

# Union Calendar No. 523

115<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 299

[Report No. 115–680]

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.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 2017

Mr. VALADAO (for himself, Mr. WALZ, Ms. STEFANIK, Mr. COURTNEY, Mr. ROSS, and Mr. LOBIONDO) introduced the following bill; which was referred to the Committee on Veterans' Affairs

MAY 18, 2018

Additional sponsors: Mr. PALAZZO, Ms. SINEMA, Mr. THOMAS J. ROONEY of Florida, Mr. RUPPERSBERGER, Mr. SEAN PATRICK MALONEY of New York, Ms. MCCOLLUM, Mr. ZELDIN, Mrs. DINGELL, Ms. DELBENE, Ms. DELAURO, Mr. NEAL, Mr. KILDEE, Mr. MOONEY of West Virginia, Mr. MULLIN, Mr. CURBELO of Florida, Mr. WEBSTER of Florida, Ms. KUSTER of New Hampshire, Mr. KNIGHT, Ms. TSONGAS, Ms. SLAUGHTER, Mr. SERRANO, Ms. CLARK of Massachusetts, Ms. KELLY of Illinois, Mr. FARENTHOLD, Mrs. WALORSKI, Mr. RUSH, Mr. YODER, Mr. NUNES, Miss RICE of New York, Mr. KELLY of Pennsylvania, Mr. BILIRAKIS, Mr. DEFazio, Mrs. NAPOLITANO, Mr. JONES, Mr. PETERS, Mr. HIMES, Mrs. BEATTY, Mr. LANGEVIN, Mr. MEEHAN, Mr. LARSEN of Washington, Mr. MOULTON, Mr. MASSIE, Mr. WELCH, Mr. GALLEGRO, Mr. JOYCE of Ohio, Ms. FRANKEL of Florida, Mr. THOMPSON of Pennsylvania, Mr. GARAMENDI, Mr. SENSENBRENNER, Mr. DELANEY, Mr. LAMALFA, Mr. KING of New York, Mrs. COMSTOCK, Ms. BORDALLO, Mr. COSTELLO of Pennsylvania, Mr. BARLETTA, Ms. BROWNLEY of California, Mr. HECK, Mr. MARINO, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. BLUMENAUER, Mr. McCAUL, Mr. SCHIFF, Mr. JOHNSON of Ohio, Mr. BYRNE, Ms. HERRERA BEUTLER, Mr. POE of Texas, Mr. KATKO, Mr. CRAMER, Ms. SHEA-PORTER, Mr. CARTER of Georgia, Mr. RYAN of Ohio, Mr. LATTA, Mr. YARMUTH, Mr. YOUNG of Iowa, Mr. WALBERG, Ms. MATSUI, Mr. ELLISON, Mr. HUDSON, Mr. GUTHRIE, Mr. ROGERS of

