

input from western States and the conservation community. Previous iterations of the proposed bill have also been supported by conservations groups such as the Wilderness Society. H.R. 4257 is based on this proposal.

H.R. 4257 would provide a useful tool for federal and State land managers to make their respective landholdings more rational, for the benefit of both sound land management and public education funding.

A companion bill, S. 2078, has been introduced in the Senate. The policy provisions set forth in H.R. 4257 have enjoyed bipartisan support in the House and Senate in the 114th and 113th sessions..

MAJOR PROVISIONS SECTION-BY-SECTION ANALYSIS

Sec. 4. Relinquishment of State Land Grant Parcels and Selection of Replacement Land.

Expands existing authority for western States to relinquish State trust lands wholly or primarily within eligible federal areas managed for conservation.

Clarifies that land conveyed under this authority remains subject to valid existing rights.

Stipulates that relinquished lands shall be managed by the land agency responsible for the conservation area that the land is being added to.

Requires western States' authority to use this alternative authority in priority areas before applying to relinquish State land in other eligible areas. However, the Secretary of the Interior can waive this requirement if it is determined that the relinquishment of parcels located in the priority areas is impractical or infeasible.

Further waives the priority requirement if an application for relinquishment is limited to a single eligible area, and it is further determined that substantial progress is being made by the State to relinquish priority parcels. This exemption can only occur once every five years.

Sec. 5. Process.

Requires the Secretary of the Interior to establish a process within 540 days for western States to request relinquishment of eligible State parcels and to select federal land in exchange.

Requires the land exchanges to be concurrent.

Requires public notice and an opportunity to comment on proposed conveyances between the western State and the United States.

Requires the land exchanges to be done in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other applicable laws.

Permits the Secretary to enter into agreements with any of the western States to facilitate processing of applications and conveyance of land.

Requires the Secretary to issue a final determination on an application within 3 years after submission.

Prohibits the Secretary from accepting an application for the selection of federal land if it is determined that the selection is not reasonably compact and consolidated, if it will create significant management conflicts, if it will adversely affect federal use or a recreation site, or if the selection is not in the public interest.

Requires consultation with the head of the appropriate federal land agency before approving any conveyance of federal land.

Requires consultation with any Indian tribe affected by the land conveyance, including any tribe which notifies the Secretary that there is traditional cultural property located within the federal land proposed for conveyance to the western State.

Stipulates the costs of conveyance shall be shared equally by the Secretary and the western State.

Sec. 6. Mineral Land.

Permits western States to select federal land that is mineral in character.

Excludes mineral land that only includes a portion of a mineral lease or permit, land that is part of the federal mineral estate (unless the United States does not own the associated surface estate), or land that is part of federal surface estate (unless the United States does not own the associated mineral estate).

Clarifies that nothing in this Act shall affect existing mining claims.

Sec. 7. Construction with Other Laws.

Requires the Secretary to consider the equities of the western States and interest of the public in the application of this Act.

Sec. 8. Valuation.

Requires the overall value of the State trust parcels and the federal land conveyed to be equal, and if not equal to be equalized by a payment of funds.

Sec. 9. Miscellaneous.

Requires the Secretary and the western State make available for review any record relating to hazardous materials on the land to be conveyed.

Allows State or federal water rights to be included in the conveyance of land.

Clarifies that nothing in this Act creates an implied or expressed federal reserved water right, affects a valid existing water right, or affects the use of water conveyance infrastructure.

Stipulates that existing grazing rights must be honored for the remainder of the term of lease, permit, or contract. After this duration, the party who has jurisdiction over the land may elect to renew the lease, permit or contract.

Clarifies that nothing in this Act prevents the Secretary or State from cancelling or modifying a grazing permit, lease or contract if the land is sold, conveyed, transferred or leased for nongrazing purposes.

Restricts cancellation of grazing permits except to the extent reasonably necessary to accommodate surface operations in support of mineral development.

Stipulates that existing road lease, road right-of-way, road easement, or other valid existing right must be honored for the remainder of the term of lease, permit, or contract. After this duration, the party who has jurisdiction over the land may elect to renew the lease, permit or contract.

Clarifies that nothing in this Act alters or diminishes the treaty rights of any Indian tribe.

Sec. 10 Effect.

Nothing in this Act repeals or limits, expressly or by implication, any authority in existence on the date of enactment of this Act for the selection or exchange of land.

Sec. 11. Termination of Authority.

The authority provided by this Act will expire 20 years after enactment.

Mr. BISHOP of Utah. Mr. Speaker, let me also say that, as a former teacher and a future teacher, I appreciate Mr. STEWART actually working on this piece of legislation that goes to help education in the State of Utah. No one else is doing that.

Mr. Speaker, I reserve the balance of my time.

Mr. BROWN of Maryland. Mr. Speaker, I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I urge a "yes" vote, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, H.R. 4257, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

BLUE WATER NAVY VIETNAM VETERANS ACT OF 2018

Mr. ROE of Tennessee. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 299) 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, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 299

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Blue Water Navy Vietnam Veterans Act of 2018".

SEC. 2. CLARIFICATION OF PRESUMPTIONS OF EXPOSURE FOR VETERANS WHO SERVED IN VICINITY OF REPUBLIC OF VIETNAM.

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

"§ 1116A. Presumptions of service connection for veterans who served offshore of the Republic of Vietnam

"(a) SERVICE CONNECTION.—For the purposes of section 1110 of this title, and subject to section 1113 of this title, a disease covered by section 1116 of this title becoming manifest as specified in that section in a veteran who, during active military, naval, or air service, served offshore of the Republic of Vietnam during the period beginning on January 9, 1962, and ending on May 7, 1975, shall be considered to have been incurred in or aggravated by such service, notwithstanding that there is no record of evidence of such disease during the period of such service.

"(b) EXPOSURE.—A veteran who, during active military, naval, or air service, served offshore of the Republic of Vietnam during the period beginning on January 9, 1962, and ending on May 7, 1975, shall be presumed to have been exposed during such service to an herbicide agent unless there is affirmative evidence to establish that the veteran was not exposed to any such agent during that service.

