

Suspend the Rules and Pass the Bill, H.R. 3504, with An Amendment

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

116TH CONGRESS
1ST SESSION

H. R. 3504

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.

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

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.

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”.

1 **SEC. 2. PRIORITY IN AWARD OF SPECIALLY ADAPTED**
2 **HOUSING GRANTS TO SERIOUSLY ILL VET-**
3 **ERANS.**

4 (a) IN GENERAL.—Section 2101 of title 38, United
5 States Code, is amended by adding at the end the fol-
6 lowing new subsection:

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

10 “(2) In this section, the term ‘seriously ill veteran’
11 shall have the meaning given such term by the Sec-
12 retary.”.

13 (b) DEFINITION OF SERIOUSLY ILL VETERAN.—

14 (1) IN GENERAL.—By not later than 90 days
15 after the date of the enactment of this Act, the Sec-
16 retary of Veterans Affairs shall—

17 (A) determine the meaning of the term
18 “seriously ill veteran” for purposes of sub-
19 section (d) of section 2101 of title 38, United
20 States Code, as added by subsection (a); and

21 (B) submit to the Committees on Veterans’
22 Affairs of the Senate and House of Representa-
23 tives the meaning of such term as so deter-
24 mined.

25 (2) APPLICABILITY.—The definition of “seri-
26 ously ill veteran” as determined under paragraph (1)

1 shall apply for purposes of such subsection (d) be-
2 ginning on the date that is 30 days after the date
3 on which the Secretary submits to the Committees
4 on Veterans' Affairs of the Senate and House of
5 Representatives the definition of such term as so de-
6 termined.

7 (c) EFFECTIVE DATE.—The amendment made by
8 subsection (a) shall take effect on October 1, 2020, and
9 apply with respect to assistance provided on or after that
10 date.

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

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

15 (b) INCREASE IN NUMBER OF APPLICATIONS AU-
16 THORIZED TO BE APPROVED.—Section 2101(a)(4) of
17 such title is amended by striking “30 applications” and
18 inserting “120 applications”.

19 (c) INCREASE IN MAXIMUM AMOUNT OF ASSISTANCE
20 FOR ADAPTATION TO VETERAN'S RESIDENCE.—Section
21 2102(b)(2) of such title is amended by striking “\$12,000”
22 and inserting “\$19,733”.

23 (d) INCREASE IN AGGREGATE AMOUNT OF ASSIST-
24 ANCE FOR ACQUISITION OF HOUSING WITH SPECIAL

1 FEATURES.—Section 2102(d)(1) of such title is amended
2 by striking “\$63,780” and inserting “\$98,492”.

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

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

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

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

19 “(f)(1) Notwithstanding the aggregate amounts spec-
20 ified in subsection (d), a covered veteran may apply for
21 and receive an additional amount of assistance under sub-
22 section (a) or (b) of section 2101 of this title in an amount
23 that does not exceed half of the amount specified in sub-
24 section (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
9 received 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
17 section 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
22 (6) 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
4 under paragraph (1) to individuals enrolled at the institu-
5 tion.

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

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

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

1 “(C) With respect to an educational institution that
2 did not participate in the work-study program under this
3 section during the academic year beginning August 1,
4 2018, the Secretary shall determine the annual amount
5 to provide to the educational institution under subpara-
6 graph (A) as follows:

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

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

23 “(D)(i) Except as provided in clause (ii), if the Sec-
24 retary provides an annual amount to an educational insti-
25 tution under subparagraph (B) or (C) that is more than

1 the total amount the educational institution pays to indi-
2 viduals under paragraph (1), the educational institution
3 shall return to the Secretary the unpaid amount and the
4 Secretary shall transfer such amount into the general fund
5 of the Treasury.

6 “(ii) If the annual amount provided to an educational
7 institution under subparagraph (B) or (C) is more, but
8 less than 25 percent more, than the total amount the edu-
9 cational institution pays to individuals under paragraph
10 (1), and the educational institution plans to participate
11 in the work-study program under this section during the
12 subsequent academic year, the educational institution may
13 retain the amount of the overpayment if the educational
14 institution notifies the Secretary of the amount of the
15 overpayment and the intention of the educational institu-
16 tion to retain such amount. Any amount retained by an
17 educational institution under this clause may only be used
18 by the educational institution to provide work-study allow-
19 ance to individuals enrolled at the educational institution.

20 “(iii) At any time an educational institution may re-
21 quest the Secretary to increase the annual amount that
22 the Secretary provides the educational institution under
23 subparagraph (B) or (C).

24 “(E) Pursuant to section 3690(e), section 3693, and
25 other provisions of chapter 36 of this title, the Secretary

1 shall ensure that educational institutions carry out the
2 work-study allowance program in compliance with this sec-
3 tion.”.

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

7 (c) APPLICATION.—The amendments made by this
8 section shall apply with respect to a quarter, semester, or
9 term, as applicable, commencing on or after August 1,
10 2020.