Kentucky, Ms. PINGREE, Ms. CASTOR of Florida, Mr. GOHMERT, Mr. CÁRDENAS, Mrs. DAVIS of California, Mr. LOWENTHAL, Ms. GABBARD, Mr. JENKINS of West Virginia, Mr. VELA, Mr. GONZALEZ of Texas, Mr. COLE, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. LANCE, Mr. TONKO, Mr. HILL, Mr. CALVERT, Mr. MCKINLEY, Mr. GENE GREEN of Texas, Mr. CONNOLLY, Mr. ROHRABACHER, Mr. MCGOVERN, Ms. BONAMICI, Mr. POCAN, Mr. SCOTT of Virginia, Mr. LARSON of Connecticut, Mr. OLSON, Mr. DUFFY, Mr. COSTA, Mr. KIND, Mr. MACARTHUR, Ms. MENG, Mr. BISHOP of Utah, Mr. SIRES, Mr. PERLMUTTER, Ms. JUDY CHU of California, Ms. SÁNCHEZ, Mr. GRIFFITH, Mr. BISHOP of Georgia, Ms. ESTY of Connecticut, Mr. SWALWELL of California, Ms. MOORE, Mr. LOEBSACK, Mr. GRAVES of Missouri, Mr. KEATING, Ms. JENKINS of Kansas, Mr. CICILLINE, Mr. VARGAS, Ms. NORTON, Mr. LAHOOD, Mr. BABIN, Mr. SHERMAN, Mr. FASO, Mr. HUIZENGA, Mr. LUCAS, Mr. GUTIÉRREZ, Mr. UPTON, Mr. ROUZER, Mr. QUIGLEY, Mr. FORTENBERRY, Mrs. LOWEY, Mr. SMITH of Washington, Mr. BISHOP of Michigan, Mr. CRAWFORD, Mr. MAST, Mr. WITTMAN, Mr. GIBBS, Mr. PAULSEN, Mr. SOTO, Mr. TED LIEU of California, Mr. HASTINGS, Mr. KENNEDY, Ms. ROYBAL-ALLARD, Mr. AMODEI, Mr. BERGMAN, Mr. GAETZ, Mr. GALLAGHER, Mr. RENACCI, Mr. SMITH of New Jersey, Mr. SARBANES, Mr. WEBER of Texas, Mr. KILMER, Mr. FOSTER, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. DEGETTE, Ms. HANABUSA, Mr. BRIDENSTINE, Mr. VEASEY, Mr. CASTRO of Texas, Mrs. LOVE, Mr. PALLONE, Mrs. TORRES, Mr. DUNCAN of South Carolina, Mr. KING of Iowa, Mr. FITZPATRICK, Mr. POLIQUIN, Mr. CARTWRIGHT, Mr. RICE of South Carolina, Mr. HULTGREN, Ms. TENNEY, Mr. TURNER, Mr. YOUNG of Alaska, Mr. DEUTCH, Mr. BLUM, Mr. O'ROURKE, Mr. ROTHFUS, Mr. GROTHMAN, Ms. ROS-LEHTINEN, Miss GONZÁLEZ-COLÓN of Puerto Rico, Ms. ROSEN, Mr. DUNN, Mr. WILLIAMS, Mr. WESTERMAN, Mrs. BUSTOS, Mr. CORREA, Mr. DONOVAN, Mr. HIGGINS of New York, Mrs. CAROLYN B. MALONEY of New York, Mr. AGUILAR, Mr. RUIZ, Mrs. NOEM, Mr. DAVID SCOTT of Georgia, Mr. RUTHERFORD, Mr. NOLAN, Mrs. ROBY, Ms. ADAMS, Mr. YOHO, Mr. SUOZZI, Mr. GOTTHEIMER, Mr. THOMPSON of California, Mrs. HARTZLER, Ms. LOFGREN, Mr. TIBERI, Mr. TIPTON, Mrs. MURPHY of Florida, Mr. HARPER, Mrs. RADEWAGEN, Mrs. WATSON COLEMAN, Mr. COOK, Mr. JOHNSON of Georgia, Mr. LYNCH, Mr. MARSHALL, Mr. SMITH of Missouri, Mr. SABLAN, Mr. RODNEY DAVIS of Illinois, Mr. TAYLOR, Mr. ISSA, Mr. NEWHOUSE, Ms. BLUNT ROCHESTER, Mrs. DEMINGS, Mr. TAKANO, Mr. BUTTERFIELD, Mr. PERRY, Mr. CAPUANO, Ms. BARRAGÁN, Mr. CRIST, Mr. LAWSON of Florida, Mr. RICHMOND, Ms. CLARKE of New York, Mr. SCHRADER, Mr. DESANTIS, Mr. CARTER of Texas, Mr. DESAULNIER, Mr. PETERSON, Mr. PRICE of North Carolina, Mr. SCHNEIDER, Mr. BEN RAY LUJÁN of New Mexico, Ms. KAPTUR, Mr. BRADY of Pennsylvania, Ms. JACKSON LEE, Mr. MEEKS, Mr. WALDEN, Ms. SCHAKOWSKY, Mr. POSEY, Mr. O'HALLERAN, Mr. SMUCKER, Mr. BUCHANAN, Mr. COHEN, Mr. GRIJALVA, Ms. MCSALLY, Mr. SIMPSON, Mr. ENGEL, Mr. RASKIN, Mr. BACON, Mr. CONYERS, Mr. CROWLEY, Mrs. BROOKS of Indiana, Mr. BROWN of Maryland, Mr. KIHUEN, Mr. CARSON of Indiana, Mr. STIVERS, Ms. ESHOO, Mr. STEWART, Mr. REED, Mr. EVANS, Mr. PAYNE, Mr. JORDAN, Ms. VELÁZQUEZ, Mr. NORCROSS, Ms. GRANGER, Mr. DENT,