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

"(2)(A) Notwithstanding subsection (g) of section 5110 of this title, the Secretary shall determine the effective date of an award based on a claim under this section for an individual described in subparagraph (B) by treating the date on which the individual filed the prior claim specified in clause (i) of such subparagraph as the date on which the individual filed the claim so awarded under this section.

"(B) An individual described in this subparagraph is a veteran, or a survivor of a veteran, who meets the following criteria:

"(i) The veteran or survivor submitted a claim for disability compensation on or after September 25, 1985, and before January 1, 2019, for a disease covered by this section, and the claim was denied by reason of the claim not establishing that the disease was

incurred or aggravated by the service of the veteran.

“(ii) The veteran or survivor submits a claim for disability compensation on or after January 1, 2019, for the same condition covered by the prior claim under clause (i), and

the claim is approved pursuant to this section.

“(d) DETERMINATION OF OFFSHORE.—Notwithstanding any other provision of law, for purposes of this section, the Secretary shall treat a location as being offshore of Vietnam

if the location is not more than 12 nautical miles seaward of a line commencing on the southwestern demarcation line of the waters of Vietnam and 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'
At Con Co Island, Binh Tri Thien Province	17°10.0'	107°20.6'

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

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1116 the following new item:

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

(c) IMPLEMENTATION.—

(1) GUIDANCE.—Notwithstanding section 501 of such title, the Secretary of Veterans Affairs may issue guidance to implement section 1116A of title 38, United States Code, as added by subsection (a).

(2) UPDATES.—On a quarterly basis during the period beginning on the date of the enactment of this Act and ending on the date on which regulations are prescribed to carry out such section 1116A, the Secretary shall submit to the Committees on Veterans’ Affairs of the House of Representatives and the Senate updates on the status of such regulations.

(3) PENDING CASES.—

(A) AUTHORITY TO STAY.—The Secretary may stay a claim described in subparagraph (B) until the date on which the Secretary commences the implementation of such section 1116A.

(B) CLAIMS DESCRIBED.—A claim described in this subparagraph is a claim for disability compensation—

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

(ii) that is pending at the Veterans Benefits Administration or the Board of Veterans’ Appeals on or after the date of the enactment of this Act and before the date on which the Secretary commences the implementation of such section 1116A.

(d) OUTREACH.—

(1) REQUIREMENT.—The Secretary of Veterans Affairs shall conduct outreach to inform veterans described in paragraph (2) of the ability to submit a claim for disability compensation under section 1116A of title 38, United States Code, as added by subsection (a).

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

during the period beginning on January 9, 1962, and ending on May 7, 1975.

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

(1) The number of claims filed under such section.

(2) The number of such claims granted.

(3) The number of such claims denied.

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

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

SEC. 3. PRESUMPTION OF HERBICIDE EXPOSURE FOR CERTAIN VETERANS WHO SERVED IN KOREA.

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

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

“(a) PRESUMPTION OF SERVICE-CONNECTION.—(1) For the purposes of section 1110 of this title, and subject to section 1113 of this title, a disease specified in subsection (b) that becomes manifest as specified in that subsection in a veteran described in paragraph (2) shall be considered to have been incurred or aggravated in the line of duty in the active military, naval, or air service, notwithstanding that there is no record of evidence of such disease during the period of such service.

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

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

“(1) a disease specified in paragraph (2) of subsection (a) of section 1116 of this title that becomes manifest as specified in that paragraph; or

“(2) any additional disease that—

“(A) the Secretary determines in regulations warrants a presumption of service-connection by reason of having positive association with exposure to an herbicide agent; and

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

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

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

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

(c) PENDING CASES.—

(1) AUTHORITY TO STAY.—The Secretary may stay a claim described in subparagraph (B) until the date on which the Secretary commences the implementation of section 1116B of title 38, United States Code, as added by subsection (a).

(2) CLAIMS DESCRIBED.—A claim described in this subparagraph is a claim for disability compensation—

(A) relating to the service and diseases covered by such section 1116B; and

(B) that is pending at the Veterans Benefits Administration or the Board of Veterans’ Appeals on or after the date of the enactment of this Act and before the date on which the Secretary commences the implementation of such section 1116B.

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

SEC. 4. BENEFITS FOR CHILDREN OF CERTAIN THAILAND SERVICE VETERANS BORN WITH SPINA BIFIDA.

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

“§ 1822. Benefits for children of certain Thai-land service veterans born with spina bifida

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

“(b) SPINA BIFIDA CONDITIONS COVERED.—This section applies with respect to all forms and manifestations of spina bifida, except spina bifida occulta.

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

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

“(2) is determined by the Secretary, in consultation with the Secretary of Defense, to have been exposed to a herbicide agent during such service in Thailand.

“(d) HERBICIDE AGENT.—For purposes of this section, the term ‘herbicide agent’ means a chemical in a herbicide used in support of United States and allied military operations in Thailand, as determined by the Secretary in consultation with the Secretary of Defense, during the period beginning on January 9, 1962, and ending on May 7, 1975.”.

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

(1) in subparagraph (B)—

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

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

(2) by adding at the end the following new subparagraph:

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

“(i) is the natural child of a veteran of covered service in Thailand (as determined for purposes of that section); and

“(ii) was conceived after the date on which that veteran first entered service described in subsection (c) of that section.”.

(c) CLERICAL AMENDMENTS.—

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

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

(A) by striking the item relating to subchapter III and inserting the following new item:

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

and

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

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

(d) PENDING CASES.—

(1) AUTHORITY TO STAY.—The Secretary may stay a claim described in subparagraph (B) until the date on which the Secretary commences the implementation of section 1822 of title 38, United States Code, as added by subsection (a).

(2) CLAIMS DESCRIBED.—A claim described in this subparagraph is a claim for benefits—

(A) relating to the spina bifida and service covered by such section 1822; and

(B) that is pending at the Veterans Benefits Administration or the Board of Veterans’ Appeals on or after the date of the enactment of this Act and before the date on

which the Secretary commences the implementation of such section 1822.

(e) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs, in consultation with the Secretary of Defense, shall submit to the Committees on Veterans’ Affairs of the House of Representatives and the Senate a report identifying—

(1) the military installations of the United States located in Thailand during the period beginning on January 9, 1962, and ending on May 7, 1975, at which an herbicide agent (as defined in section 1822 of title 38, United States Code, as added by subsection (a)) was actively used; and

(2) the period of such use.

