

116TH CONGRESS
1ST SESSION

H. R. 299

AN ACT

To amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Blue Water Navy Viet-
3 nam Veterans Act of 2019”.

4 **SEC. 2. CLARIFICATION OF PRESUMPTIONS OF EXPOSURE**
5 **FOR VETERANS WHO SERVED IN VICINITY OF**
6 **REPUBLIC OF VIETNAM.**

7 (a) IN GENERAL.—Chapter 11 of title 38, United
8 States Code, is amended by inserting after section 1116
9 the following new section:

10 **“§ 1116A. Presumptions of service connection for vet-**
11 **erans who served offshore of the Repub-**
12 **lic of Vietnam**

13 “(a) SERVICE CONNECTION.—For the purposes of
14 section 1110 of this title, and subject to section 1113 of
15 this title, a disease covered by section 1116 of this title
16 becoming manifest as specified in that section in a veteran
17 who, during active military, naval, or air service, served
18 offshore of the Republic of Vietnam during the period be-
19 ginning on January 9, 1962, and ending on May 7, 1975,
20 shall be considered to have been incurred in or aggravated
21 by such service, notwithstanding that there is no record
22 of evidence of such disease during the period of such serv-
23 ice.

24 “(b) EXPOSURE.—A veteran who, during active mili-
25 tary, naval, or air service, served offshore of the Republic
26 of Vietnam during the period beginning on January 9,

1 1962, and ending on May 7, 1975, shall be presumed to
2 have been exposed during such service to an herbicide
3 agent unless there is affirmative evidence to establish that
4 the veteran was not exposed to any such agent during that
5 service.

6 “(c) EFFECTIVE DATE OF AWARD.—(1) Except as
7 provided by paragraph (2), the effective date of an award
8 under this section shall be determined in accordance with
9 section 5110 of this title.

10 “(2)(A) Notwithstanding subsection (g) of section
11 5110 of this title, the Secretary shall determine the effec-
12 tive date of an award based on a claim under this section
13 for an individual described in subparagraph (B) by treat-
14 ing the date on which the individual filed the prior claim
15 specified in clause (i) of such subparagraph as the date
16 on which the individual filed the claim so awarded under
17 this section.

18 “(B) An individual described in this subparagraph is
19 a veteran, or a survivor of a veteran, who meets the fol-
20 lowing criteria:

21 “(i) The veteran or survivor submitted a claim
22 for disability compensation on or after September
23 25, 1985, and before January 1, 2020, for a disease
24 covered by this section, and the claim was denied by
25 reason of the claim not establishing that the disease

1 was incurred or aggravated by the service of the vet-
 2 eran.

3 “(ii) The veteran or survivor submits a claim
 4 for disability compensation on or after January 1,
 5 2020, for the same condition covered by the prior
 6 claim under clause (i), and the claim is approved
 7 pursuant to this section.

8 “(d) DETERMINATION OF OFFSHORE.—Notwith-
 9 standing any other provision of law, for purposes of this
 10 section, the Secretary shall treat a location as being off-
 11 shore of Vietnam if the location is not more than 12 nau-
 12 tical miles seaward of a line commencing on the south-
 13 western demarcation line of the waters of Vietnam and
 14 Cambodia and intersecting the following points:

“Points Geographic Names	Latitude North	Longitude East
At Hon Nhan Island, Tho Chu Archipelago Kien Giang Province	9°15.0′	103°27.0′
At Hon Da Island southeast of Hon Khoai Island Minh Hai Province	8°22.8′	104°52.4′
At Tai Lon Islet, Con Dao Islet in Con Dao-Vung Toa Special Sector	8°37.8′	106°37.5′
At Bong Lai Islet, Con Dao Islet	8°38.9′	106°40.3′
At Bay Canh Islet, Con Dao Islet	8°39.7′	106°42.1′
At Hon Hai Islet (Phu Qui group of islands) Thuan Hai Province	9°58.0′	109°5.0′
At Hon Doi Islet, Thuan Hai Province	12°39.0′	109°28.0′
At Dai Lanh point, Phu Khanh Province	12°53.8′	109°27.2′
At Ong Can Islet, Phu Khanh Province	13°54.0′	109°21.0′
At Ly Son Islet, Nghia Binh Province	15°23.1′	109° 9.0′

“Points Geographic Names	Latitude North	Longitude East
At Con Co Island, Binh Tri Thien Province	17°10.0′	107°20.6′

1 “(e) HERBICIDE AGENT.—In this section, the term
2 ‘herbicide agent’ has the meaning given that term in sec-
3 tion 1116(a)(3) of this title.”.

