

Mr. BOST. Madam Speaker, once again, I encourage Members to support this legislation and to help our veterans get the most out of their GI Bill benefits.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Ms. DE LA CRUZ). The question is on the motion offered by the gentleman from Illinois (Mr. BOST) that the House suspend the rules and pass the bill, H.R. 5914, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

VETERAN FRAUD REIMBURSEMENT ACT

Mr. BOST. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4016) to amend title 38, United States Code, to improve the repayment by the Secretary of Veterans Affairs of benefits misused by a fiduciary.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4016

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Veteran Fraud Reimbursement Act".

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

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

"§ 6107. Reissuance of benefits

"(a) REISSUANCE OF MISUSED BENEFITS.—(1) In any case in which a fiduciary misuses all or part of an individual's benefit paid to such fiduciary, the Secretary shall pay to the beneficiary or the beneficiary's successor fiduciary an amount equal to the amount of such benefit so misused.

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(1), the Secretary shall make a good faith effort to obtain recoupment from the fiduciary to whom the payment was originally made.

"(3) In any case in which the Secretary obtains recoupment from a fiduciary who has misused benefits, the Secretary shall promptly remit payment of the recouped amounts to the beneficiary or the beneficiary's successor fiduciary, as the case may be, to the extent that such amounts have not been paid under paragraph (1).

"(b) LIMITATION ON TOTAL AMOUNT PAID.—The total of the amounts paid to a beneficiary or the beneficiary's successor fiduciary under this section may not exceed the total benefit amount misused by the fiduciary with respect to that beneficiary.

"(c) OVERSIGHT OF NEGLIGENCE.—(1) The Secretary shall establish methods and timing with respect to determining whether an instance of misuse by a fiduciary, of all or part of an individual's benefit paid to such fiduciary, is the result of negligence by the Secretary.

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

"(3) The Secretary is not required to make a determination under paragraph (1) for each instance of misuse by a fiduciary, of all or part of an individual's benefit paid to such fiduciary."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. BOST) and the gentleman from California (Mr. TAKANO) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. BOST. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 4016.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

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Mr. BOST. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise today in support of H.R. 4016 as offered by Representative CONNOLLY. This bill would ensure that VA's fiduciary program is managed effectively so that our Nation's most vulnerable veterans receive the benefits they earned.

The VA appoints fiduciaries for veterans who are unable to manage their VA benefits. A fiduciary misuses a veteran's VA benefit when they spend a veteran's benefit on anything other than the veteran's care and welfare. However, before a veteran who is a victim of misuse can be made financially whole, the VA is required to determine whether the misuse was as a result of VA negligence, but VA does not monitor whether these negligence determinations are being made in a timely way. This bureaucratic red tape has resulted in long wait times for veterans to recoup their misused benefits. Some veterans have passed away before recouping their misused benefits. We must ensure the VA promptly makes whole any veteran who was a victim of misuse by a fiduciary.

H.R. 4016 would ensure just that. It would prohibit VA from withholding repayment of misused benefits because the VA is still working on a negligence determination.

It would also require the VA to establish methods to ensure that negligence determinations are made in a timely way. Veterans deserve to receive their benefits without bureaucratic hurdles and unnecessary delays.

Madam Speaker, I urge all of my colleagues to support H.R. 4016, and I reserve the balance of my time.

Mr. TAKANO. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in strong support of the bill from Representative CONNOLLY, H.R. 4016, the Veteran Fraud Reimbursement Act, and encourage my colleagues to do the same.

Beneficiaries in the fiduciary program are among the most vulnerable in

VA's care. Because they are often elderly or mentally ill, they are at greater risk for financial abuse and theft of benefits. Unfortunately, in spite of VA's best efforts at vetting proposed fiduciaries, bad actors do arise from time to time.

When that happens, theft or misuse can have a devastating impact on the financial stability of the beneficiary. Not only that, the strain of being taken advantage of can further erode their physical and mental health, as well.

As such, I support this bill's goal of speeding restitution to those beneficiaries who may have suffered from theft or misuse of funds by a fiduciary. We must empower the VA to make these beneficiaries whole as soon as possible. It is the right thing to do.

Madam Speaker, I encourage my colleagues to support the bill, and I reserve the balance of my time.

Mr. BOST. Madam Speaker, I yield 3 minutes to the gentlewoman from Iowa (Mrs. MILLER-MEEKS).