Mr. GRAVES of Louisiana, Mr. MCEACHIN, Mr. CARBAJAL, Mr. BRAT, Ms. SEWELL of Alabama, Mr. MURPHY of Pennsylvania, Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. SPEIER, Mrs. MCMORRIS RODGERS, Mr. AMASH, Mr. LEWIS of Georgia, Mr. MESSER, Mr. CUMMINGS, Mr. ESTES of Kansas, Mr. NORMAN, Mr. REICHERT, Mr. AL GREEN of Texas, Mr. DENHAM, Mr. PANETTA, Ms. MAXINE WATERS of California, Mr. ROSKAM, Mr. ESPAILLAT, Mr. PASCRELL, Mr. GARRETT, Mr. KINZINGER, Mr. KHANNA, Mr. POLIS, Mr. LIPINSKI, Mr. KRISHNAMOORTHY, Mr. GOSAR, Ms. FUDGE, Mr. FRELINGHUYSEN, Ms. TITUS, Mr. SHUSTER, Mrs. HANDEL, Mr. MCCLINTOCK, Ms. BASS, Mr. COLLINS of New York, Mr. GOODLATTE, Mr. ADERHOLT, Mr. JEFFRIES, Mr. BEYER, Mrs. BLACK, and Mr. SESSIONS

MAY 18, 2018

Reported with an amendment, 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 January 5, 2017]

# **A BILL**

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,*

3 **SECTION 1. CLARIFICATION OF PRESUMPTIONS OF EXPO-**  
4 **SURE FOR VETERANS WHO SERVED IN VICIN-**  
5 **ITY OF REPUBLIC OF VIETNAM.**

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

9 **“§ 1116A. Presumptions of service connection for vet-**  
10 **erans who served in the territorial seas of**  
11 **the Republic of Vietnam**

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

22 “(b) *EXPOSURE.*—A veteran who, during active mili-  
23 tary, naval, or air service, served in the territorial seas of  
24 the Republic of Vietnam during the period beginning on  
25 January 9, 1962, and ending on May 7, 1975, shall be pre-

1 *sumed to have been exposed during such service to an herbi-*  
2 *cide agent containing dioxin or 2,4-dichlorophenoxyacetic*  
3 *acid, and may be presumed to have been exposed during*  
4 *such service to any other chemical compound in an herbi-*  
5 *cide agent, unless there is affirmative evidence to establish*  
6 *that the veteran was not exposed to any such agent during*  
7 *that service.*

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

12       “(2)(A) *Notwithstanding subsection (g) of section 5110*  
13 *of this title, the Secretary shall determine the effective date*  
14 *of an award based on a claim under this section for a vet-*  
15 *eran described in subparagraph (B) by treating the date*  
16 *on which the veteran filed the prior claim specified in clause*  
17 *(i) of such subparagraph as the date on which the veteran*  
18 *filed the claim so awarded under this section.*

19       “(B) *A veteran described in this subparagraph is a*  
20 *veteran who meets the following criteria:*

21               “(i) *The veteran submitted a claim for disability*  
22 *compensation on or after September 25, 1985, and be-*  
23 *fore January 1, 2019, for a disease covered by this*  
24 *section, and the claim was denied by reason of the*

1 *claim not establishing that the disease was incurred*  
2 *or aggravated by the service of the veteran.*

