

118TH CONGRESS
1ST SESSION

S. 263

To amend title 38, United States Code, to require the Secretary of Veterans Affairs to repay the estates of deceased beneficiaries for certain benefits paid by the Secretary and misused by fiduciaries of such beneficiaries, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 2, 2023

Mr. MANCHIN (for himself 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 require the Secretary of Veterans Affairs to repay the estates of deceased beneficiaries for certain benefits paid by the Secretary and misused by fiduciaries of such beneficiaries, 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 “Restoring Benefits to
5 Defrauded Veterans Act of 2023”.

1 **SEC. 2. REPAYMENT BY THE SECRETARY OF VETERANS AF-**
2 **FAIRS OF ESTATES OF DECEASED BENE-**
3 **FICIARIES FOR CERTAIN BENEFITS PAID BY**
4 **THE SECRETARY AND MISUSED BY FIDU-**
5 **CIARIES.**

6 Section 6107 of title 38, United States Code, is
7 amended—

8 (1) by redesignating subsections (c) and (d) as
9 subsections (d) and (e), respectively;

10 (2) by inserting after subsection (b) the fol-
11 lowing new subsection (c):

12 “(c) REISSUANCE OF AMOUNTS IN THE CASE OF A
13 DECEASED BENEFICIARY.—(1) If a beneficiary described
14 in subsection (a) predeceases a payment under subsection
15 (a) or (b), the Secretary shall pay such benefits, subject
16 to paragraph (2), to an individual or entity in the fol-
17 lowing order:

18 “(A) The estate of the beneficiary.

19 “(B) A successor fiduciary serving the bene-
20 ficiary when the beneficiary died.

21 “(C) The next inheritor determined by a court
22 of competent jurisdiction.

23 “(2) The Secretary may not make a payment under
24 this subsection to a fiduciary who misused benefits of the
25 beneficiary.”; and

1 (3) in subsection (e), as redesignated, by strik-
2 ing “subsection (a) or (b)” and inserting “this sec-
3 tion”.

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