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

SEC. 5. UPDATED REPORT ON CERTAIN GULF WAR ILLNESS STUDY.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committees on Veterans’ Affairs of the House of Representatives and the Senate an updated report on the findings, as of the date of the updated report, of the Follow-up Study of a National Cohort of Gulf War and Gulf Era Veterans under the epidemiology program of the Department of Veterans Affairs.

SEC. 6. LOANS GUARANTEED UNDER HOME LOAN PROGRAM OF DEPARTMENT OF VETERANS AFFAIRS.

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

(1) in subparagraph (A)(i)(IV)—

(A) by striking “the lesser of”; and

(B) by striking “or 25 percent of the loan”; and

(2) in subparagraph (C), by striking “Freddie Mac” and all that follows through the period at the end and inserting “amount of the loan.”.

(b) LOAN FEES.—Section 3729(b)(2) of such title is amended 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, 2019)	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, 2019, and before December 1, 2027)	2.40	2.40	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 December 1, 2027, and before October 1, 2028)	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, 2028)	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, 2019)	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, 2019, and before December 1, 2027)	3.80	3.80	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 December 1, 2027, and before October 1, 2028)	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, 2028)	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, 2019)	1.50	1.75	NA

"Type of loan	Active duty veteran	Reservist	Other obligor
(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 December 1, 2027)	1.75	1.75	NA
(C)(iii) Loan described in section 3710(a) to purchase or construct a dwelling with 5-down (closed on or after December 1, 2027, and before October 1, 2028)	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, 2028)	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, 2019)	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, 2019, and before December 1, 2027)	1.45	1.45	NA
(D)(iii) Loan described in section 3710(a) to purchase or construct a dwelling with 10-down (closed on or after December 1, 2027, and before October 1, 2028)	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, 2028)	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".

(C) WAIVER OF FEES FOR PURPLE HEART RECIPIENTS; COLLECTION OF CERTAIN LOAN FEES.—Section 3729(c) of such title is amended—

(1) in paragraph (1)—

(A) by striking "A fee" and inserting "Subject to paragraph (3), a fee";

(B) by striking "or from a surviving spouse" and inserting ", from a surviving spouse"; and

(C) by inserting before the period at the end the following: ", or from a member of the Armed Forces serving on active duty who was awarded the Purple Heart".

(2) by adding at the end the following new paragraph:

"(3) A fee shall be collected under this section from any veteran with a service-connected disability rated as less than total, any surviving spouse of such a veteran, and any member of the Armed Forces who, on or after January 1, 2019, receives a loan in an amount that exceeds the Freddie Mac conforming loan limit limitation determined under section 305(a)(2) of the Federal Home Loan Mortgage Corporation Act (12 U.S.C. 1454(a)(2)) for a single-family residence, as adjusted for the year involved."

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

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

SEC. 7. INFORMATION GATHERING FOR DEPARTMENT OF VETERANS AFFAIRS HOME LOAN APPRAISALS.

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

"(3) The Secretary shall permit an appraiser on a list developed and maintained under subsection (a)(3) to make an appraisal for the purposes of this chapter based solely on information gathered by a person with whom the appraiser has entered into an agreement for such services."

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

(c) GUIDANCE.—Notwithstanding section 501 of such title, the Secretary of Veterans Af-

fairs may issue guidance to implement this section before prescribing new regulations under sections 3731 of such title, as amended by subsection (a).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. ROE) and the gentleman from California (Mr. TAKANO) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

Mr. ROE of Tennessee. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. ROE of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 299, the Blue Water Navy Vietnam Veterans Act of 2018, which was introduced by Representative VALADAO of California.

H.R. 299, as amended, would finally extend the presumption of exposure to Agent Orange to blue water Navy veterans. I am grateful to Mr. VALADAO for introducing this long overdue bill, but I also thank my colleagues on the House Committee on Veterans' Affairs for working with us in a bipartisan manner to find an acceptable way to pay for this bill.

As many of you know, Agent Orange was used in Vietnam to defoliate areas in the jungle where enemy forces would come and ambush our troops. Unfortunately, many Vietnam veterans have developed diseases as a result of their exposure to Agent Orange.

Currently, VA only extends a presumption of exposure to Vietnam veterans who actually set foot in Vietnam or served in the inland waterways, or the brown water Navy, we call it. Blue

water Navy veterans who served offshore of Vietnam were excluded from the presumption. VA denies these benefits because it claims there is not enough scientific information to determine whether blue water Navy veterans came into contact with herbicides in amounts meaningful to cause disease.

Mr. Speaker, I have read the science, and, unfortunately, we will never be able to prove whether blue water Navy veterans were harmed by herbicides. But I have said this before and I will say it again: When too many years have passed—over four decades, in this case—to meaningfully determine the science, the presumption should be heavily in favor of the veteran.

Moreover, I am pleased that the bill would help veterans who may have been harmed by exposure to herbicides while serving areas outside the Republic of Vietnam.

H.R. 299, as amended, incorporates a proposal authored by Representative TOM MACARTHUR, which would extend the presumption to veterans who served in or near the Korean Demilitarized Zone beginning on September 1, 1967, which is the month when the military began testing herbicides in that area. The end date of the presumption period would remain the same as it is now, which is August 31, 1971.

This legislation would also require VA to identify U.S. military bases located in Thailand where Agent Orange was used and when it was used.

Additionally, this bill includes a proposal authored by Representative WESTERMAN of Arkansas, which would require VA to provide benefits for children who were born with spina bifida if one or both parents may have been exposed to Agent Orange while serving in Thailand, just as VA does for children with spina bifida if their parents served in Vietnam or the Korean DMZ while Agent Orange was used.

The manager's amendment makes some technical changes to ensure that

all Vietnam naval veterans who served within 12 miles offshore of Vietnam during the war are eligible for the presumption. The manager's amendment also makes technical changes to clarify the intent of this bill, including ensuring surviving spouses are eligible for retroactive benefits and authorizes VA to start paying benefits before the final regulations are issued.