3 *“(i) The veteran submits a claim for disability*  
4 *compensation on or after January 1, 2019, for the*  
5 *same condition covered by the prior claim under*  
6 *clause (i), and the claim is approved pursuant to this*  
7 *section.*

8 *“(d) HERBICIDE AGENT.—In this section, the term*  
9 *‘herbicide agent’ has the meaning given that term in section*  
10 *1116 (a)(3) of this title.”.*

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 1116 the following new item:*

*“1116A. Presumptions of service connection for veterans who served in the terri-*  
*torial seas of the Republic of Vietnam.”.*

14 *(c) HEALTH CARE.—Section 1710(e)(4) of such title*  
15 *is amended by inserting “(including the territorial seas of*  
16 *such Republic)” after “served on active duty in the Republic*  
17 *of Vietnam”.*

18 *(d) OUTREACH.—*

19 *(1) REQUIREMENT.—The Secretary of Veterans*  
20 *Affairs shall conduct outreach to inform veterans de-*  
21 *scribed in paragraph (2) of the ability to submit a*  
22 *claim for disability compensation under section*  
23 *1116A of title 38, United States Code, as added by*  
24 *subsection (a).*

1           (2) *VETERAN DESCRIBED.*—A veteran described  
2           in this paragraph is a veteran who, during active  
3           military, naval, or air service, served in the terri-  
4           torial seas of the Republic of Vietnam during the pe-  
5           riod beginning on January 9, 1962, and ending on  
6           May 7, 1975.

7           (e) *REPORTS.*—Not later than January 1, 2020, and  
8           not later than January 1, 2022, the Secretary of Veterans  
9           Affairs shall submit to the Committees on Veterans' Affairs  
10          of the House of Representatives and the Senate a report on  
11          claims for disability compensation under section 1116A of  
12          title 38, United States Code, as added by subsection (a).  
13          Each report shall include the following with respect to the  
14          period covered by the report, disaggregated by the regional  
15          offices of the Department of Veterans Affairs:

16               (1) *The number of claims filed under such sec-*  
17               *tion.*

18               (2) *The number of such claims granted.*

19               (3) *The number of such claims denied.*

20          (f) *EFFECTIVE DATE.*—The amendments made by this  
21          section shall take effect on January 1, 2019.

1 **SEC. 2. 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 1, 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 subsection*  
11 *(b) that becomes manifest as specified in that subsection in*  
12 *a veteran described in paragraph (2) shall be considered*  
13 *to have been incurred or aggravated in the line of duty in*  
14 *the active military, naval, or air service, notwithstanding*  
15 *that there is no record of evidence of such disease during*  
16 *the period of such service.*

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

22 “(b) *DISEASES.*—*A disease specified in this subsection*  
23 *is—*

24 “(1) *a disease specified in paragraph (2) of sub-*  
25 *section (a) of section 1116 of this title that becomes*  
26 *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-connek-  
4                   tion 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 section,  
9           the term ‘herbicide agent’ has the meaning given such term  
10           in section 1821(d) of this title.”.

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 1116A, as added by section 1,  
14           the following new item:

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

15           (c) *EFFECTIVE DATE.*—The amendments made by this  
16           section shall take effect on January 1, 2019.

17   **SEC. 3. BENEFITS FOR CHILDREN OF CERTAIN THAILAND**  
18                   **SERVICE VETERANS BORN WITH SPINA**  
19                   **BIFIDA.**

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

1 **“§1822. Benefits for children of certain Thailand**  
2 **service veterans born with spina bifida**

3 “(a) *BENEFITS AUTHORIZED.*—*The Secretary may*  
4 *provide to any child of a veteran of covered service in Thai-*  
5 *land who is suffering from spina bifida the health care, vo-*  
6 *catational training and rehabilitation, and monetary allow-*  
7 *ance required to be paid to a child of a Vietnam veteran*  
8 *who is suffering from spina bifida under subchapter I of*  
9 *this chapter as if such child of a veteran of covered service*  
10 *in Thailand were a child of a Vietnam veteran who is suf-*  
11 *fering from spina bifida under such subchapter.*

