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.

Be it enacted by the Senate and House of Representa-
tives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Ryan Kules Specially Adaptive Housing Improvement Act of 2019”.
SEC. 2. PRIORITY IN AWARD OF SPECIALLY ADAPTED HOUSING GRANTS TO SERIOUSLY ILL VETERANS.

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

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

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

(b) DEFINITION OF SERIOUSLY ILL VETERAN.—

(1) IN GENERAL.—By not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall—

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

(B) submit to the Committees on Veterans’ Affairs of the Senate and House of Representatives the meaning of such term as so determined.

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

(e) Effective Date.—The amendment made by subsection (a) shall take effect on October 1, 2020, and apply with respect to assistance provided on or after that date.

SEC. 3. INCREASE IN AMOUNTS OF ASSISTANCE PROVIDED.

(a) Increase of Number of Grants Per Veteran.—Section 2102(d)(3) of such title is amended by striking “three” and inserting “six”.

(b) Increase in Number of Applications Authorized to Be Approved.—Section 2101(a)(4) of such title is amended by striking “30 applications” and inserting “120 applications”.

(c) Increase in Maximum Amount of Assistance for Adaptation to Veteran’s Residence.—Section 2102(b)(2) of such title is amended by striking “$12,000” and inserting “$19,733”.

(d) Increase in Aggregate Amount of Assistance for Acquisition of Housing With Special
FEATURES.—Section 2102(d)(1) of such title is amended by striking “$63,780” and inserting “$98,492”.

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

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

SEC. 4. PROVISION OF ADDITIONAL AMOUNTS OF SPECIALLY ADAPTED HOUSING ASSISTANCE FOR CERTAIN VETERANS.

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

“(f)(1) Notwithstanding the aggregate amounts specified in subsection (d), a covered veteran may apply for and receive an additional amount of assistance under subsection (a) or (b) of section 2101 of this title in an amount that does not exceed half of the amount specified in subsection (d).
“(2) In this subsection, a covered veteran is a veteran who—

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

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

“(C) as of the date of the veteran’s application for assistance under paragraph (1), most recently received assistance under this chapter more than ten years before such date; and

“(D) lives in a home that the Secretary determines does not have adaptations that are reasonably necessary because of the veteran’s disability.”.

SEC. 5. IMPROVEMENT TO WORK-STUDY ALLOWANCE PROGRAM.

(a) Payment of Allowance.—Subsection (a) of section 3485 of title 38, United States Code, is amended—

(1) in paragraph (1), by striking “Individuals” and inserting “In accordance with paragraph (4), individuals”;

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

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

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

“(i) For the academic year beginning August 1, 2020, the amount shall be the total amount the Secretary paid under this section to individuals enrolled at such educational institution during the academic year beginning August 1, 2018.

“(ii) Except as provided by subparagraph (D)(ii), for each academic year beginning on or after August 1, 2021, the amount shall be the total amount the educational institution paid under this section for work-study allowance to individuals enrolled at such educational institution during the previous academic year in which individuals participated in the work-study program.
“(C) With respect to an educational institution that did not participate in the work-study program under this section during the academic year beginning August 1, 2018, the Secretary shall determine the annual amount to provide to the educational institution under subparagraph (A) as follows:

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

“(ii) Except as provided by subparagraph (D)(ii), for each academic year occurring after the academic year specified in clause (i), the amount shall be the total amount the educational institution paid under this section for work-study allowance to individuals enrolled at such educational institution during the previous academic year in which individuals enrolled at such educational institution participated in the work-study program.

“(D)(i) Except as provided in clause (ii), if the Secretary provides an annual amount to an educational institution under subparagraph (B) or (C) that is more than
the total amount the educational institution pays to indi-

viduals under paragraph (1), the educational institution
shall return to the Secretary the unpaid amount and the
Secretary shall transfer such amount into the general fund
of the Treasury.

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

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

“(E) Pursuant to section 3690(c), section 3693, and
other provisions of chapter 36 of this title, the Secretary
shall ensure that educational institutions carry out the work-study allowance program in compliance with this section.”.

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

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

SEC. 6. EXPANSION OF ELIGIBILITY FOR FRY SCHOLARSHIP TO CHILDREN AND SPOUSES OF CERTAIN DECEASED MEMBERS OF THE ARMED FORCES.

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

(1) by redesignating paragraph (10) as paragraph (12); and

(2) by inserting after paragraph (9) the following new paragraphs (10) and (11):

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

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

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

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

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

(c) CONFORMING AMENDMENTS.—

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

(2) Section 3322 of such title is amended—

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

(B) in subsection (f), by striking “section 3311(b)(9)” and inserting “paragraph (9), (10), or (11) of section 3311 of this title”; and
(C) in subsection (h)(2), by striking “either section 3311(b)(9) or chapter 35” and inserting “either chapter 35 or paragraph (9), (10), or (11) of section 3311”.

SEC. 7. TREATMENT OF CERTAIN PREPARATORY COURSES AS PROGRAMS OF EDUCATION FOR PURPOSES OF DEPARTMENT OF VETERANS AFFAIRS EDUCATIONAL ASSISTANCE PROGRAMS.

(a) In general.—Chapter 33 of title 38, United States Code, is amended by inserting after section 3315A the following new section:

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

“(a) In general.—An individual entitled to educational assistance under this chapter shall also be entitled to payment for a preparatory course for a licensing or certification test that is required or used to enter into, maintain, or advance in employment in a predetermined and identified vocation or profession.

