

113TH CONGRESS
1ST SESSION

S. 930

To amend title 38, United States Code, to require the Secretary of Veterans Affairs, in cases of overpayments of educational assistance under Post-9/11 Educational Assistance, to deduct amounts for repayment from the last months of educational assistance entitlement, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MAY 13, 2013

Mr. BENNET 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 require the Secretary of Veterans Affairs, in cases of overpayments of educational assistance under Post-9/11 Educational Assistance, to deduct amounts for repayment from the last months of educational assistance entitlement, 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. DELAYED REPAYMENT OF OVERPAYMENTS**
2 **MADE UNDER POST-9/11 EDUCATIONAL AS-**
3 **SISTANCE.**

4 (a) IN GENERAL.—Section 5314 of title 38, United
5 States Code, is amended—

6 (1) by redesignating subsections (c) and (d) as
7 subsections (d) and (e), respectively;

8 (2) in subsection (a), by striking “to sub-
9 sections (b) and (d)” and inserting “to subsections
10 (b), (c), and (e)”; and

11 (3) by inserting after subsection (b) the fol-
12 lowing new subsection (c):

13 “(c)(1) Subject to paragraph (2), in the case of a de-
14 duction under subsection (a) with respect to an overpay-
15 ment made by the Secretary to a person under chapter
16 33 of this title, the Secretary shall, to the degree prac-
17 ticable, make such deduction from the last payment or
18 payments (as necessary) to which such person is entitled
19 under such chapter.

20 “(2) Paragraph (1) shall no longer apply to, and
21 amounts shall be deducted as otherwise provided in this
22 section with respect to, a person described in such para-
23 graph who, after the overpayment described in such para-
24 graph—

25 “(A) completes the program of education with
26 respect to which the overpayment was made; or

1 “(B) fails, during the next two academic semes-
2 ters beginning after such overpayment, to attend
3 classes in a manner consistent with normal pursuit
4 of a program of education.

5 “(3) The Secretary may charge an individual de-
6 scribed in paragraph (1) such amount of interest on the
7 amount of indebtedness as is necessary so that the delayed
8 repayment is actuarially equivalent to immediate repay-
9 ment.

10 “(4) This subsection shall expire on the date that is
11 nine years after the date of the enactment of this sub-
12 section.”.

13 (b) APPLICABILITY.—Subsection (c) of section 5314
14 of such title, as added by subsection (a), shall apply with
15 respect to overpayments made on or after the date of the
16 enactment of this Act.

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