Mrs. MILLER-MEEKS. Madam Speaker, I thank Chairman BOST for yielding me time to speak.

I rise in strong support of H.R. 4016, the Veteran Fraud Reimbursement Act. This bipartisan piece of legislation, introduced by Representative CISCOMANI and Representative CONNOLLY, aims to enhance the repayment process by the Secretary of Veterans Affairs for misappropriated benefits.

Our veterans have selflessly served our Nation with honor and courage, and it is our duty to ensure they receive the benefits they rightly deserve and have earned. However, instances of misappropriation of veterans' benefits are a grave injustice that cannot be tolerated. This bill addresses this issue head-on by instituting crucial reforms to ensure that our veterans are promptly reimbursed for any benefits misappropriated by their fiduciaries.

Under this proposed legislation, the Secretary of Veterans Affairs is mandated to reissue benefits to veterans in cases where they are defrauded of their benefits. Additionally, the Secretary must make a good faith effort to recoup misused funds from the responsible fiduciaries, thereby holding them accountable for their actions.

As a 24-year military veteran, I would also like to state that this bill ensures that veterans are not unduly penalized due to delays in determining negligence and guarantees that they receive their benefits owed to them in a timely manner. We cannot turn a blind eye to the injustices faced by our veterans.

By supporting H.R. 4016, we demonstrate our unwavering commitment to protecting the rights and well-being of those who have bravely served our country.

Madam Speaker, I urge all of my colleagues to join me in supporting this crucial legislation and standing up for our veterans.

Mr. TAKANO. Madam Speaker, I yield 5 minutes to the gentleman from

Virginia (Mr. CONNOLLY), the coauthor of this legislation who serves on the Foreign Affairs Committee and the Oversight and Accountability Committee.

Mr. CONNOLLY. Madam Speaker, I thank the ranking member of the Veterans' Affairs Committee and Mr. BOST for their leadership and support in trying to fix a wrong.

Mr. BOST, I think, perfectly described the intent of this bill and what the problem is, and I think Mr. TAKANO did a great job in helping us understand what pain is incurred when veterans in a fiduciary status experience fraud and cannot get reimbursed in a timely manner for their benefits.

As both gentlemen indicated, we have examples of veterans who have died before this issue is adjudicated. That is wrong. No veteran and no family of a veteran should have to go through that once the determination has been made that fraud has occurred.

More than 50 percent of the people in this fiduciary category are pensioners. As Mr. TAKANO said, this is among the most vulnerable population of veterans, so they are easy to defraud, easy to exploit and take advantage of, and the government must stand by those men and women who served in uniform, served bravely, and deserve the best treatment from their government, not negligent treatment.

Today, this bill, H.R. 4016, the Veterans Fraud Reimbursement Act, grew out of actually an encounter I had with veterans in my district who were describing this very problem. We can't solve every problem, but this one we can.

I urge my colleagues to support this legislation. I thank my colleagues on both sides of the aisle for making this a bipartisan effort. I hope that it will pass with no opposition and clear the Senate so that we can start making sure that our veterans are kept whole.

Mr. TAKANO. Madam Speaker, I ask all my colleagues to join me in supporting H.R. 4016, and I yield back the balance of my time.

Mr. BOST. Madam Speaker, once again, I encourage Members to support this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. BOST) that the House suspend the rules and pass the bill, H.R. 4016.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. BOST. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

STUDENT VETERAN BENEFIT RESTORATION ACT

Mr. BOST. Madam Speaker, I move to suspend the rules and pass the bill

(H.R. 1767) to amend title 38, United States Code, to provide that educational assistance paid under Department of Veterans Affairs educational assistance programs to an individual who pursued a program or course of education that was suspended or terminated for certain reasons shall not be charged against the entitlement of the individual, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1767

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Student Veteran Benefit Restoration Act".

SEC. 2. TREATMENT BY DEPARTMENT OF VETERANS AFFAIRS OF EDUCATIONAL INSTITUTIONS THAT VIOLATE CERTAIN PROHIBITIONS ON ADVERTISING, SALES, AND ENROLLMENT PRACTICES.

