 administered by the Secretary of Veterans Af-
18 fairs are so indebted as a result of an error,
19 misrepresentation, or fraud by such individuals.

20 (3) REPORT.—Not later than one year after the
21 date of the enactment of this Act, the Secretary of
22 Veterans Affairs, in coordination with the Secretary
23 of the Treasury, shall submit to Congress a report

- 1 on the findings of the Secretaries with respect to the
- 2 study conducted under paragraph (1).

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