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 1116 the following new
7 item:

“1116A. Presumptions of service connection for veterans who served offshore of
the Republic of Vietnam.”.

8 (c) IMPLEMENTATION.—

9 (1) GUIDANCE.—Notwithstanding section 501
10 of such title, the Secretary of Veterans Affairs may
11 issue guidance to implement section 1116A of title
12 38, United States Code, as added by subsection (a),
13 before prescribing new regulations under such sec-
14 tion.

15 (2) UPDATES.—(A) Not later than 120 days
16 after the date of the enactment of this Act, the Sec-
17 retary shall submit a report to the Committees on
18 Veterans’ Affairs of the House of Representatives
19 and the Senate regarding the plans of the Sec-
20 retary—

21 (i) to conduct outreach under subsection
22 (d); and

1 (ii) to respond to inquiries from veterans
2 regarding claims for disability compensation
3 under section 1116A of title 38, United States
4 Code, as added by subsection (a) of this section.

5 (B) On a quarterly basis during the period be-
6 ginning on the date of the enactment of this Act and
7 ending on the date on which regulations are pre-
8 scribed to carry out such section 1116A, the Sec-
9 retary shall submit to the Committees on Veterans'
10 Affairs of the House of Representatives and the Sen-
11 ate updates on the status of such regulations.

12 (3) PENDING CASES.—

13 (A) AUTHORITY TO STAY.—The Secretary
14 may stay a claim described in subparagraph
15 (B) until the date on which the Secretary com-
16 mences the implementation of such section
17 1116A.

18 (B) CLAIMS DESCRIBED.—A claim de-
19 scribed in this subparagraph is a claim for dis-
20 ability compensation—

21 (i) relating to the service and diseases
22 covered by such section 1116A; and

23 (ii) that is pending at the Veterans
24 Benefits Administration or the Board of
25 Veterans' Appeals on or after the date of

1 the enactment of this Act and before the
2 date on which the Secretary commences
3 the implementation of such section 1116A.

4 (d) OUTREACH.—

5 (1) REQUIREMENT.—The Secretary of Veterans
6 Affairs shall conduct outreach to inform veterans de-
7 scribed in paragraph (2) of the ability to submit a
8 claim for disability compensation under section
9 1116A of title 38, United States Code, as added by
10 subsection (a). Such outreach shall include the fol-
11 lowing:

12 (A) The Secretary shall publish on the
13 website of the Department a notice that a vet-
14 erans described in paragraph (2) may submit or
15 resubmit a claim for disability compensation
16 under such section 1116A.

17 (B) The Secretary shall notify in writing
18 the veteran service organization community of
19 the ability of veterans described in paragraph
20 (2) to submit or resubmit claims for disability
21 compensation under such section 1116A.

22 (2) VETERAN DESCRIBED.—A veteran described
23 in this paragraph is a veteran who, during active
24 military, naval, or air service, served offshore of the

1 Republic of Vietnam during the period beginning on
2 January 9, 1962, and ending on May 7, 1975.

3 (e) REPORTS.—Not later than January 1, 2021, and
4 annually thereafter for 2 years, the Secretary of Veterans
5 Affairs shall submit to the Committees on Veterans' Af-
6 fairs of the House of Representatives and the Senate a
7 report regarding claims for disability compensation under
8 section 1116A of title 38, United States Code, as added
9 by subsection (a). Each report shall include, with respect
10 to the calendar year preceding the report, disaggregated
11 by the regional offices of the Department of Veterans Af-
12 fairs, the following:

13 (1) The number of claims filed under such sec-
14 tion.

15 (2) The number of such claims granted.

16 (3) The number of such claims denied.

17 (f) HEALTH CARE.—Section 1710(e)(4) of title 38,
18 United States Code, is amended by inserting “(including
19 offshore of such Republic as described in section 1116A(d)
20 of this title)” after “served on active duty in the Republic
21 of Vietnam”.