(a) RESTORATION OF ENTITLEMENT.—Section 3696 of title 38, United States Code, is amended—

(1) by redesignating subsections (i) through (j) as subsections (j) through (m), respectively; and

(2) by inserting after subsection (h) the following new subsection (i):

"(i) RESTORATION OF ENTITLEMENT.—Upon a final determination by the Under Secretary for Benefits under subsection (g), including the results of any appeal under subsection (i), that an educational institution or the owner of an educational institution violated subsection (a), (c), or (d), the Secretary may determine that any payment of educational assistance to an individual who used, or was enticed to use, entitlement to educational assistance under chapter 30, 31, 32, 33, or 35 of this title, or chapter 1606 or 1607 of title 10, to pursue a course or program of education at such educational institution during the time period when the violation occurred, and who, by reason of such violation, was unable to continue such course or program at such educational institution or was deprived (in the determination of the Secretary) of the expected value of such used entitlement, is not—

"(1) charged against any entitlement to educational assistance of the individual; or

"(2) counted against the aggregate period for which section 3695 of this title limits the receipt of educational assistance by such individual."

(b) REPAYMENT OF FUNDS.—

(1) IN GENERAL.—Subsection (h) of such section is amended—

(A) in paragraph (4), by striking "subsection (i)" and inserting "subsection (j)"; and

(B) by adding at the end the following new paragraph:

"(5)(A) In addition to any other enforcement action taken under this subsection, upon a final determination by the Under Secretary for Benefits under subsection (g) that an educational institution or the owner of an educational institution violated subsection (a) or (c), the Secretary shall require the educational institution to repay to the Secretary all amounts of educational assistance under chapter 30, 31, 32, 33, or 35 of this title, or chapter 1606 or 1607 of title 10, paid to the educational institution by or on behalf of an individual who pursued a course or program of education at the educational institution during the time period when the violation occurred.

"(B) As a condition of the approval of a course or program of education under this

chapter, the educational institution offering the course or program shall agree that if Under Secretary of Benefits makes a final determination under subsection (g) that the educational institution or the owner of the educational institution violated subsection (a) or (c), the educational institution shall make the repayment required under subparagraph (A).

"(C) The Under Secretary shall establish a process for making a determination regarding the amount an educational institution or an owner of an educational institution is required to repay under subparagraph (A) in the case of a violation of subsection (a) or (c). Such process shall include—

"(i) clearly defined factors to be used to determine the amount attributable to the violation, including the degree to which individuals enrolled in a program of education offered by the educational institution using entitlement to educational assistance under chapter 30, 31, 32, 33, or 35 of this title or chapter 1606 or 1607 of title 10 suffered a loss due to the violation;

"(ii) a requirement that the Under Secretary provide notice to the educational institution or the owner of the educational institution that the Under Secretary is in the process of making such a determination with respect to the educational institution or owner; and

"(iii) a procedure under which the educational institution or owner may provide such information to the Under Secretary as the educational institution or owner determines appropriate within a specified period of time outlined by the Secretary for purposes of informing such determination.

"(D) A determination made pursuant to subparagraph (C) shall be—

"(i) made by the Under Secretary and may not be delegated; and

"(ii) subject to review under section 7104(a) of this title."

(2) DISAPPROVAL.—Section 3679 of title 38, United States Code, is amended by adding at the end the following new subsection:

"(g) Notwithstanding any other provision of this chapter, in the case of an educational institution that the Secretary determines is required to repay to the Secretary an amount under section 3696(h)(5) of this title and does not repay such amount, the Secretary shall disapprove a course or program of education offered by the educational institution until the educational institution repays to the Secretary such amount."

(3) REINSTATEMENT.—Paragraph (2) of subsection (k) of section 3696, as redesignated by subsection (a)(1), is amended—

(A) in subparagraph (E)—

(i) by striking "that"; and

(ii) by striking "and" at the end;

(B) by redesignating subparagraph (F) as subparagraph (G); and

(C) by inserting after subparagraph (E) the following new subparagraph (F):

"(F) the educational institution repays any amount required to be repaid under subsection (h)(5); and"

SEC. 3. MODIFICATION OF CERTAIN HOUSING LOAN FEES.

The loan fee table in section 3729(b)(2) of title 38, United States Code, is amended by striking "November 15, 2031" each place it appears and inserting "November 29, 2031".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. BOST) and the gentleman from California (Mr. TAKANO) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. BOST. Madam Speaker, I ask unanimous consent that all Members