

## Union Calendar No.

116<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 3504

[Report No. 116-]

To amend title 38, United States Code, to provide for improvements to the specially adapted housing program of the Department of Veterans Affairs, and for other purposes.

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### IN THE HOUSE OF REPRESENTATIVES

JUNE 26, 2019

Mr. BILIRAKIS (for himself, Mr. DAVID P. ROE of Tennessee, and Mr. LEVIN of California) introduced the following bill; which was referred to the Committee on Veterans' Affairs

JULY --, 2019

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on June 26, 2019]

# **A BILL**

To amend title 38, United States Code, to provide for improvements to the specially adapted housing program of the Department of Veterans Affairs, 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 “Ryan Kules Specially*  
5 *Adaptive Housing Improvement Act of 2019”.*

6 **SEC. 2. PRIORITY IN AWARD OF SPECIALLY ADAPTED HOUS-**  
7 **ING GRANTS TO SERIOUSLY ILL VETERANS.**

8        *(a) IN GENERAL.—Section 2101 of title 38, United*  
9 *States Code, is amended by adding at the end the following*  
10 *new subsection:*

11        *“(d) PRIORITY FOR SERIOUSLY ILL VETERANS.—(1)*  
12 *In providing assistance under this section, the Secretary*  
13 *shall give priority to seriously ill veterans.*

14        *“(2) In this section, the term ‘seriously ill veteran’*  
15 *shall have the meaning given such term by the Secretary.”.*

16        *(b) DEFINITION OF SERIOUSLY ILL VETERAN.—*

17            *(1) IN GENERAL.—By not later than 90 days*  
18 *after the date of the enactment of this Act, the Sec-*  
19 *retary of Veterans Affairs shall—*

20                    *(A) determine the meaning of the term “se-*  
21 *riously ill veteran” for purposes of subsection (d)*  
22 *of section 2101 of title 38, United States Code,*  
23 *as added by subsection (a); and*

1                   (B) submit to the Committees on Veterans'  
2                   Affairs of the Senate and House of Representa-  
3                   tives the meaning of such term as so determined.

4                   (2) *APPLICABILITY.*—The definition of “seriously  
5                   ill veteran” as determined under paragraph (1) shall  
6                   apply for purposes of such subsection (d) beginning  
7                   on the date that is 30 days after the date on which  
8                   the Secretary submits to the Committees on Veterans'  
9                   Affairs of the Senate and House of Representatives the  
10                  definition of such term as so determined.

11                  (c) *EFFECTIVE DATE.*—The amendment made by sub-  
12                  section (a) shall take effect on October 1, 2020, and apply  
13                  with respect to assistance provided on or after that date.

14                  **SEC. 3. INCREASE IN AMOUNTS OF ASSISTANCE PROVIDED.**

15                  (a) *INCREASE OF NUMBER OF GRANTS PER VET-*  
16                  *ERAN.*—Section 2102(d)(3) of such title is amended by  
17                  striking “three” and inserting “six”.

18                  (b) *INCREASE IN NUMBER OF APPLICATIONS AUTHOR-*  
19                  *IZED TO BE APPROVED.*—Section 2101(a)(4) of such title  
20                  is amended by striking “30 applications” and inserting  
21                  “120 applications”.

22                  (c) *INCREASE IN MAXIMUM AMOUNT OF ASSISTANCE*  
23                  *FOR ADAPTATION TO VETERAN’S RESIDENCE.*—Section  
24                  2102(b)(2) of such title is amended by striking “\$12,000”  
25                  and inserting “\$19,733”.

1           (d) *INCREASE IN AGGREGATE AMOUNT OF ASSISTANCE*  
2 *FOR ACQUISITION OF HOUSING WITH SPECIAL FEA-*  
3 *TURES.*—Section 2102(d)(1) of such title is amended by  
4 striking “\$63,780” and inserting “\$98,492”.

5           (e) *INCREASE IN AGGREGATE AMOUNT OF ASSISTANCE*  
6 *FOR ADAPTATIONS TO VETERANS’ RESIDENCES.*—Section  
7 2102(d)(2) of such title is amended by striking “\$12,756”  
8 and inserting “\$19,733”.

9           (f) *EFFECTIVE DATE AND APPLICATION.*—The amend-  
10 ments made by this section shall take effect on October 1,  
11 2020. The amendments made by subsections (c) and (d)  
12 shall apply with respect to individuals who have not re-  
13 ceived the maximum amount of assistance under section  
14 2101 of title 38, United States Code, before such date.

