

Suspend the Rules and Pass the Bill, H.R. 1815, with an Amendment

(The amendment strikes all after the enacting clause and inserts a new text)

119TH CONGRESS
1ST SESSION

H. R. 1815

To amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to take certain actions in the case of a default on a home loan guaranteed by the Secretary, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 3, 2025

Mr. VAN ORDEN introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to take certain actions in the case of a default on a home loan guaranteed by the Secretary, 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 “VA Home Loan Pro-
5 gram Reform Act”.

1 **SEC. 2. AUTHORITY OF THE SECRETARY OF VETERANS AF-**
2 **FAIRS TO TAKE CERTAIN ACTIONS IN THE**
3 **CASE OF A DEFAULT ON A HOME LOAN GUAR-**
4 **ANTEED BY THE SECRETARY.**

5 (a) IN GENERAL.—Section 3732 of title 38, United
6 States Code, is amended—

7 (1) in subsection (a)—

8 (A) in paragraph (1), by striking “obliga-
9 tion” each place it appears and inserting
10 “loan”;

11 (B) in paragraph (2)—

12 (i) by amending subparagraph (A) to
13 read as follows:

14 “(A) The Secretary may, under terms and conditions
15 determined by the Secretary—

16 “(i) pay the holder of a loan guaranteed under
17 this chapter an amount necessary to avoid the fore-
18 closure of such loan;

19 “(ii) require the holder of the loan and the vet-
20 eran obligated on the loan to execute all documents
21 necessary to ensure the Secretary obtains a secured
22 interest in the property covered by the loan; and

23 “(iii) require the holder of the loan to take any
24 actions necessary to carry out this paragraph, in-
25 cluding preparing, executing, transmitting, receiving,

1 and recording documents, and requiring the holder
2 of the loan to place the loan in forbearance.”;

3 (ii) in subparagraph (B), by striking
4 “obligation” each place it appears and in-
5 serting “housing loan”; and

6 (iii) by adding at the end the fol-
7 lowing new subparagraphs:

8 “(C)(i) Any decision by the Secretary under this
9 paragraph is final and is not subject to judicial review.

10 “(ii) For purposes of section 511 of this title, any
11 decision under this paragraph shall not be treated as a
12 decision under a law that affects the provision of benefits.

13 “(D)(i) The Secretary may establish standards for
14 processing payments under this paragraph based on a cer-
15 tification by a holder of a loan guaranteed under this
16 chapter that the holder has complied with all applicable
17 requirements established by the Secretary.

18 “(ii) The Secretary shall carry out, on a random-sam-
19 pling basis, post-payment audits to ensure compliance
20 with all requirements described in clause (i).”; and

21 (C) in paragraph (5), by striking “obliga-
22 tion” and inserting “loan”;

23 (2) in subsection (c)—

1 (A) in paragraph (1), in the matter pre-
2 ceding subparagraph (A), by striking “sub-
3 section—” and inserting “subsection:”; and

4 (B) in paragraph (10)(B)(i), by striking
5 “forebearance” each place it appears and in-
6 serting “forbearance”; and

7 (3) by adding at the end the following new sub-
8 section:

9 “(d) The Secretary shall prescribe loss mitigation
10 procedures, including a mandatory sequence in which the
11 holder of a loan guaranteed under this chapter shall offer
12 loss mitigation options (including an option to enter into
13 a partial claim agreement under the VA Home Loan Pro-
14 gram Reform Act) to a veteran, to help prevent the fore-
15 closure of such loan. The Secretary may not purchase an
16 entire such loan until the veteran has completed such se-
17 quence.”.

18 (b) RELATIONSHIP TO OTHER POWERS OF SEC-
19 RETARY.—Section 3720 of such title is amended—

20 (1) in subsection (a), by striking “Notwith-
21 standing” and inserting “Except as provided in sub-
22 section (h), notwithstanding”;

23 (2) by redesignating subsections (f) through (h)
24 as subsections (e) through (g), respectively; and

1 (3) by adding at the end the following new sub-
2 section (h):

3 “(h) The Secretary may not take any action under
4 paragraph (2), (3), (4), or (5) of subsection (a) with re-
5 spect to a loan guaranteed under this chapter before the
6 completion of the sequence of mitigation options offered
7 to the veteran to whom the loan is made under section
8 3732(d) of this title.”.