22 (g) EFFECTIVE DATE.—The amendments made by
23 this section shall take effect on January 1, 2020.

1 **SEC. 3. PRESUMPTION OF HERBICIDE EXPOSURE FOR CER-**
2 **TAIN VETERANS WHO SERVED IN KOREA.**

3 (a) IN GENERAL.—Chapter 11 of title 38, United
4 States Code, is amended by inserting after section 1116A,
5 as added by section 2, the following new section:

6 **“§ 1116B. Presumption of herbicide exposure for cer-**
7 **tain veterans who served in Korea**

8 “(a) PRESUMPTION OF SERVICE-CONNECTION.—(1)
9 For the purposes of section 1110 of this title, and subject
10 to section 1113 of this title, a disease specified in sub-
11 section (b) that becomes manifest as specified in that sub-
12 section in a veteran described in paragraph (2) shall be
13 considered to have been incurred or aggravated in the line
14 of duty in the active military, naval, or air service, not-
15 withstanding that there is no record of evidence of such
16 disease during the period of such service.

17 “(2) A veteran described in this paragraph is a vet-
18 eran who, during active military, naval, or air service,
19 served in or near the Korean Demilitarized Zone (DMZ),
20 during the period beginning on September 1, 1967, and
21 ending on August 31, 1971.

22 “(b) DISEASES.—A disease specified in this sub-
23 section is—

24 “(1) a disease specified in paragraph (2) of
25 subsection (a) of section 1116 of this title that be-
26 comes manifest as specified in that paragraph; or

1 “(2) any additional disease that—

2 “(A) the Secretary determines in regula-
3 tions warrants a presumption of service-con-
4 nection by reason of having positive association
5 with exposure to an herbicide agent; and

6 “(B) becomes manifest within any period
7 prescribed in such regulations.

8 “(c) HERBICIDE AGENT.—For purposes of this sec-
9 tion, the term ‘herbicide agent’ has the meaning given
10 such term in section 1821(d) of this title.”.

11 (b) CLERICAL AMENDMENT.—The table of sections
12 at the beginning of such chapter is amended by inserting
13 after the item relating to section 1116A, as added by sec-
14 tion 2, the following new item:

“1116B. Presumption of herbicide exposure for certain veterans who served in
Korea.”.

15 (c) IMPLEMENTATION.—

16 (1) GUIDANCE.—Notwithstanding section 501
17 of such title, the Secretary of Veterans Affairs may
18 issue guidance to implement section 1116B of title
19 38, United States Code, as added by subsection (a),
20 before prescribing new regulations under such sec-
21 tion.

22 (2) UPDATES.—(A) Not later than 120 days
23 after the date of the enactment of this Act, the Sec-
24 retary shall submit a report to the Committees on

1 Veterans' Affairs of the House of Representatives
2 and the Senate regarding the plans of the Secretary
3 to respond to inquiries from veterans regarding
4 claims for disability compensation under section
5 1116B of title 38, United States Code, as added by
6 subsection (a) of this section.

7 (B) On a quarterly basis during the period be-
8 ginning on the date of the enactment of this Act and
9 ending on the date on which regulations are pre-
10 scribed to carry out such section 1116B, the Sec-
11 retary shall submit to the Committees on Veterans'
12 Affairs of the House of Representatives and the Sen-
13 ate updates on the status of such regulations.

14 (3) PENDING CASES.—

15 (A) AUTHORITY TO STAY.—The Secretary
16 may stay a claim described in subparagraph
17 (B) until the date on which the Secretary com-
18 mences the implementation of section 1116B of
19 title 38, United States Code, as added by sub-
20 section (a).

21 (B) CLAIMS DESCRIBED.—A claim de-
22 scribed in this subparagraph is a claim for dis-
23 ability compensation—

24 (i) relating to the service and diseases
25 covered by such section 1116B; and

1 (ii) that is pending at the Veterans
2 Benefits Administration or the Board of
3 Veterans' Appeals on or after the date of
4 the enactment of this Act and before the
5 date on which the Secretary commences
6 the implementation of such section 1116B.

7 (d) EFFECTIVE DATE.—The amendments made by
8 this section shall take effect on January 1, 2020.