Additionally, H.R. 299, as amended, would include several improvements to the VA's home loan program, introduced by several Members, including changes to VA's home appraisal system, which was introduced by Representative ARRINGTON; and expansion of the conforming loan limit, which would allow veterans to use their earned VA loan benefits in more expensive areas, if they qualify. This provision was introduced by Representative ZELDIN.

□ 1645

Extension of the waiver of home loan funding fees to recipients of the Purple Heart who are still serving on Active Duty was introduced by Representative HERRERA BEUTLER, and temporary increases to VA's home loan funding fees for nondisabled veterans, to offset the cost of this bill.

I want to thank all of our VSO partners for their support and for helping us craft a bill that finally addresses the plight of blue water Navy veterans. Specifically, I want to thank the Veterans of Foreign Wars of the United States, the Disabled American Veterans, the American Legion, the Vietnam Veterans of America, the Fleet Reserve Association, the Military Order of the Purple Heart, the Paralyzed Veterans of America, the Blue Water Vietnam Veteran Association, Military Veterans Advocacy, and the Military Officers Association of America.

Mr. Speaker, I urge my colleagues to support H.R. 299, as amended, and I reserve the balance of my time.

Mr. TAKANO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 299, as amended, the Blue Water Navy Vietnam Veterans Act. It has taken years of dedicated advocacy and bipartisanship to get us here today. I would especially like to recognize Ranking Member WALZ, who could not be here today but was a driving force behind this legislation.

H.R. 299 is an important step toward rectifying a longstanding injustice for veterans who were made sick from exposure to Agent Orange in Vietnam more than 50 years ago.

Passage of this legislation will extend eligibility to 90,000 veterans who served in Vietnam and may have been exposed to this dangerous chemical. Some thought this day would never come for the blue water Navy veterans. Finding over \$1 billion in the Federal budget is not an easy task. Many people even said it was impossible.

I thank the chairman for sitting down with the veteran service organi-

zations, working with staff, and agreeing to find an alternative funding source to right this wrong. I am proud that this committee was able to, once again, reach a bipartisan agreement to move forward with legislation that does what is right for our Nation's veterans.

While there was disagreement about the pay-for in the past, the solution in this bill is fair. It does not cut benefits for one group of veterans to pay for the benefits of others. It requires all veterans, whether they served on Active Duty, in the Reserves, or as guardsmen and -women, to pay for the same VA home loan funding fee.

With the move to an operational Reserve, reservists and guardsmen and -women are deploying alongside Active Duty servicemembers into harm's way. It is fair for VA to charge the same fee across the board. The funding fee allows the VA to continue guaranteeing home loans to current and future servicemembers and veterans. Disabled veterans are exempt from paying the fee.

Now, we were able to do this by working together, and I want to thank Chairman ROE for identifying the solution. A special measure of credit must also go to the Vietnam Veterans of America for their steadfast advocacy for blue water veterans. Because of VVA's efforts, it is my hope that never again will another group of veterans face the same problems that they did.

I would also like to add that, before we take this historic vote, we must remember toxic exposures continue to occur. Since 9/11, servicemembers have been exposed to burn pits and mefloquine, both of which are likely causing serious health complications.

And we can't forget our servicemembers who have been exposed to atomic radiation and those struggling with Gulf War illnesses. Not every exposure can be avoided, but their risks should be tracked, understood, and mitigated. The servicemember must receive timely healthcare and disability compensation if exposure causes adverse health conditions and disease.

We must build a system that proactively identifies, investigates, diagnoses, treats, and heals toxic exposures, as well as one that also holds the Department of Defense accountable.

My feeling is that, if we are using presumptions, it means that we are already losing the battle. It means we haven't documented who was exposed to what, so we are just going to assume that everyone was exposed.

H.R. 299 makes other important reforms, including adjusting the date of the presumption for veterans exposed to Agent Orange and in the Korean DMZ, so that those exposed during a period of testing become eligible. It directs the Secretary to reach out to veterans who have previously been denied to inform them of the new law and how to file a new claim.

The bill also requires that VA use language that is easily understood. H.R. 299 also expands the presumption

for Agent Orange exposure to children born with spina bifida to veteran parents exposed in Thailand.

Lastly, the bill mandates that VA report to Congress within 180 days after enactment on the result of the epidemiological study conducted on Gulf War veterans who are suffering from Gulf War illness.

I am proud that we are fixing this broken promise to the blue water veterans today; but there are many others in the making, and we need to address them as soon as possible.

Mr. Speaker, I reserve the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, I appreciate the kind words from my friend Mr. TAKANO. We worked together closely on the committee.

Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. VALADAO), the lead sponsor of this bill, who has doggedly pursued this. This issue has been a problem for decades. Finally, tonight, on the House side, we are going to come to a conclusion.

Mr. VALADAO. Mr. Speaker, I rise today to urge my colleagues in the House to support my legislation, H.R. 299, the Blue Water Navy Vietnam Veterans Act.

More than 6 decades ago, the United States deployed troops to Vietnam to fight communism and protect our national security interests abroad. Over the course of 20 years, American troops fought side by side with Vietnamese forces. Tragically, more than 58,000 American soldiers lost their lives during the conflict.

However, in the aftermath of the war, the United States government linked chemicals in Agent Orange, a powerful herbicide used by U.S. forces, to many harmful medical conditions affecting those who served in or around Vietnam.

While the Federal Government has provided for those who have served on Vietnamese soil, those who have served in the territorial seas of the Republic of Vietnam lack the compensation and treatment they deserve.

Despite undeniable evidence that Agent Orange entered the South China Sea and contaminated shipboard systems and countless studies that clearly show the connection between Agent Orange and higher rates of serious disease among shipboard veterans, the Department of Veterans Affairs continues to deny claims from the blue water Navy Vietnam veterans.

The brave sailors who served in the Vietnam war were willing to pay the ultimate price for their country, and many did just that. Providing adequate medical care to those who survive when they return home is the least we can do to show our appreciation for their service.

My bill, H.R. 299, the Blue Water Navy Vietnam Veterans Act, would restore the presumption of service connection to the blue water Navy veterans, ensuring they receive proper treatment for the health conditions

they acquired in their service to our Nation.