9 **SEC. 3. PARTIAL CLAIM PROGRAM OF THE DEPARTMENT**
10 **OF VETERANS AFFAIRS.**

11 (a) IN GENERAL.—Subchapter III of chapter 37 of
12 title 38, United States Code, is amended by adding at the
13 end the following new section:

14 **“§ 3737. Partial Claim Program**

15 “(a) ESTABLISHMENT.—The Secretary shall carry
16 out a program, to be known as the ‘Partial Claim Pro-
17 gram’, under which the Secretary may make a partial
18 claim, described in subsection (b), with respect to a loan—

19 “(1) guaranteed under this chapter;

20 “(2) regarding the primary residence of the
21 borrower; and

22 “(3) that the Secretary determines is in default
23 or at imminent risk of default.

24 “(b) PARTIAL CLAIM DESCRIBED.—A partial claim
25 described in this subsection, with respect to a loan de-

1 scribed in subsection (a), is the purchase by the Secretary
2 of a portion of indebtedness under the loan, through a
3 transaction under which the Secretary—

4 “(1) pays to the holder of the loan the amount
5 of indebtedness, subject to subsection (c), that the
6 Secretary determines necessary to help prevent or
7 resolve a default; and

8 “(2) receives a secured interest in the property
9 that serves as collateral for the guaranteed loan,
10 which is subordinate to the first lien guaranteed loan
11 for such property.

12 “(c) ADMINISTRATION OF PARTIAL CLAIM.—(1)(A)
13 Subject to subparagraph (B), the amount of a partial
14 claim under this section with respect to a loan guaranteed
15 described in subsection (a) may not exceed 25 percent of
16 the unpaid principal balance of the loan on the date on
17 which the partial claim is made.

18 “(B) In the case of an individual who failed to make
19 a payment on a loan guaranteed under this chapter during
20 the period beginning on March 1, 2020 and ending on May
21 1, 2025, the amount of a partial claim under this section
22 may not exceed 30 percent of the unpaid principal balance
23 of the guaranteed loan as of the date that the initial par-
24 tial claim is made.

1 “(2)(A) Subject to subparagraph (B), the Secretary
2 may make only one partial claim per loan.

3 “(B) The Secretary may make an additional partial
4 claim on a loan guaranteed under this chapter in the case
5 of an individual who failed to make a payment on such
6 loan during—

7 “(i) a major disaster declared by the President
8 under section 401 of the Robert T. Stafford Disaster
9 Relief and Emergency Assistance Act (42 U.S.C.
10 5170); or

11 “(ii) the period of 120 days following such a
12 major disaster.

13 “(3) An amount paid to the holder of a loan as a
14 partial claim—

15 “(A) shall not count against the amount of a
16 loan that may otherwise be guaranteed under this
17 chapter; and

18 “(B) may not be applied to the portion of the
19 loan that is guaranteed under this chapter.

20 “(4) A holder of a loan guaranteed under such chap-
21 ter for which the Secretary makes a partial claim under
22 this section shall apply the amount paid by the Secretary
23 for the partial claim first to arrearages, if any, on the
24 guaranteed loan. Such arrearages may include any addi-
25 tional costs (such as taxes, insurance premiums, or home-

1 owner's dues) the Secretary determines necessary to pre-
2 vent or resolve a default.

3 “(5) The Secretary may enter into a contract with
4 an appropriate entity for the service of a partial claim
5 made by the Secretary under this section. Any such con-
6 tract shall provide that such entity shall provide quarterly
7 statements to the holder of the loan for which the Sec-
8 retary makes the partial claim.

9 “(d) REQUIREMENTS OF LOAN HOLDER.—(1) The
10 Secretary may require the holder of a loan for which the
11 Secretary makes a partial claim under this section to take
12 any actions necessary to establish the partial claim, in-
13 cluding preparing, executing, transmitting, receiving, and
14 recording loan documents.

15 “(2) The Secretary shall compensate the holder of
16 such a loan appropriately, as determined by the Secretary,
17 for the services required of such holder under this sub-
18 section.

19 “(3) The Secretary may exercise the authority of the
20 Secretary under this subsection without regard to any
21 other provision of law not enacted expressly in limitation
22 of this section that would otherwise govern the expenditure
23 of public funds.