12 “(b) *SPINA BIFIDA CONDITIONS COVERED.*—*This sec-*  
13 *tion applies with respect to all forms and manifestations*  
14 *of spina bifida, except spina bifida occulta.*

15 “(c) *VETERAN OF COVERED SERVICE IN THAILAND.*—  
16 *For purposes of this section, a veteran of covered service*  
17 *in Thailand is any individual, without regard to the char-*  
18 *acterization of that individual’s service, who—*

19 “(1) *served in the active military, naval, or air*  
20 *service in Thailand, as determined by the Secretary*  
21 *in consultation with the Secretary of Defense, during*  
22 *the period beginning on January 9, 1962, and ending*  
23 *on May 7, 1975; and*

24 “(2) *is determined by the Secretary, in consulta-*  
25 *tion with the Secretary of Defense, to have been ex-*

1       posed to a herbicide agent during such service in  
2       Thailand.

3       “(d) *HERBICIDE AGENT.*—For purposes of this section,  
4       the term ‘herbicide agent’ means a chemical in a herbicide  
5       used in support of United States and allied military oper-  
6       ations in Thailand, as determined by the Secretary in con-  
7       sultation with the Secretary of Defense, during the period  
8       beginning on January 9, 1962, and ending on May 7,  
9       1975.”.

10       (b) *CLERICAL AMENDMENTS.*—

11               (1) *SUBCHAPTER HEADING.*—The heading for  
12       subchapter III of chapter 18 of such title is amended  
13       by inserting “AND THAILAND” after “KOREA”.

14               (2) *TABLE OF SECTIONS.*—The table of sections  
15       at the beginning of chapter 18 of such title is amend-  
16       ed—

17                       (A) by striking the item relating to sub-  
18       chapter III and inserting the following new item:

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

19       and

20                       (B) by inserting after the item relating to  
21       section 1821 the following new item:

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

22       (c) *REPORT.*—Not later than 180 days after the date  
23       of the enactment of this Act, the Secretary of Veterans Af-

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

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

10           (2) *the period of such use.*

11 **SEC. 4. REPORT ON CERTAIN GULF WAR ILLNESS STUDY.**

12       *Not later than 180 days after the date of the enactment*  
13 *of this Act, the Secretary of Veterans Affairs shall submit*  
14 *to the Committees on Veterans' Affairs of the House of Rep-*  
15 *resentatives and the Senate a report on the findings, as of*  
16 *the date of the report, of the Follow-up Study of a National*  
17 *Cohort of Gulf War and Gulf Era Veterans under the epide-*  
18 *miology program of the Department of Veterans Affairs.*

19 **SEC. 5. LOANS GUARANTEED UNDER HOME LOAN PROGRAM**  
20 **OF DEPARTMENT OF VETERANS AFFAIRS.**

21       (a) *ADJUSTMENT OF LOAN LIMIT.*—Section  
22 *3703(a)(1) of title 38, United States Code, is amended—*

23           (1) *in subparagraph (A)(i)(IV)—*

24           (A) *by striking “the lesser of”; and*

1                   (B) by striking “or 25 percent of the loan”;  
 2                   and  
 3                   (2) in subparagraph (C), by striking “Freddie  
 4                   Mac” and all that follows through the period at the  
 5                   end and inserting “amount of the loan.”.  
 6                   (b) *LOAN FEES*.—Section 3729(b)(2) of such title is  
 7                   amended by striking the loan fee table and inserting the  
 8                   following:

<i>“Type of loan</i>	<i>Active duty veteran</i>	<i>Reservist</i>	<i>Other obli- gator</i>
<i>(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, 2019)</i>	2.15	2.40	NA
<i>(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, 2019, and before October 1, 2026)</i>	2.40	2.40	NA
<i>(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, 2026, and before October 1, 2027)</i>	2.15	2.15	NA
<i>(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, 2027)</i>	1.40	1.40	NA
<i>(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, 2019)</i>	3.30	3.30	NA

