

116TH CONGRESS
1ST SESSION

H. R. 4654

To amend title 38, United States Code, to provide for the treatment of certain overpayments made by educational institutions to persons entitled to educational assistance under the laws administered by the Secretary of Veterans Affairs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 11, 2019

Mrs. LEE of Nevada (for herself and Mr. BANKS) introduced the following bill;
which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to provide for the treatment of certain overpayments made by educational institutions to persons entitled to educational assistance under the laws administered by the Secretary of Veterans Affairs, 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. SHORT TITLE.**

4 This Act may be cited as the “Student Veteran Pro-
5 tection Act”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

1 (1) The Department of Veterans Affairs pro-
2 vided \$10,800,000,000 in educational assistance
3 under the Post-9/11 Educational Assistance Pro-
4 gram benefits to almost 800,000 veterans during fis-
5 cal year 2014.

6 (2) According to the General Accountability Of-
7 fice’s October 2015 report, the Department of Vet-
8 erans Affairs identified \$416,000,000 in overpay-
9 ments under such Program during fiscal year 2014,
10 affecting approximately one-in-four veteran bene-
11 ficiaries and about 6,000 schools.

12 (3) According to such report, “while veterans
13 using other VA education programs have to verify
14 their enrollment each month, VA generally does not
15 require those using the Post-9/11 GI Bill to do so.
16 By not requiring veterans to verify their enrollment
17 every month, which can cause significant time to
18 lapse between when veterans drop courses and when
19 this is reported, VA’s process allows veterans to
20 incur thousands of dollars in overpayments and also
21 increases the program’s costs associated with col-
22 lecting these debts.”.

1 **SEC. 3. OVERPAYMENTS TO ELIGIBLE PERSONS OR VET-**
2 **ERANS.**

3 Subsection (b) of section 3685 of title 38, United
4 States Code, is amended to read as follows:

5 “(b) Any overpayment by an educational institution
6 to a veteran or eligible person shall constitute a liability
7 of the educational institution to the United States if—

8 “(1) the Secretary finds that the overpayment
9 has been made as the result of—

10 “(A) the willful or negligent failure of an
11 educational institution to report, as required
12 under this chapter or chapter 34 or 35 of this
13 title, to the Department of Veterans Affairs ex-
14 cessive absences from a course, or discontinu-
15 ance or interruption of a course by the veteran
16 or eligible person; or

17 “(B) the willful or negligent false certifi-
18 cation by an educational institution; or

19 “(2) the payment is made pursuant to—

20 “(A) section 3313(h) of this title;

21 “(B) section 3317 of this title; or

22 “(C) section 3680(d) of this title.”.

○