

119TH CONGRESS
1ST SESSION

S. 892

To amend title 38, United States Code, to improve the repayment by the Secretary of Veterans Affairs of benefits misused by a fiduciary, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 6, 2025

Ms. HIRONO (for herself, Mr. BOOZMAN, Mr. GALLEGO, and Mr. TUBERVILLE) introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to improve the repayment by the Secretary of Veterans Affairs of benefits misused by a fiduciary, 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 “Veteran Fraud Reim-
5 bursement Act of 2025”.

1 **SEC. 2. IMPROVEMENT TO REPAYMENT BY SECRETARY OF**
 2 **VETERANS AFFAIRS OF CERTAIN MISUSED**
 3 **BENEFITS.**

4 Section 6107 of title 38, United States Code, is
 5 amended to read as follows:

6 **“§ 6107. Reissuance of benefits**

7 “(a) REISSUANCE OF MISUSED BENEFITS.—(1) In
 8 any case in which a fiduciary misuses all or part of an
 9 individual’s benefit paid to such fiduciary, the Secretary
 10 shall pay to the beneficiary or the beneficiary’s successor
 11 fiduciary an amount equal to the amount of such benefit
 12 so misused.

13 “(2) In any case in which the Secretary reissues a
 14 benefit payment (in whole or in part) under paragraph (1),
 15 the Secretary shall make a good faith effort to obtain
 16 recoupment from the fiduciary to whom the payment was
 17 originally made.

18 “(3) In any case in which the Secretary obtains
 19 recoupment from a fiduciary who has misused benefits,
 20 the Secretary shall promptly remit payment of the re-
 21 coupled amounts to the beneficiary or the beneficiary’s suc-
 22 cessor fiduciary, as the case may be, to the extent that
 23 such amounts have not been paid under paragraph (1).

24 “(b) REISSUANCE OF AMOUNTS IN THE CASE OF A
 25 DECEASED BENEFICIARY.—(1) If a beneficiary described
 26 in subsection (a)(1) predeceases a payment under such

1 subsection, the Secretary shall pay such amount, subject
2 to paragraph (2), to an individual or entity in accordance
3 with section 5121 of this title.

4 “(2) The Secretary may not make a payment under
5 this subsection to a fiduciary who misused benefits of the
6 beneficiary.

7 “(c) LIMITATION ON TOTAL AMOUNT PAID.—The
8 total of the amounts paid to a beneficiary or the bene-
9 ficiary’s successor fiduciary under this section may not ex-
10 ceed the total benefit amount misused by the fiduciary
11 with respect to that beneficiary.

12 “(d) OVERSIGHT OF NEGLIGENCE.—(1) The Sec-
13 retary shall establish methods and timing with respect to
14 determining whether an instance of misuse by a fiduciary,
15 of all or part of an individual’s benefit paid to such fidu-
16 ciary, is the result of negligence by the Secretary.

17 “(2) The Secretary may not withhold the reissuing
18 of a benefit payment under subsection (a)(1) by reason
19 of a pending determination under paragraph (1).

20 “(3) The Secretary is not required to make a deter-
21 mination under paragraph (1) for each instance of misuse
22 by a fiduciary, of all or part of an individual’s benefit paid
23 to such fiduciary.”.

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