15 **SEC. 4. PROVISION OF ADDITIONAL AMOUNTS OF SPE-**  
16 **CIALLY ADAPTED HOUSING ASSISTANCE FOR**  
17 **CERTAIN VETERANS.**

18           Section 2102 of such title is amended by adding at  
19 the end the following new subsection:

20           “(f)(1) Notwithstanding the aggregate amounts speci-  
21 fied in subsection (d), a covered veteran may apply for and  
22 receive an additional amount of assistance under subsection  
23 (a) or (b) of section 2101 of this title in an amount that  
24 does not exceed half of the amount specified in subsection  
25 (d).

1       “(2) *In this subsection, a covered veteran is a veteran*  
2 *who—*

3               “(A) *is described in section 2101(a)(2) of this*  
4 *title;*

5               “(B) *first receives assistance under this chapter*  
6 *on or after October 1, 2020;*

7               “(C) *as of the date of the veteran’s application*  
8 *for assistance under paragraph (1), most recently re-*  
9 *ceived assistance under this chapter more than ten*  
10 *years before such date; and*

11               “(D) *lives in a home that the Secretary deter-*  
12 *mines does not have adaptations that are reasonably*  
13 *necessary because of the veteran’s disability.”.*

14 **SEC. 5. IMPROVEMENT TO WORK-STUDY ALLOWANCE PRO-**  
15 **GRAM.**

16       (a) *PAYMENT OF ALLOWANCE.—Subsection (a) of sec-*  
17 *tion 3485 of title 38, United States Code, is amended—*

18               (1) *in paragraph (1), by striking “Individuals”*  
19 *and inserting “In accordance with paragraph (4), in-*  
20 *dividuals”;*

21               (2) *by redesignating paragraphs (4), (5), and (6)*  
22 *as paragraphs (5), (6), and (7), respectively; and*

23               (3) *by inserting after paragraph (3) the fol-*  
24 *lowing new paragraph:*

1           “(4)(A) *The Secretary shall carry out this section by*  
2 *providing to educational institutions an annual amount for*  
3 *the institution to use in paying work-study allowance under*  
4 *paragraph (1) to individuals enrolled at the institution.*

5           “(B) *With respect to an educational institution that*  
6 *participated in the work-study program under this section*  
7 *during the academic year beginning August 1, 2018, the*  
8 *Secretary shall determine the annual amount to provide to*  
9 *the educational institution under subparagraph (A) as fol-*  
10 *lows:*

11                   “(i) *For the academic year beginning August 1,*  
12 *2020, the amount shall be the total amount the Sec-*  
13 *retary paid under this section to individuals enrolled*  
14 *at such educational institution during the academic*  
15 *year beginning August 1, 2018.*

16                   “(ii) *Except as provided by subparagraph*  
17 *(D)(ii), for each academic year beginning on or after*  
18 *August 1, 2021, the amount shall be the total amount*  
19 *the educational institution paid under this section for*  
20 *work-study allowance to individuals enrolled at such*  
21 *educational institution during the previous academic*  
22 *year in which individuals participated in the work-*  
23 *study program.*

24           “(C) *With respect to an educational institution that*  
25 *did not participate in the work-study program under this*

1 *section during the academic year beginning August 1, 2018,*  
2 *the Secretary shall determine the annual amount to provide*  
3 *to the educational institution under subparagraph (A) as*  
4 *follows:*

5           “(i) *For the first academic year in which the*  
6 *educational institution participates in the work-study*  
7 *program beginning on or after August 1, 2020, the*  
8 *amount shall be an amount the Secretary determines*  
9 *appropriate based on amounts provided to similar*  
10 *educational institutions pursuant to subparagraph*  
11 *(B).*

12           “(ii) *Except as provided by subparagraph*  
13 *(D)(ii), for each academic year occurring after the*  
14 *academic year specified in clause (i), the amount*  
15 *shall be the total amount the educational institution*  
16 *paid under this section for work-study allowance to*  
17 *individuals enrolled at such educational institution*  
18 *during the previous academic year in which individ-*  
19 *uals enrolled at such educational institution partici-*  
20 *ated in the work-study program.*

21           “(D)(i) *Except as provided in clause (ii), if the Sec-*  
22 *retary provides an annual amount to an educational insti-*  
23 *tution under subparagraph (B) or (C) that is more than*  
24 *the total amount the educational institution pays to indi-*  
25 *viduals under paragraph (1), the educational institution*