11 **SEC. 6. EXPANSION OF ELIGIBILITY FOR FRY SCHOLAR-**
12 **SHIP TO CHILDREN AND SPOUSES OF CER-**
13 **TAIN DECEASED MEMBERS OF THE ARMED**
14 **FORCES.**

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

17 (1) by redesignating paragraph (10) as para-
18 graph (12); and

19 (2) by inserting after paragraph (9) the fol-
20 lowing new paragraphs (10) and (11):

21 “(10) An individual who is the child or spouse
22 of a person who, on or after September 11, 2001,
23 dies in line of duty while serving on duty other than
24 active duty as a member of the Armed Forces.

1 “(11) An individual who is the child or spouse
2 of a member of the Selected Reserve who dies on or
3 after September 11, 2001—

4 “(A) from a service-connected disability;
5 and

6 “(B) not later than four years after the
7 date of the last discharge or release of that
8 member from active duty or active duty for
9 training.”.

10 (b) APPLICABILITY DATE.—The amendments made
11 by subsection (a) apply with respect to a quarter, semes-
12 ter, or term, as applicable, commencing on or after August
13 1, 2020.

14 (c) CONFORMING AMENDMENTS.—

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

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

19 (A) in subsection (e), by striking both
20 “sections 3311(b)(9) and 3319” and inserting
21 “section 3319 and paragraph (9), (10), or (11)
22 of section 3311 of this title”;

23 (B) in subsection (f), by striking “section
24 3311(b)(9)” and inserting “paragraph (9),
25 (10), or (11) of section 3311 of this title”; and

1 (C) in subsection (h)(2), by striking “ei-
2 ther section 3311(b)(9) or chapter 35” and in-
3 serting “either chapter 35 or paragraph (9),
4 (10), or (11) of section 3311”.

5 **SEC. 7. TREATMENT OF CERTAIN PREPARATORY COURSES**
6 **AS PROGRAMS OF EDUCATION FOR PUR-**
7 **POSES OF DEPARTMENT OF VETERANS AF-**
8 **FAIRS EDUCATIONAL ASSISTANCE PRO-**
9 **GRAMS.**

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

13 **“§ 3315B. Preparatory courses for licensure, certifi-**
14 **cation, or national tests**

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

21 “(b) AMOUNT.—The amount of educational assist-
22 ance payable under this chapter for a course described in
23 subsection (a) is the lesser of—

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

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

4 “(c) CHARGE AGAINST ENTITLEMENT.—The number
5 of months of entitlement charged an individual under this
6 chapter for a course described in subsection (a) shall be
7 pro-rated based on the actual amount of the fee charged
8 for the course relative to the rate for 1 month payable—

9 “(1) for the academic year beginning on August
10 1, 2020, \$1,460; or

11 “(2) for an academic year beginning on any
12 subsequent August 1, the amount for the previous
13 academic year beginning on August 1 under this
14 subsection, as increased by the percentage increase
15 equal to the most recent percentage increase deter-
16 mined under section 3015(h).”.

17 (b) CLERICAL AMENDMENT.—The table of sections
18 at the beginning of such chapter is amended by inserting
19 after the item relating to section 3315A the following new
20 item:

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

21 (c) CONFORMING AMENDMENTS.—Section 3532(g)
22 of title 38, United States Code, is amended—

23 (1) in paragraph (1), by inserting “or a pre-
24 paratory course described in section 3315B(a) of
25 this title” after “or national test providing an oppor-

1 tunity for course credit at institutions of higher
 2 learning described in section 3501(a)(5) of this
 3 title”; and

4 (2) in paragraphs (2) and (3), by inserting “or
 5 preparatory course” after “test” everywhere it ap-
 6 pears.

7 (d) EFFECTIVE DATE.—The amendment made by
 8 subsection (a) shall apply with respect to months begin-
 9 ning after the date of the enactment of this Act.

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

11 Section 3729(b)(2) of title 38, United States Code,
 12 is amended by striking the loan fee table and inserting
 13 the 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 |

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

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 **CIALY ADAPTED HOUSING.**

5 Section 2101 of title 38, United States Code, is
6 amended—

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
10 blindness in both eyes, having central visual
11 acuity of 20/200 or less in the better eye with
12 the use of a standard correcting lens. For the
13 purposes of this clause, an eye with a limitation
14 in the fields of vision such that the widest di-
15 ameter of the visual field subtends an angle no
16 greater than 20 degrees shall be considered as
17 having a central visual acuity of 20/200 or
18 less.”; and

19 (B) by striking subclauses (I) and (II);
20 and

21 (2) in subsection (b)(2)—

22 (A) by striking subparagraph (A); and

23 (B) by redesignating subparagraphs (B)
24 and (C) as subparagraphs (A) and (B), respec-
25 tively.

1 **SEC. 10. DETERMINATION OF BUDGETARY EFFECTS.**

2 The budgetary effects of this Act, for the purpose of
3 complying with the Statutory Pay-As-You-Go Act of 2010,
4 shall be determined by reference to the latest statement
5 titled “Budgetary Effects of PAYGO Legislation” for this
6 Act, submitted for printing in the Congressional Record
7 by the Chairman of the House Budget Committee, pro-
8 vided that such statement has been submitted prior to the
9 vote on passage.