24 “(e) DEFAULT AND FORECLOSURE.—(1)(A) Not-
25 withstanding section 3703(e) of this title, an individual

1 who defaults on a loan for which the Secretary makes a
2 partial claim made under this section shall be liable to the
3 Secretary for any loss suffered by the Secretary resulting
4 from such default. Such a loss may be recovered in the
5 same manner as any other debt due the United States.

6 “(B) In the event of default by an individual on a
7 loan for which the Secretary makes a partial claim made
8 under this section, the Secretary may reduce the aggregate
9 amount of guaranty or insurance housing loan entitlement
10 available to the individual under this chapter.

11 “(2) Notwithstanding section 2410(c) of title 28, an
12 action to foreclose a lien held by the United States arising
13 under a partial claim made under this section shall follow
14 foreclosure procedures in accordance with State or local
15 law where the property involved is located.

16 “(f) DECISIONS BY THE SECRETARY.—(1) Any par-
17 tial claim made under this section shall be made in the
18 sole discretion of the Secretary and on terms and condi-
19 tions acceptable to the Secretary that are consistent with
20 this section.

21 “(2) Any decision by the Secretary under this section
22 is final and conclusive and is not subject to judicial review.

23 “(3) For purposes of section 511 of this title, any
24 decision under this section shall not be treated as a deci-
25 sion under a law that affects the provision of benefits.

1 “(g) COMPLIANCE.—(1) The Secretary may establish
2 standards for processing payments under this section
3 based on a certification by a holder of a loan guaranteed
4 under such chapter that the holder has complied with all
5 applicable requirements established by the Secretary.

6 “(2) The Secretary shall carry out, on a random-sam-
7 pling basis, post-payment audits to ensure compliance
8 with all requirements under paragraph (1).

9 “(h) GUIDANCE WITH RESPECT TO CERTAIN
10 LOANS.—(1) With respect to a loan described in para-
11 graph (2), the Secretary may—

12 “(A) before prescribing regulations, issue ad-
13 ministrative guidance regarding the making of a
14 partial claim relating to such loan; and

15 “(B) establish, through such guidance, addi-
16 tional requirements applicable to such a partial
17 claim.

18 “(2) A loan described in this paragraph is a loan that
19 the Secretary determines was in default on the date of
20 the enactment of this section.

21 “(i) RULE OF CONSTRUCTION.—Nothing in this sec-
22 tion shall be construed to limit the authority of the Sec-
23 retary under subsections (a) and (d) of section 3732 of
24 this title.

1 “(j) TERMINATION.—The Secretary may not make a
2 partial claim under this section after the date that is five
3 years after the date of the enactment of this section.”.

4 (b) CLERICAL AMENDMENT.—The table of sections
5 at the beginning of such chapter is amended by inserting
6 after the item relating to section 3736 the following new
7 item:

“3737. Partial Claim Program.”.

8 **SEC. 4. STRATEGY OF THE SECRETARY OF VETERANS AF-**
9 **FAIRS REGARDING THE EFFECT OF CERTAIN**
10 **LITIGATION.**

11 Not later than 90 days after the date of the enact-
12 ment of this Act, the Secretary of Veterans Affairs shall
13 submit to the Committees on Veterans’ Affairs of the Sen-
14 ate and House of Representatives a report on the strategy
15 of the Secretary to ensure that a veteran who seeks to
16 purchase a home with a loan guaranteed under chapter
17 37 of title 38, United States Code, is not at a disadvan-
18 tage when attempting to secure representation by a real
19 estate agent or broker. Such strategy may include amend-
20 ments to section 36.4313 of title 38, Code of Federal Reg-
21 ulations.

1 **SEC. 5. INCREASE OF AUTHORIZATION OF APPROPRIA-**
2 **TIONS FOR COMPREHENSIVE SERVICE PRO-**
3 **GRAMS FOR HOMELESS VETERANS.**

4 Section 2016 of title 38, United States Code, is
5 amended—

6 (1) in paragraph (7), by striking “fiscal year
7 2015 and each subsequent fiscal year” and inserting
8 “each of fiscal years 2015 through 2024”; and

9 (2) by adding at the end the following new
10 paragraphs:

11 “(8) \$344,000,000 for each of fiscal years 2025
12 and 2026.

13 “(9) \$257,700,000 for each fiscal year there-
14 after through fiscal year 2030.”.