1 *shall return to the Secretary the unpaid amount and the*  
2 *Secretary shall transfer such amount into the general fund*  
3 *of the Treasury.*

4       “(ii) *If the annual amount provided to an educational*  
5 *institution under subparagraph (B) or (C) is more, but less*  
6 *than 25 percent more, than the total amount the edu-*  
7 *cational institution pays to individuals under paragraph*  
8 *(1), and the educational institution plans to participate in*  
9 *the work-study program under this section during the subse-*  
10 *quent academic year, the educational institution may re-*  
11 *tain the amount of the overpayment if the educational insti-*  
12 *tution notifies the Secretary of the amount of the overpay-*  
13 *ment and the intention of the educational institution to re-*  
14 *tain such amount. Any amount retained by an educational*  
15 *institution under this clause may only be used by the edu-*  
16 *cational institution to provide work-study allowance to in-*  
17 *dividuals enrolled at the educational institution.*

18       “(iii) *At any time an educational institution may re-*  
19 *quest the Secretary to increase the annual amount that the*  
20 *Secretary provides the educational institution under sub-*  
21 *paragraph (B) or (C).*

22       “(E) *Pursuant to section 3690(c), section 3693, and*  
23 *other provisions of chapter 36 of this title, the Secretary*  
24 *shall ensure that educational institutions carry out the*

1 *work-study allowance program in compliance with this sec-*  
2 *tion.”.*

3 (b) *CONFORMING AMENDMENT.*—*Subsection (e)(1) of*  
4 *such section is amended by striking “subsection (a)(4)” and*  
5 *inserting “subsection (a)(5)”.*

6 (c) *APPLICATION.*—*The amendments made by this sec-*  
7 *tion shall apply with respect to a quarter, semester, or term,*  
8 *as applicable, commencing on or after August 1, 2020.*

9 **SEC. 6. EXPANSION OF ELIGIBILITY FOR FRY SCHOLARSHIP**  
10 **TO CHILDREN AND SPOUSES OF CERTAIN DE-**  
11 **CEASED MEMBERS OF THE ARMED FORCES.**

12 (a) *IN GENERAL.*—*Subsection (b) of section 3311 of*  
13 *title 38, United States Code, is amended—*

14 (1) *by redesignating paragraph (10) as para-*  
15 *graph (12); and*

16 (2) *by inserting after paragraph (9) the fol-*  
17 *lowing new paragraphs (10) and (11):*

18 “(10) *An individual who is the child or spouse*  
19 *of a person who, on or after September 11, 2001, dies*  
20 *in line of duty while serving on duty other than ac-*  
21 *tive duty as a member of the Armed Forces.*

22 “(11) *An individual who is the child or spouse*  
23 *of a member of the Selected Reserve who dies on or*  
24 *after September 11, 2001—*

1           “(A) from a service-connected disability;  
2           and

3           “(B) not later than four years after the date  
4           of the last discharge or release of that member  
5           from active duty or active duty for training.”.

6           (b) *APPLICABILITY DATE.*—The amendments made by  
7           subsection (a) apply with respect to a quarter, semester, or  
8           term, as applicable, commencing on or after August 1, 2020.

9           (c) *CONFORMING AMENDMENTS.*—

10           (1) Subsection (f) of such section is amended by  
11           striking “paragraph (9)” each place it appears and  
12           inserting “paragraphs (9), (10), and (11)”.

13           (2) Section 3322 of such title is amended—

14           (A) in subsection (e), by striking both “sec-  
15           tions 3311(b)(9) and 3319” and inserting “sec-  
16           tion 3319 and paragraph (9), (10), or (11) of  
17           section 3311 of this title”;

18           (B) in subsection (f), by striking “section  
19           3311(b)(9)” and inserting “paragraph (9), (10),  
20           or (11) of section 3311 of this title”; and

21           (C) in subsection (h)(2), by striking “either  
22           section 3311(b)(9) or chapter 35” and inserting  
23           “either chapter 35 or paragraph (9), (10), or  
24           (11) of section 3311”.