9 **SEC. 4. BENEFITS FOR CHILDREN OF CERTAIN THAILAND**
10 **SERVICE VETERANS BORN WITH SPINA**
11 **BIFIDA.**

12 (a) IN GENERAL.—Subchapter III of chapter 18 of
13 title 38, United States Code, is amended by adding at the
14 end the following new section:

15 **“§ 1822. Benefits for children of certain Thailand**
16 **service veterans born with spina bifida**

17 “(a) BENEFITS AUTHORIZED.—The Secretary may
18 provide to any child of a veteran of covered service in
19 Thailand who is suffering from spina bifida the health
20 care, vocational training and rehabilitation, and monetary
21 allowance required to be paid to a child of a Vietnam vet-
22 eran who is suffering from spina bifida under subchapter
23 I of this chapter as if such child of a veteran of covered
24 service in Thailand were a child of a Vietnam veteran who
25 is suffering from spina bifida under such subchapter.

1 “(b) SPINA BIFIDA CONDITIONS COVERED.—This
2 section applies with respect to all forms and manifesta-
3 tions of spina bifida, except spina bifida occulta.

4 “(c) VETERAN OF COVERED SERVICE IN THAI-
5 LAND.—For purposes of this section, a veteran of covered
6 service in Thailand is any individual, without regard to
7 the characterization of that individual’s service, who—

8 “(1) served in the active military, naval, or air
9 service in Thailand, as determined by the Secretary
10 in consultation with the Secretary of Defense, dur-
11 ing the period beginning on January 9, 1962, and
12 ending on May 7, 1975; and

13 “(2) is determined by the Secretary, in con-
14 sultation with the Secretary of Defense, to have been
15 exposed to a herbicide agent during such service in
16 Thailand.

17 “(d) HERBICIDE AGENT.—For purposes of this sec-
18 tion, the term ‘herbicide agent’ means a chemical in a her-
19 bicide used in support of United States and allied military
20 operations in Thailand, as determined by the Secretary in
21 consultation with the Secretary of Defense, during the pe-
22 riod beginning on January 9, 1962, and ending on May
23 7, 1975.”.

24 (b) CONFORMING AMENDMENT TO DEFINITION OF
25 “CHILD”.—Section 1831(1) of such title is amended—

1 (1) in subparagraph (B)—

2 (A) by striking “subchapter III of this
3 chapter” and inserting “section 1821 of this
4 title”; and

5 (B) in clause (i), by striking “section 1821
6 of this title” and inserting “that section”; and

7 (2) by adding at the end the following new sub-
8 paragraph:

9 “(C) For purposes of section 1822 of this
10 title, an individual, regardless of age or marital
11 status, who—

12 “(i) is the natural child of a veteran
13 of covered service in Thailand (as deter-
14 mined for purposes of that section); and

15 “(ii) was conceived after the date on
16 which that veteran first entered service de-
17 scribed in subsection (e) of that section.”.

18 (c) CLERICAL AMENDMENTS.—

19 (1) SUBCHAPTER HEADING.—The heading for
20 subchapter III of chapter 18 of such title is amend-
21 ed by inserting “AND THAILAND” after
22 “KOREA”.

23 (2) TABLE OF SECTIONS.—The table of sections
24 at the beginning of chapter 18 of such title is
25 amended—

1 (A) by striking the item relating to sub-
2 chapter III and inserting the following new
3 item:

“SUBCHAPTER III—CHILDREN OF CERTAIN KOREA AND THAILAND SERVICE
VETERANS BORN WITH SPINA BIFIDA”;

4 and

5 (B) by inserting after the item relating to
6 section 1821 the following new item:

“1822. Benefits for children of certain Thailand service veterans born with spina
bifida.”.

7 (d) IMPLEMENTATION.—

8 (1) GUIDANCE.—Notwithstanding section 501
9 of such title, the Secretary of Veterans Affairs may
10 issue guidance to implement section 1822 of title 38,
11 United States Code, as added by subsection (a), be-
12 fore prescribing new regulations under such section.