Since I was elected, I have fought to ensure our Nation's veterans have proper medical care, which is why I first introduced this legislation. However, passage of this bill today would not be possible without Mrs. Susie Belanger, who worked tirelessly to raise awareness of this issue; Chairman PHIL ROE and the House Veterans' Affairs Committee staff for their unwavering support; and the dedication of thousands of Americans who called their representatives, urging they co-sponsor this legislation.

Every day, thousands of brave veterans who served in the Vietnam war fight the health effects of Agent Orange exposure. Many are in pain and suffering. It is far past time we pass this critical legislation and give them the comfort and care they deserve.

Mr. TAKANO. Mr. Speaker, I yield 3 minutes to the gentleman from Connecticut (Mr. COURTNEY), my good friend and colleague, who has been with this issue since four Congresses ago. He is the original, first Democratic cosponsor on the current bill before us. It is my honor to yield to him.

Mr. COURTNEY. Mr. Speaker, I want to thank Mr. TAKANO for yielding and for his hard work on the Veterans' Affairs Committee to bring this important milestone for Vietnam veterans to the floor today. And I also want to thank Chairman ROE for the hard work that obviously went in in terms of the markup process, the negotiations with all the different members, and to make all the pieces fit together; and your colleague, the ranking member, Mr. WALZ, who, again, was a partner through that process; Mr. VALADAO, who is, again, the lead sponsor as well. Again, this is a real team effort.

There were 330 cosponsors to this bill, which, frankly, there are not a lot of bills that you can really say that about. Obviously, there were some impediments that we had to sort of work our way through. This was good, hard work, real legislating, that brought this measure to the floor.

As has been said, back in 2001 the VA ruled against a Navy veteran, Mr. Jonathan Haas, who served on the ammunition ship USS *Mount Katmai* off the coast of Vietnam, in his attempt to get Agent Orange benefits using the presumption that, again, extended to folks who served on the ground forces. Again, the foot-on-the-ground rule was used by the VA to deny Mr. Haas his claim; and, again, it has acted as an obstacle ever since.

In the 112th Congress, a Blue Water Vietnam Veterans Act was introduced in 2011. Didn't pass. In the 113th Congress, a similar bill was introduced, and it didn't pass. Again, in the last Congress, the 114th, in 2015, we had another measure which was introduced and didn't pass.

Yes, we are here today, for the first time ever, to address this grave injustice—which uses a very arbitrary, tech-

nical rule that defies common sense—and open a path for folks who served in the U.S. Navy, our sea forces, to make sure that they get equal treatment in terms of getting the care that they need and, frankly, that they have earned.

If you look at some of the other countries that have dealt with this issue, like the Royal Navy of Australia, they have actually shown that folks who served in the Royal Australian Navy in Vietnam, one of our great allies during that conflict, actually had a higher incidence of cancer than folks who served in the land forces.

So it is high time that we move forward with this measure, again, with all the grassroots support across the country with all the VSOs. Paul Dillon, a retired master chief petty officer who served in the U.S. Navy, who is from Gales Ferry, Connecticut, is watching like a hawk this measure, as are many of his colleagues who served in that era.

I think they are going to feel some measure of confidence that the system actually listened to the external pressure that has built up year in and year out since 2001 to restore justice in the VA system, to make sure that those who served on the seas are treated the same way as those who served on the ground in that conflict.

Mr. Speaker, I strongly urge passage of this measure and, again, congratulate the hard work of those on the Veterans' Affairs Committee.

Mr. ROE of Tennessee. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. BILIRAKIS), vice chair of the committee and one of the most ardent supporters of our Nation's veterans.

Mr. BILIRAKIS. Mr. Speaker, I rise today in strong support of H.R. 299, the blue water Navy Vietnam Veterans Act.

Mr. Speaker, this is really a great day in the United States Congress, Mr. Speaker, and a great day for our heroes, our blue water Navy veterans. This important piece of legislation will enable blue water Navy veterans to receive the compensation benefits they have earned and deserve.

In 2002, the VA unjustly removed the disability eligibility to almost 100,000 veterans who served in the territorial seas of Vietnam during the Vietnam war. This bill restores the presumption of service connection for those suffering from diseases that have been linked to Agent Orange.

Our Nation's heroes have answered the call to protect the liberties we enjoy on a daily basis. Today it is our turn to answer the call and assist our veterans in return. I urge my colleagues to support this very important bill.

I want to thank Chairman ROE and Representative VALADAO for leading the charge and not giving up. I know we didn't agree on the pay-for initially. Chairman ROE did not give up. He worked tirelessly on behalf of our veterans. I appreciate it so very much.

Mr. Speaker, I am so proud to serve on this committee. Let's pass this good bill and get it to the Senate.

□ 1700

Mr. TAKANO. Mr. Speaker, I continue to reserve the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, I yield 1 minute to the gentlewoman from American Samoa (Mrs. RADEWAGEN), one of the senior members of our Veterans' Affairs Committee and an incredible support for our Nation's heroes.

Mrs. RADEWAGEN. Mr. Speaker, I rise today in support of H.R. 299.

American Samoa is home to a great many veterans, especially on a per capita basis, as our people enlist at high rates in the U.S. Armed Forces. On their behalf, I am pleased to support the bipartisan Blue Water Navy Vietnam Veterans Act, recognizing the realities faced by those veterans who served in the region's waters.

On a personal note, my older brother served in the U.S. Navy in the Gulf of Tonkin and other area waters during Vietnam. This legislation recognizes the nature of the service of these veterans who did their duty in wartime. This bill honors their mission and helps keep the commitments we owe our veterans.

Mr. TAKANO. Mr. Speaker, I continue to reserve the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, I yield 1½ minutes to the gentleman from Michigan (Mr. BERGMAN), chairman of the Oversight and Investigations Subcommittee and a Vietnam veteran.

Mr. BERGMAN. Mr. Speaker, I rise today in support of H.R. 299, the Blue Water Navy Vietnam Veterans Act.

Mr. Speaker, I witnessed firsthand the scope of Agent Orange exposure experienced by our servicemen and -women while in Vietnam. I am one of that group of veterans.