1 **SEC. 7. TREATMENT OF CERTAIN PREPARATORY COURSES**  
2 **AS PROGRAMS OF EDUCATION FOR PUR-**  
3 **POSES OF DEPARTMENT OF VETERANS AF-**  
4 **FAIRS EDUCATIONAL ASSISTANCE PRO-**  
5 **GRAMS.**

6 (a) *IN GENERAL.*—Chapter 33 of title 38, United  
7 States Code, is amended by inserting after section 3315A  
8 the following new section:

9 **“§3315B. Preparatory courses for licensure, certifi-**  
10 **cation, or national tests**

11 “(a) *IN GENERAL.*—An individual entitled to edu-  
12 cational assistance under this chapter shall also be entitled  
13 to payment for a preparatory course for a licensing or cer-  
14 tification test that is required or used to enter into, main-  
15 tain, or advance in employment in a predetermined and  
16 identified vocation or profession.

17 “(b) *AMOUNT.*—The amount of educational assistance  
18 payable under this chapter for a course described in sub-  
19 section (a) is the lesser of—

20 “(1) the fee charged for the course; or

21 “(2) the amount of entitlement available to the  
22 individual under this chapter at the time of payment  
23 for the course under this section.

24 “(c) *CHARGE AGAINST ENTITLEMENT.*—The number  
25 of months of entitlement charged an individual under this  
26 chapter for a course described in subsection (a) shall be pro-

1 *rated based on the actual amount of the fee charged for the*  
2 *course relative to the rate for 1 month payable—*

3 *“(1) for the academic year beginning on August*  
4 *1, 2020, \$1,460; or*

5 *“(2) for an academic year beginning on any sub-*  
6 *sequent August 1, the amount for the previous aca-*  
7 *demic year beginning on August 1 under this sub-*  
8 *section, as increased by the percentage increase equal*  
9 *to the most recent percentage increase determined*  
10 *under section 3015(h).”.*

11 *(b) CLERICAL AMENDMENT.—The table of sections at*  
12 *the beginning of such chapter is amended by inserting after*  
13 *the item relating to section 3315A the following new item:*

*“3315B. Preparatory courses for licensure, certification, or national tests.”.*

14 *(c) CONFORMING AMENDMENTS.—Section 3532(g) of*  
15 *title 38, United States Code, is amended—*

16 *(1) in paragraph (1), by inserting “or a pre-*  
17 *paratory course described in section 3315B(a) of this*  
18 *title” after “or national test providing an oppor-*  
19 *tunity for course credit at institutions of higher*  
20 *learning described in section 3501(a)(5) of this title”;*  
21 *and*

22 *(2) in paragraphs (2) and (3), by inserting “or*  
23 *preparatory course” after “test” everywhere it ap-*  
24 *pears.*

1           (d) *EFFECTIVE DATE.*—*The amendment made by sub-*  
 2 *section (a) shall apply with respect to months beginning*  
 3 *after the date of the enactment of this Act.*

4 **SEC. 8. ADJUSTMENT OF LOAN FEES.**

5           Section 3729(b)(2) of title 38, United States Code, is  
 6 amended by striking the loan fee table and inserting the  
 7 following:

“Type of loan	Active duty veteran	Reservist	Other obligor
(A)(i) Initial loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other initial loan described in section 3710(a) other than with 5-down or 10-down (closed on or after October 1, 2004, and before January 1, 2020)	2.15	2.40	NA
(A)(ii) Initial loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other initial loan described in section 3710(a) other than with 5-down or 10-down (closed on or after January 1, 2020, and before October 1, 2027)	2.30	2.30	NA
(A)(iii) Initial loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other initial loan described in section 3710(a) other than with 5-down or 10-down (closed on or after October 1, 2027, and before October 1, 2029)	2.15	2.15	NA
(A)(iv) Initial loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other initial loan described in section 3710(a) other than with 5-down or 10-down (closed on or after October 1, 2029)	1.40	1.40	NA
(B)(i) Subsequent loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other subsequent loan described in section 3710(a) (closed on or after October 1, 2004, and before January 1, 2020)	3.30	3.30	NA
(B)(ii) Subsequent loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other subsequent loan described in section 3710(a) (closed on or after January 1, 2020, and before October 1, 2027)	3.60	3.60	NA
(B)(iii) Subsequent loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other subsequent loan described in section 3710(a) (closed on or after October 1, 2027, and before October 1, 2029)	3.30	3.30	NA
(B)(iv) Subsequent loan described in section 3710(a) to purchase or construct a dwelling with 0-down, or any other subsequent loan described in section 3710(a) (closed on or after October 1, 2029)	1.25	1.25	NA