13 (2) UPDATES.—(A) Not later than 120 days
14 after the date of the enactment of this Act, the Sec-
15 retary shall submit a report to the Committees on
16 Veterans’ Affairs of the House of Representatives
17 and the Senate regarding the plans of the Secretary
18 to respond to inquiries from veterans regarding
19 claims for disability compensation under section
20 1822 of title 38, United States Code, as added by
21 subsection (a) of this section.

22 (B) On a quarterly basis during the period be-
23 ginning on the date of the enactment of this Act and

1 ending on the date on which regulations are pre-
2 scribed to carry out such section 1822, the Secretary
3 shall submit to the Committees on Veterans' Affairs
4 of the House of Representatives and the Senate up-
5 dates on the status of such regulations.

6 (3) PENDING CASES.—

7 (A) AUTHORITY TO STAY.—The Secretary
8 may stay a claim described in subparagraph
9 (B) until the date on which the Secretary com-
10 mences the implementation of section 1822 of
11 title 38, United States Code, as added by sub-
12 section (a).

13 (B) CLAIMS DESCRIBED.—A claim de-
14 scribed in this subparagraph is a claim for ben-
15 efits—

16 (i) relating to the spina bifida and
17 service covered by such section 1822; and

18 (ii) that is pending at the Veterans
19 Benefits Administration or the Board of
20 Veterans' Appeals on or after the date of
21 the enactment of this Act and before the
22 date on which the Secretary commences
23 the implementation of such section 1822.

24 (e) REPORT.—Not later than 180 days after the date
25 of the enactment of this Act, the Secretary of Veterans

1 Affairs, in consultation with the Secretary of Defense,
2 shall submit to the Committees on Veterans' Affairs of
3 the House of Representatives and the Senate a report
4 identifying—

5 (1) the military installations of the United
6 States located in Thailand during the period begin-
7 ning on January 9, 1962, and ending on May 7,
8 1975, at which an herbicide agent (as defined in sec-
9 tion 1822 of title 38, United States Code, as added
10 by subsection (a)) was actively used; and

11 (2) the period of such use.

12 (f) EFFECTIVE DATE.—The amendments made by
13 this section shall take effect on January 1, 2020.

14 **SEC. 5. UPDATED REPORT ON CERTAIN GULF WAR ILLNESS**
15 **STUDY.**

16 Not later than 180 days after the date of the enact-
17 ment of this Act, the Secretary of Veterans Affairs shall
18 submit to the Committees on Veterans' Affairs of the
19 House of Representatives and the Senate an updated re-
20 port on the findings, as of the date of the updated report,
21 of the Follow-up Study of a National Cohort of Gulf War
22 and Gulf Era Veterans under the epidemiology program
23 of the Department of Veterans Affairs.

1 **SEC. 6. LOANS GUARANTEED UNDER HOME LOAN PRO-**
2 **GRAM OF DEPARTMENT OF VETERANS AF-**
3 **FAIRS.**

4 (a) ADJUSTMENT OF LOAN LIMIT.—

5 (1) IN GENERAL.—Section 3703(a)(1) of title
6 38, United States Code, is amended—

7 (A) in subparagraph (A)—

8 (i) in clause (i)(IV), by striking “the
9 lesser of the maximum guaranty amount
10 (as defined in subparagraph (C)) or”; and

11 (ii) in clause (ii), by striking “sub-
12 subparagraph (B) of this paragraph” and in-
13 serting “subparagraph (B) or (C)”;

14 (B) in subparagraph (B)—

15 (i) by striking “The maximum” and
16 inserting “With respect to loans described
17 in subclauses (I), (II), or (III) of subpara-
18 graph (A)(i), the maximum”; and

19 (ii) by striking “or in the case” and
20 all that follows through “subparagraph
21 (C),”; and

22 (C) by striking subparagraph (C) and in-
23 serting the following new subparagraph (C):

24 “(C)(i) With respect to loans described in subclause
25 (IV) of subparagraph (A)(i) made to a veteran not covered
26 by clause (ii), the maximum amount of guaranty entitle-

1 ment available to the veteran shall be 25 percent of the
2 loan.

3 “(ii) With respect to loans described in subclause
4 (IV) of subparagraph (A)(i) made to a covered veteran,
5 the maximum amount of guaranty entitlement available
6 to the veteran shall be 25 percent of the Freddie Mac con-
7 forming loan limit, reduced by the amount of entitlement
8 previously used by the veteran under this chapter and not
9 restored as a result of the exclusion in section 3702(b)
10 of this title.

