

12 . AN AMENDMENT TO BE OFFERED BY
REPRESENTATIVE LEWIS OF
KENTUCKY, OR HIS DESIGNEE, TO
BE DEBATABLE FOR 10 MINUTES:

26

**AMENDMENT TO H.R. 5122, AS REPORTED
OFFERED BY MR. LEWIS OF KENTUCKY**

At the end of title VI (page 237, after line 8), add
the following new section:

1 **SEC. 664. PHASED RECOVERY OF OVERPAYMENTS OF PAY**
2 **MADE TO MEMBERS OF THE UNIFORMED**
3 **SERVICES.**

4 (a) PHASE RECOVERY REQUIRED; MAXIMUM
5 MONTHLY INSTALLMENT.—Subsection (c) of section 1007
6 of title 37, United States Code, is amended by adding at
7 the end the following new paragraph:

8 “(3) If the indebtedness of a member of the uni-
9 formed services to the United States is due to the overpay-
10 ment of pay or allowances to the member through no fault
11 of the member, the amount of the overpayment shall be
12 recovered in monthly installments. The amount deducted
13 from the pay of the member for a month to recover the
14 overpayment amount may not exceed 20 percent of the
15 member’s pay for that month.”

16 (b) RECOVERY DELAY FOR INJURED MEMBERS.—
17 Such subsection is further amended by inserting after
18 paragraph (3), as added by subsection (a), the following
19 new paragraph:



1 “(4) If a member of the uniformed services is injured
2 or wounded under the circumstances described in section
3 310(a)(2)(C) of this title or, while in the line of duty, in-
4 curs a wound, injury, or illness in a combat operation or
5 combat zone designated by the Secretary of Defense, any
6 overpayment of pay or allowances made to the member
7 while the member recovers from the wound, injury, or ill-
8 ness may not be deducted from the member’s pay until
9 after the end of the 90-day period beginning on the date
10 on which the member is notified of the overpayment.”.

11 (c) CONFORMING AMENDMENTS.—Such subsection is
12 further amended—

13 (1) by inserting “(1)” before “Under regula-
14 tions”;

15 (2) by striking “his pay” both places it appears
16 and inserting “the member’s pay”;

17 (3) by striking “However, after” and inserting
18 the following:

19 “(2) After”; and

20 (4) by inserting “by a member of the uniformed
21 services” after “actually received”.