<i>“Type of loan</i>	<i>Active duty veteran</i>	<i>Reservist</i>	<i>Other obli- gator</i>
<i>(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, 2019, and before October 1, 2026)</i>	3.80	3.80	NA
<i>(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, 2026, and before October 1, 2027)</i>	3.30	3.30	NA
<i>(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, 2027)</i>	1.25	1.25	NA
<i>(C)(i) Loan described in section 3710(a) to purchase or construct a dwelling with 5-down (closed before January 1, 2019)</i>	1.50	1.75	NA
<i>(C)(ii) Loan described in section 3710(a) to purchase or construct a dwelling with 5-down (closed on or after January 1, 2019, and before October 1, 2026)</i>	1.75	1.75	NA
<i>(C)(iii) Loan described in section 3710(a) to purchase or construct a dwelling with 5-down (closed on or after October 1, 2026, and before October 1, 2027)</i>	1.50	1.50	NA
<i>(C)(iv) Loan described in section 3710(a) to purchase or construct a dwelling with 5-down (closed on or after October 1, 2027)</i>	0.75	0.75	NA
<i>(D)(i) Loan described in section 3710(a) to purchase or construct a dwelling with 10-down (closed before January 1, 2019)</i>	1.25	1.50	NA
<i>(D)(ii) Loan described in section 3710(a) to purchase or construct a dwelling with 10-down (closed on or after January 1, 2019, and before October 1, 2026)</i>	1.45	1.45	NA
<i>(D)(iii) Loan described in section 3710(a) to purchase or construct a dwelling with 10-down (closed on or after October 1, 2026, and before October 1, 2027)</i>	1.25	1.25	NA

<i>“Type of loan</i>	<i>Active duty veteran</i>	<i>Reservist</i>	<i>Other obli- gator</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, 2027)</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           *(c) COLLECTION OF LOAN FEES.—Section 3729(c) of*  
2 *such title is amended—*

3                   *(1) in paragraph (1), by striking “A fee” and*  
4                   *inserting “Subject to paragraph (3), a fee”; and*

5                   *(2) by adding at the end the following new para-*  
6                   *graph:*

7           *“(3) A fee shall be collected under this section from*  
8 *any veteran with a service-connected disability rated as less*  
9 *than total, or any surviving spouse of such a veteran, who,*  
10 *on or after January 1, 2019, receives a loan in an amount*  
11 *that exceeds the Freddie Mac conforming loan limit limita-*  
12 *tion determined under section 305(a)(2) of the Federal*  
13 *Home Loan Mortgage Corporation Act (12 U.S.C.*  
14 *1454(a)(2)) for a single-family residence, as adjusted for*  
15 *the year involved.”.*

1           (d) *EFFECTIVE DATE.*—*The amendments made by this*  
2 *section shall apply with respect to a loan guaranteed under*  
3 *section 3710 of title 38, United States Code, on or after*  
4 *January 1, 2019.*

5           (e) *GUIDANCE.*—*Notwithstanding section 501 of such*  
6 *title, the Secretary of Veterans Affairs may issue guidance*  
7 *to implement this section before prescribing new regulations*  
8 *under sections 3703 and 3729 of such title, as amended by*  
9 *subsections (a), (b), and (c).*

10 **SEC. 6. INFORMATION GATHERING FOR DEPARTMENT OF**  
11 **VETERANS AFFAIRS HOME LOAN APPRAISALS.**

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

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

20           (b) *EFFECTIVE DATE.*—*The amendments made by this*  
21 *section shall apply with respect to an appraisal under sec-*  
22 *tion 3731 of such title, on or after January 1, 2019.*

23           (c) *GUIDANCE.*—*Notwithstanding section 501 of such*  
24 *title, the Secretary of Veterans Affairs may issue guidance*  
25 *to implement this section before prescribing new regulations*

1 *under sections 3731 of such title, as amended by subsection*

2 *(a).*



Union Calendar No. 523

115<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 299**

[Report No. 115-680]

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**A BILL**

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.

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MAY 18, 2018

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