<i>“Type of loan</i>	<i>Active duty veteran</i>	<i>Reservist</i>	<i>Other obligor</i>
<i>(C)(i) Loan described in section 3710(a) to purchase or construct a dwelling with 5-down (closed before January 1, 2020)</i>	<i>1.50</i>	<i>1.75</i>	<i>NA</i>
<i>(C)(ii) Loan described in section 3710(a) to purchase or construct a dwelling with 5-down (closed on or after January 1, 2020, and before October 1, 2027)</i>	<i>1.65</i>	<i>1.65</i>	<i>NA</i>
<i>(C)(iii) Loan described in section 3710(a) to purchase or construct a dwelling with 5-down (closed on or after October 1, 2027, and before October 1, 2029)</i>	<i>1.50</i>	<i>1.50</i>	<i>NA</i>
<i>(C)(iv) Loan described in section 3710(a) to purchase or construct a dwelling with 5-down (closed on or after October 1, 2029)</i>	<i>0.75</i>	<i>0.75</i>	<i>NA</i>
<i>(D)(i) Loan described in section 3710(a) to purchase or construct a dwelling with 10-down (closed before January 1, 2020)</i>	<i>1.25</i>	<i>1.50</i>	<i>NA</i>
<i>(D)(ii) Loan described in section 3710(a) to purchase or construct a dwelling with 10-down (closed on or after January 1, 2020, and before October 1, 2027)</i>	<i>1.40</i>	<i>1.40</i>	<i>NA</i>
<i>(D)(iii) Loan described in section 3710(a) to purchase or construct a dwelling with 10-down (closed on or after October 1, 2027, and before October 1, 2029)</i>	<i>1.25</i>	<i>1.25</i>	<i>NA</i>
<i>(D)(iv) Loan described in section 3710(a) to purchase or construct a dwelling with 10-down (closed on or after October 1, 2029)</i>	<i>0.50</i>	<i>0.50</i>	<i>NA</i>
<i>(E) Interest rate reduction refinancing loan</i>	<i>0.50</i>	<i>0.50</i>	<i>NA</i>
<i>(F) Direct loan under section 3711</i>	<i>1.00</i>	<i>1.00</i>	<i>NA</i>
<i>(G) Manufactured home loan under section 3712 (other than an interest rate reduction refinancing loan)</i>	<i>1.00</i>	<i>1.00</i>	<i>NA</i>
<i>(H) Loan to Native American veteran under section 3762 (other than an interest rate reduction refinancing loan)</i>	<i>1.25</i>	<i>1.25</i>	<i>NA</i>
<i>(I) Loan assumption under section 3714</i>	<i>0.50</i>	<i>0.50</i>	<i>0.50</i>
<i>(J) Loan under section 3733(a)</i>	<i>2.25</i>	<i>2.25</i>	<i>2.25”.</i>

1 **SEC. 9. AUTHORITY OF SECRETARY OF VETERANS AFFAIRS**  
2 **TO ASSIST BLIND VETERANS WHO HAVE NOT**  
3 **LOST USE OF A LEG IN ACQUIRING SPE-**  
4 **CIALLY ADAPTED HOUSING.**

5 *Section 2101 of title 38, United States Code, is amend-*  
6 *ed—*

7 *(1) in subsection (a)(2)(B)(ii)—*

8 *(A) in the matter preceding subclause (I),*  
9 *by striking “due to—” and inserting “due to*

1           *blindness in both eyes, having central visual acu-*  
2           *ity of 20/200 or less in the better eye with the*  
3           *use of a standard correcting lens. For the pur-*  
4           *poses of this clause, an eye with a limitation in*  
5           *the fields of vision such that the widest diameter*  
6           *of the visual field subtends an angle no greater*  
7           *than 20 degrees shall be considered as having a*  
8           *central visual acuity of 20/200 or less.”; and*  
9                   *(B) by striking subclauses (I) and (II); and*  
10           *(2) in subsection (b)(2)—*  
11                   *(A) by striking subparagraph (A); and*  
12                   *(B) by redesignating subparagraphs (B)*  
13           *and (C) as subparagraphs (A) and (B), respec-*  
14           *tively.*

Amend the title so as to read: “A bill to amend title 38, United States Code, to provide for improvements to the specially adapted housing program and educational assistance programs of the Department of Veterans Affairs, and for other purposes.”.