

[DISCUSSION DRAFT]

118TH CONGRESS
2D SESSION

H. R. _____

To amend title 38, United States Code, to modify certain requirements relating to the recovery by the Department of Veterans Affairs of overpayments made to eligible persons or veterans relating to educational assistance under the laws administered by the Secretary of Veterans Affairs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

M. _____ introduced the following bill; which was referred to the
Committee on _____

A BILL

To amend title 38, United States Code, to modify certain requirements relating to the recovery by the Department of Veterans Affairs of overpayments made to eligible persons or veterans relating 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 Debt
5 Relief Act of 2024”.

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

3 Section 3685 of title 38, United States Code, is
4 amended by adding at the end the following new sub-
5 sections:

6 “(f)(1) If the Secretary finds that an overpayment
7 has been made to a veteran or eligible person relating to
8 educational assistance under a law administered by the
9 Secretary, the overpayment shall not constitute a liability
10 for the veteran, eligible person, or educational institution
11 if the veteran, eligible person, or educational institution
12 demonstrates to the Secretary that—

13 “(A) the Department made an error with re-
14 spect to the eligibility of the veteran or eligible per-
15 son for educational assistance under the laws admin-
16 istered by the Secretary; or

17 “(B) the Department of Defense provided in-
18 correct information to the Department of Veterans
19 Affairs with respect to the eligibility of the veteran
20 or eligible person for educational assistance under
21 such laws.

22 “(2)(A) If the Secretary finds that an overpayment
23 has been made to a veteran or eligible person relating to
24 educational assistance under a law administered by the
25 Secretary and determines, in consultation with an edu-
26 cational institution where the veteran or eligible person is

1 pursuing a course or program of education using such as-
2 sistance, that liability for the overpayment would be likely
3 to result in the inability of the veteran or eligible person
4 to continue pursuit of the course or program, the Sec-
5 retary shall—

6 “(i) review the liability to determine if the li-
7 ability is eligible for a hardship waiver; and

8 “(ii) if the liability is not eligible, make an at-
9 tempt to recover the overpayment from the veteran
10 or eligible person.

11 “(B) If the Secretary is unable to recover an overpay-
12 ment from a veteran or eligible person under subpara-
13 graph (A)(ii), the Secretary shall—

14 “(i) provide to the Under Secretary for Benefits
15 evidence of the attempt to recover the overpayment;
16 and

17 “(ii) establish with the veteran or eligible per-
18 son a payment plan under which the veteran or eligi-
19 ble person agrees to repay the amount of the over-
20 payment to the Secretary.

21 “(g) The Secretary may not recover an overpayment
22 under this section unless—

23 “(1) the overpayment occurs and is identified
24 after the date of the enactment of the Student Vet-
25 eran Debt Relief Act of 2024; and

1 “(2) the overpayment is identified, and the edu-
2 cational institution is notified of the overpayment,
3 not more than ten years after the overpayment oc-
4 curs.”.