Congress recognized the dangerous health consequences of exposure by passing the Agent Orange Act of 1991, which extended disability compensation to veterans who served in Vietnam or its inland waterways between the years of 1962 and 1975. While the Agent Orange Act provided benefits for tens of thousands of Vietnam mainland veterans, it overlooked the blue water Navy veterans who served on the ships off of the coast.

Those dedicated veterans served our country honorably and are now dealing with health problems due to Agent Orange exposure. This is why I am a proud cosponsor of H.R. 299, which extends the disability benefits to veterans who served in the blue water Navy in Vietnam.

Mr. Speaker, veterans in Michigan's First District have greatly sacrificed and earned these benefits, and I look forward to ensuring that their service is honored.

Mr. Speaker, I urge all my colleagues to support this bill.

Mr. TAKANO. Mr. Speaker, I continue to reserve the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, I yield 1½ minutes to the gentleman from New York (Mr. ZELDIN), a former member of our committee.

Mr. ZELDIN. Mr. Speaker, I rise in support of H.R. 299, the Blue Water Navy Vietnam Veterans Act, of which I am a proud cosponsor.

Mr. Speaker, I thank the gentleman from California (Mr. VALADAO) for his incredible leadership introducing this important legislation.

This bill expands treatment coverage for those affected by Agent Orange to not only those who served on the ground, but to those servicemembers, who are known as blue water Navy vets, who were affected while serving our Nation at sea.

In my home county of Suffolk, which has the highest concentration of veterans in the State of New York, hundreds of Vietnam veterans and their families will now be able to receive the benefits they have earned. These brave servicemembers have put their lives on the line for our great Nation, and they have earned nothing less than the highest quality of care.

Additionally, this legislation includes my bill, the Flexible VA Loan Guarantee Act, which expands a veteran's opportunity for homeownership by eliminating the loan limit the VA can guarantee. This is especially critical in districts like mine, where the median home prices are higher.

Mr. Speaker, I thank Chairman ROE for bringing this bill to the floor, and I urge all of my colleagues to support our Nation's veterans by voting in favor of this commonsense legislation.

Mr. TAKANO. Mr. Speaker, I continue to reserve the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, I yield 1 minute to the gentleman from Arkansas (Mr. WESTERMAN), my good friend.

Mr. WESTERMAN. Mr. Speaker, I thank Chairman ROE and Mr. VALADAO for their strong leadership on this issue.

Mr. Speaker, I rise today in support of H.R. 299, the Blue Water Navy Vietnam Veterans Act.

Our Nation's warfighters are told they will receive benefits and coverage through the VA because of their service, but reality shows this has not always been the case, as with Agent Orange. This legislation would correct the issue by providing rightly earned benefits to men and women who were exposed to the herbicide Agent Orange during their time of service.

Also included in the Blue Water Navy Vietnam Veterans Act is language from my bipartisan bill, H.R. 4843, that provides coverage for children with spina bifida due to a parent's exposure to Agent Orange.

I thank Bill Rhodes, a veteran in my district, who has advocated tirelessly for his fellow veterans. I think it is

pretty cut and dry: if you served America through the Armed Forces and were exposed to Agent Orange, our grateful country should cover the medical expenses.

Our veterans make great sacrifice, and they deserve the best benefits and care possible. The Blue Water Navy Vietnam Veterans Act is a great step toward providing these benefits, and I commend Chairman ROE and the Veterans' Affairs Committee for their work to make this legislation a reality for our veterans.

Mr. TAKANO. Mr. Speaker, I continue to reserve the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, I am pleased to yield 1½ minutes to the gentleman from Nebraska (Mr. BACON), an Air Force career officer.

Mr. BACON. Mr. Speaker, I am a cosponsor on this bill, and I urge support for the Blue Water Navy Vietnam Veterans Act, H.R. 299.

Our sailors, when they were off the coast of Vietnam, thought that they were safe from Agent Orange, but that water was sucked into the ships. It was used for shower water, used to wash their clothes, and our sailors were impacted by it. Now we know that not only them, but their children and grandchildren have also been impacted at times. So it is far time that we passed this bill and provide protections to our veterans who are now suffering the consequences of Agent Orange.

Mr. Speaker, I thank the leadership of Chairman ROE and Mr. VALADAO for what they are doing here. This is the right thing to do.

I have talked to so many sailors who have been impacted by this, and I know they will be relieved to have this bill passed. I thank them both, and I thank the minority side as well.

Mr. TAKANO. Mr. Speaker, how much time is remaining on my side?

The SPEAKER pro tempore (Mr. HOLDING). The gentleman from California has 11½ minutes remaining.

Mr. TAKANO. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I just want to offer my reflections on the persistence of both Chairman ROE and Ranking Member WALZ. I think it is a great injustice that Mr. WALZ could not be here today because I know how hard he worked with Chairman ROE to find a pay-for.

Let me say, also, for the folks back in my own district, in Riverside County, Riverside County has the eighth or ninth largest absolute population of veterans in the Nation, depending on what year you are counting. But every year, we have an event known as West Coast Thunder of mostly Harley-Davidson riders who ride from the Harley-Davidson shop to Riverside National Cemetery. Most of those riders are Vietnam veterans. I know back home in my district that the veterans support committee is going to be thrilled that Congress came together on this important legislation.

Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr.

CORREA), my good friend and fellow member of the House Committee on Veterans' Affairs, and the former chairman of the California State Assembly Committee on Veterans Affairs.

Mr. CORREA. Mr. Speaker, I thank Mr. TAKANO for yielding.

Mr. Speaker, I thank Ranking Member WALZ, Mr. VALADAO, and, of course, Chairman ROE for their leadership on H.R. 299, the Blue Water Navy Vietnam Veterans Act. This is a great example of how Democrats and Republicans come together to do what is right for our country, as well as our veterans.

Since the Vietnam war, veterans have reported numerous health complications, including different forms of cancer related to the exposure to Agent Orange.

While the Department of Veterans Affairs currently presumes that veterans who served on the ground in Vietnam or in the Vietnamese river system were exposed to Agent Orange, that presumption has not extended to the blue water Navy veterans, that is, those veterans who served off of the Vietnam coast.

This bill, thank God, corrects that decades-long mistake and expands that presumption to those who served in the blue water Navy off of the Vietnam coast and ensures equal treatment for all of our veterans.