“(b) Amount.—The amount of educational assistance payable under this chapter for a course described in subsection (a) is the lesser of—

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

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

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

“(2) for an academic year beginning on any subsequent August 1, the amount for the previous academic year beginning on August 1 under this subsection, as increased by the percentage increase equal to the most recent percentage increase determined under section 3015(h).”.

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

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

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

(1) in paragraph (1), by inserting “or a preparatory course described in section 3315B(a) of this title” after “or national test providing an oppor-
tunity for course credit at institutions of higher learning described in section 3501(a)(5) of this title’’; and

(2) in paragraphs (2) and (3), by inserting ‘‘or preparatory course’’ after ‘‘test’’ everywhere it appears.

(d) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to months beginning after the date of the enactment of this Act.

SEC. 8. ADJUSTMENT OF LOAN FEES.

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

<table>
<thead>
<tr>
<th>&quot;Type of loan&quot;</th>
<th>Active duty veteran</th>
<th>Reservist</th>
<th>Other obligor</th>
</tr>
</thead>
<tbody>
<tr>
<td>(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)</td>
<td>2.15</td>
<td>2.40</td>
<td>NA</td>
</tr>
<tr>
<td>(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)</td>
<td>2.30</td>
<td>2.30</td>
<td>NA</td>
</tr>
<tr>
<td>(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)</td>
<td>2.15</td>
<td>2.15</td>
<td>NA</td>
</tr>
<tr>
<td>(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)</td>
<td>1.40</td>
<td>1.40</td>
<td>NA</td>
</tr>
<tr>
<td>(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)</td>
<td>3.30</td>
<td>3.30</td>
<td>NA</td>
</tr>
<tr>
<td>Type of loan</td>
<td>Active duty veteran</td>
<td>Reservist</td>
<td>Other obligor</td>
</tr>
<tr>
<td>-------------</td>
<td>---------------------</td>
<td>-----------</td>
<td>--------------</td>
</tr>
<tr>
<td>(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)</td>
<td>3.60</td>
<td>3.60</td>
<td>NA</td>
</tr>
<tr>
<td>(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)</td>
<td>3.30</td>
<td>3.30</td>
<td>NA</td>
</tr>
<tr>
<td>(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)</td>
<td>1.25</td>
<td>1.25</td>
<td>NA</td>
</tr>
<tr>
<td>(C)(i) Loan described in section 3710(a) to purchase or construct a dwelling with 5-down (closed before January 1, 2020)</td>
<td>1.50</td>
<td>1.75</td>
<td>NA</td>
</tr>
<tr>
<td>(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)</td>
<td>1.65</td>
<td>1.65</td>
<td>NA</td>
</tr>
<tr>
<td>(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)</td>
<td>1.50</td>
<td>1.50</td>
<td>NA</td>
</tr>
<tr>
<td>(C)(iv) Loan described in section 3710(a) to purchase or construct a dwelling with 5-down (closed on or after October 1, 2029)</td>
<td>0.75</td>
<td>0.75</td>
<td>NA</td>
</tr>
<tr>
<td>(D)(i) Loan described in section 3710(a) to purchase or construct a dwelling with 10-down (closed before January 1, 2020)</td>
<td>1.25</td>
<td>1.50</td>
<td>NA</td>
</tr>
<tr>
<td>(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)</td>
<td>1.40</td>
<td>1.40</td>
<td>NA</td>
</tr>
<tr>
<td>(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)</td>
<td>1.25</td>
<td>1.25</td>
<td>NA</td>
</tr>
<tr>
<td>(D)(iv) Loan described in section 3710(a) to purchase or construct a dwelling with 10-down (closed on or after October 1, 2029)</td>
<td>0.50</td>
<td>0.50</td>
<td>NA</td>
</tr>
<tr>
<td>(E) Interest rate reduction refinancing loan</td>
<td>0.50</td>
<td>0.50</td>
<td>NA</td>
</tr>
<tr>
<td>(F) Direct loan under section 3711</td>
<td>1.00</td>
<td>1.00</td>
<td>NA</td>
</tr>
<tr>
<td>(G) Manufactured home loan under section 3712 (other than an interest rate reduction refinancing loan)</td>
<td>1.00</td>
<td>1.00</td>
<td>NA</td>
</tr>
<tr>
<td>(H) Loan to Native American veteran under section 3762 (other than an interest rate reduction refinancing loan)</td>
<td>1.25</td>
<td>1.25</td>
<td>NA</td>
</tr>
<tr>
<td>(I) Loan assumption under section 3714</td>
<td>0.50</td>
<td>0.50</td>
<td>0.50</td>
</tr>
<tr>
<td>(J) Loan under section 3753(a)</td>
<td>2.25</td>
<td>2.25</td>
<td>2.25</td>
</tr>
</tbody>
</table>


SEC. 9. AUTHORITY OF SECRETARY OF VETERANS AFFAIRS TO ASSIST BLIND VETERANS WHO HAVE NOT LOST USE OF A LEG IN ACQUIRING SPECIALLY ADAPTED HOUSING.

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

(1) in subsection (a)(2)(B)(ii)—

(A) in the matter preceding subclause (I), by striking “due to—” and inserting “due to blindness in both eyes, having central visual acuity of 20/200 or less in the better eye with the use of a standard correcting lens. For the purposes of this clause, an eye with a limitation in the fields of vision such that the widest diameter of the visual field subtends an angle no greater than 20 degrees shall be considered as having a central visual acuity of 20/200 or less.”; and

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

(2) in subsection (b)(2)—

(A) by striking subparagraph (A); and

(B) by redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B), respectively.
SEC. 10. DETERMINATION OF BUDGETARY EFFECTS.

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