11 “(iii) In this subparagraph:

12 “(I) The term ‘covered veteran’ means a vet-
13 eran who has previously used entitlement under this
14 chapter and for whom the full amount of entitlement
15 so used has not been restored as a result of the ex-
16 clusion in section 3702(b) of this title.

17 “(II) The term ‘Freddie Mac conforming loan
18 limit’ means the limit determined under section
19 305(a)(2) of the Federal Home Loan Mortgage Cor-
20 poration Act (12 U.S.C. 1454(a)(2)) for a single-
21 family residence, as adjusted for the year involved.”.

22 (2) LOANS TO NATIVE AMERICAN VETERANS.—
23 Section 3762(c) of such title is amended—

24 (A) by striking paragraph (1); and

1 (B) by redesignating paragraphs (2) and
2 (3) as paragraphs (1) and (2), respectively.

3 (3) CONFORMING AMENDMENT.—Section
4 3710(d)(4) of such title is amended by striking “sec-
5 tion 3703(a)(1)(B) of this title” and inserting “sub-
6 paragraph (B) or (C) of section 3703(a)(1) of this
7 title”.

8 (b) ADJUSTMENT OF LOAN FEES.—Section
9 3729(b)(2) of title 38, United States Code, is amended
10 by striking the loan fee table and inserting 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 January 1, 2022)	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 January 1, 2022, and before October 1, 2029)	2.15	2.15	NA

“Type of loan	Active duty veteran	Reservist	Other obligor
(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 January 1, 2022)	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 January 1, 2022, 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 January 1, 2022)	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 January 1, 2022, 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

“Type of loan	Active duty veteran	Reservist	Other obligor
(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 January 1, 2022)	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 January 1, 2022, 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 (c) WAIVER OF FEES FOR PURPLE HEART RECIPI-
2 ENTS.—Section 3729(c)(1) of such title is amended—
3 (1) by striking “or from a surviving spouse”
4 and inserting “, from a surviving spouse”; and
5 (2) by inserting before the period at the end the
6 following: “, or from a member of the Armed Forces
7 who is serving on active duty and who provides, on
8 or before the date of loan closing, evidence of having
9 been awarded the Purple Heart”.

1 (d) EFFECTIVE DATE.—The amendments made by
2 this section shall apply with respect to a loan guaranteed
3 under section 3710 of title 38, United States Code, on
4 or after January 1, 2020.

5 (e) GUIDANCE.—Notwithstanding section 501 of title
6 38, United States Code, the Secretary of Veterans Affairs
7 may issue guidance to implement this section before pre-
8 scribing new regulations under sections 3703, 3729, and
9 3762 of such title, as amended by this section.

10 **SEC. 7. INFORMATION GATHERING FOR DEPARTMENT OF**
11 **VETERANS AFFAIRS HOME LOAN APPRAIS-**
12 **ALS.**

13 (a) IN GENERAL.—Section 3731(b) of title 38,
14 United States Code, is amended by adding at the end the
15 following new paragraph:

16 “(3) The Secretary shall permit an appraiser on a
17 list developed and maintained under subsection (a)(3) to
18 make an appraisal for the purposes of this chapter based
19 solely on information gathered by a person with whom the
20 appraiser has entered into an agreement for such serv-
21 ices.”.

22 (b) EFFECTIVE DATE.—The amendments made by
23 this section shall apply with respect to an appraisal under
24 section 3731 of such title, on or after January 1, 2020.

1 (c) GUIDANCE.—Notwithstanding section 501 of such
2 title, the Secretary of Veterans Affairs may issue guidance
3 to implement this section before prescribing new regula-
4 tions under sections 3731 of such title, as amended by
5 subsection (a).

6 **SEC. 8. DETERMINATION OF BUDGETARY EFFECTS.**

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

Passed the House of Representatives May 14, 2019.

Attest:

Clerk.

116TH CONGRESS
1ST SESSION

H. R. 299

AN ACT

To amend title 38, United States Code, to clarify presumptions relating to the exposure of certain veterans who served in the vicinity of the Republic of Vietnam, and for other purposes.