Additionally, the bill expands the dates of presumption to those who served along the Korean Demilitarized Zone and authorizes benefits for children born with spina bifida due to a parent's exposure to Agent Orange.

This bill, Mr. Speaker, is long overdue, and the benefits will possibly change the lives of those veterans who served in the defense of our country and in the defense of freedom of those around the world.

Mr. Speaker, I urge passage of H.R. 299.

Mr. ROE of Tennessee. Mr. Speaker, I have no other speakers and am prepared to close, so I reserve the balance of my time.

Mr. TAKANO. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, in closing, I again want to thank Chairman ROE for bringing forth this very important legislation. I also want to acknowledge, again, the ranking member, TIM WALZ, for working so hard to bring this legislation to the floor. It was a long time coming. It was introduced four Congresses ago.

I believe that this is a shining moment for the Veterans' Affairs Committee and a shining moment for this Congress, for the people of this country to see us come together and do something that has been long overdue for our Vietnam veterans, often who were not welcomed home in the way that they should have been. This is a small gesture of what we can do to make amends for that lack of a proper welcoming home. This is a very proud moment for me.

Mr. Speaker, I urge my colleagues to join me in passing H.R. 299, as amended, and I yield back the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I include in the RECORD letters of support for H.R. 299 from the 10 veterans service organizations I mentioned earlier.

VETERANS OF FOREIGN WARS
OF THE UNITED STATES,
Kansas City, MO, May 7, 2018.

Hon. JOHNNY ISAKSON,
Chairman, Senate Committee on Veterans' Affairs,
Washington, DC.

Hon. DAVID P. ROE, M.D.,
Chairman, House Committee on Veterans' Affairs,
Washington, DC.

Hon. JON TESTER,
Ranking Member, Senate Committee on Veterans' Affairs,
Washington, DC.

Hon. TIM WALZ,
Ranking Member, House Committee on Veterans' Affairs,
Washington, DC.

DEAR CHAIRMEN ISAKSON AND ROE, RANKING MEMBERS TESTER AND WALZ: On behalf of the men and women of the Veterans of Foreign Wars of the United States (VFW) and its Auxiliary, we are proud to offer our support for H.R. 299, the Blue Water Navy Vietnam Veterans Act of 2017, as amended, which would expand benefits for veterans who were exposed to toxic substances during their military service.

The VFW strongly agrees with the Court of Appeals for Veterans Claims that it is arbitrary and capricious for veterans who have served aboard ships in the coastal waters of Vietnam to be denied presumptive benefits associated with Agent Orange exposure. For this reason, we support this legislation to end this injustice and ensure Blue Water Navy veterans receive the care and benefits they deserve.

The VFW supports expansion of benefits for Korean DMZ veterans who suffer from diseases and illnesses directly linked to Agent Orange. While many of these veterans receive presumptive disability compensation for their service-connected disabilities, hundreds of them are unjustly required to prove individual exposure. This legislation would provide them the benefits they have been unjustly denied.

This legislation would also expand coverage for those children suffering from spina bifida because of their parents' exposure to Agent Orange while serving in Thailand during the Vietnam War. This expansion makes equal the level of benefits that other children receive if they have parents who were exposed to Agent Orange.

The VFW also supports the reporting and outreach requirements in this legislation. Research related to Gulf War Illness is vital to ensuring veterans receive the care and benefits they have earned as a result of illnesses and injuries caused by their service. The outreach and reporting components related to the Blue Water Navy portion of this bill would ensure veterans receive the retroactive payments they have earned and allow Congress to oversee proper implementation of the legislation. We must never again allow these veterans to have their earned benefits taken away.

Ensuring equality between the active, Guard, and Reserve components of the military is a key goal of the VFW. For the past decade and a half, our country has been sending National Guardsmen and Reservists into harm's way at an unprecedented level, and some of them have been wounded in the line of duty. The VFW is pleased that H.R. 299, as amended, will end arbitrary differences in home loan fees and show that service in uniform earns equal opportunity to be a homeowner.

We applaud the efforts that you and your staff have made to ensure veterans receive the benefits they have earned and deserve. The VFW has been a longtime advocate for

the expansion of these benefits and we join you in celebrating this legislative victory which equalizes benefits for those who have worn our nation's uniform. We look forward to an expeditious process that will lead to this legislation's passage into law as soon as possible.

Sincerely,
CARLOS U. FUENTES,
Director,
VFW National Legislative Service.

MILITARY OFFICERS ASSOCIATION
OF AMERICA,
Alexandria, VA, May 7, 2018.

Hon. PHIL ROE,
Chairman, House Committee on Veterans' Affairs,
Washington, DC.

Hon. TIM WALZ,
Ranking Member, House Committee on Veterans' Affairs,
Washington, DC.

DEAR CHAIRMAN ROE AND RANKING MEMBER WALZ: On behalf of the over 350,000 members of the Military Officers Association of America, I am writing to you about H.R. 299, the Blue Water Navy Vietnam Veterans Act, and the "discussion draft" that I understand will be introduced imminently. MOAA appreciates the open dialogue you have both maintained in the process of formulating this solution to a decades old injustice to our Vietnam veterans.

MOAA has always supported restoring the presumption of herbicide exposure to Blue Water Navy Veterans. MOAA further supports the extension of the presumption to veterans who served on the Korean DMZ from September 1, 1967, to August 31, 1971, as well as benefits to children born with spina bifida of veterans who served in Thailand during the Vietnam conflict.

I was disappointed with the understanding the "pay for" of this disability benefit was raising VA home loan fees. This resource option places the financial burden solely on that 1% of the U.S. population who served their nation in time of conflict and relieves the remaining 99% of our nation's population of bearing any financial responsibility or liability. In short, those who sacrificed will continue to sacrifice and subsidize a solution to resolve the toxic exposure of veterans who provided our nation's security and defense.

I am, however, grateful that you have included a provision that MOAA proposed to use a portion of these funds towards a report on a follow-up study on certain Gulf War illnesses. I also sincerely appreciate your commitment to address additional toxic exposures impacting our veterans in the upcoming terms of Congress. For those reasons, MOAA supports H.R. 299 with the proposed amendments discussed above.

Sincerely,
LT GEN DANA T. ATKINS,
USAF (Ret),
President and CEO.

VIETNAM VETERANS OF AMERICA,
Silver Spring, MD, April 20, 2018.

Hon. PHIL ROE,
Chairman, House Veterans' Affairs Committee,
Washington, DC.

Hon. TIM WALZ,
Ranking Member, House Veterans' Affairs Committee,
Washington, DC.

DEAR DR. ROE AND CONGRESSMAN WALZ: On behalf of the members, officers, and Board of Directors of Vietnam Veterans of America, we are writing to you to again voice our support for H.R. 299, the Blue Water Navy Vietnam Veterans Act. This legislation would restore presumptive coverage for service-connected ills that afflict several thousand naval personnel who served in the Vietnam theatre of operations—coverage that the Department of Veterans Affairs abruptly ended in March 2002.

During the Vietnam War, some 20 million gallons of "Agent Orange" and other toxic

substances was sprayed to remove jungle foliage around fire bases and to deny the enemy the ability to grow or harvest crops. As you know, toxic chemicals in these herbicides have been linked to several afflictions, including non-Hodgkin's lymphoma, various cancers, Type II diabetes, and Parkinson's disease. The Agent Orange Act of 1991 empowered the VA Secretary to declare certain illnesses presumptive to exposure to Agent Orange, enabling veterans who served in Southeast Asia to receive health care and disability compensation for these afflictions. In March 2002, however, the VA ceased awarding benefits to so-called blue water veterans, limiting those eligible only to "boots on the ground" in-country vets. There was no scientific basis for this move by the VA, nor any involvement of real scientists in this money driven bureaucratic decision. It is time that this wrong done to Blue Water veterans of Vietnam, and their families be set right. The Institute of Medicine (IOM) firmly established the biological plausibility for the exposure of these faithfully serving sailors.

The addition of those who served on the DMZ in Korea at any time corrects another injustice of the VA bureaucratic decision-making that also had no basis in fact. After the spraying of the herbicides in heavy doses along this limited area, nothing was ever done to clean up the soil or the groundwater, so that all who served later were exposed, and therefore should be eligible for benefits and health care as well.

Blue water veterans suffering with any of the presumptive service-connected maladies that the VA acknowledges to be associated with exposure to Agent Orange ought not be excluded from receiving healthcare services and disability compensation for which their boots-on-the-ground brother and sister veterans are eligible. They, too, served honorably and well, and Congressman Valadao's bill, once it is enacted into law, will accord them benefits that they have earned.

All of us at Vietnam Veterans of America (VVA) are grateful for your bipartisan leadership to find an offset, and to at last correct the injustice to these veterans and their families.

Respectfully,
JOHN ROWAN,
National President/CEO.

PARALYZED VETERANS OF AMERICA,
Washington, DC, April 20, 2018.

Hon. PHIL ROE,
Chairman, House Committee on Veterans' Affairs,
Washington, DC.

DEAR CHAIRMAN ROE: On behalf of Paralyzed Veterans of America (PVA), I am writing to express our support for the House Veterans' Affairs Committee's efforts to amend title 38, United States Code to extend presumption of exposures to herbicides containing dioxin, including Agent Orange, to veterans who served in "blue water" areas.

Before 1997, Vietnam Veterans were eligible for a presumption of exposure to Agent Orange and other herbicides if "during active military, naval or air service they had served in the Republic of Vietnam" unless there was evidence they had not been exposed to Agent Orange. This policy was later amended so that service on the ground in Vietnam and service in inland waterways "brown water" was required to receive a presumption of exposure.

PVA applauds you for making the necessary amendments to include veterans who had served in "blue water" areas.

Respectfully,
CARL BLAKE,
Executive Director.

MILITARY ORDER OF THE
PURPLE HEART,
Springfield, VA, April 20, 2018.

Hon. DAVID P. ROE,
Chairman, House Veterans' Affairs Committee,
Washington, DC.

DEAR CHAIRMAN ROE: On behalf of the Military Order of the Purple Heart (MOPH), whose membership is comprised entirely of combat wounded veterans, I am pleased to offer our support for your draft legislation to extend presumptive service connection for diseases associated with exposure to Agent Orange to Vietnam veterans of the Blue Water Navy, and veterans who served in the Korean demilitarized zone (DMZ) from September 1, 1967 to August 31, 1971.

Under the Agent Orange Act of 1991, Congress established presumptive service connection for Vietnam veterans suffering from illnesses associated with exposure to herbicides. Since 2002, however, the Department of Veterans Affairs (VA) has chosen to interpret that law to exclude veterans who served on ships off the coast of Vietnam, commonly known as Blue Water Navy veterans. Like you, MOPH recognizes that Blue Water Navy veterans have always suffered from illnesses associated with Agent Orange exposure at high rates, and this decision by VA represents an injustice that should be corrected immediately.

MOPH also supports the provision of your bill that would extend the same presumptive service connection to veterans who served on the Korean DMZ from September 1, 1967 to August 31, 1971, as they were similarly exposed to Agent Orange while performing their duties.

MOPH thanks you for your leadership on this issue, and your continued commitment to veterans and their families. We look forward to working with you to ensure the passage of this important legislation.

Respectfully,

NEIL VAN ESS,
National Commander.

MILITARY—VETERANS ADVOCACY, INC.,
Slidell, Louisiana, April 20, 2018.

Re Blue Water Navy Vietnam Veterans Act.
Hon. PHIL ROE,
Chairman, House Veterans' Affairs Committee,
Washington, DC.

DEAR MR. CHAIRMAN: As you know, Military—Veterans Advocacy has consistently supported legislation to correct the plight of the Blue Water Navy Vietnam Veterans. In 2002, the VA Secretary implemented a policy that divested these veterans of the presumption of Agent Orange exposure. H.R. 299 is the current version of the Blue Water Navy Vietnam Veterans Act which will partially restore this presumption. This bill is widely supported by the veterans community and has 329 co-sponsors in the House.

I appreciate the fact that you held a Legislative Hearing on the bill in April of 2017 and attempted a mark-up this past November. I also understand the constraints of the Pay As You Go Act of 2010 which requires an offset Military—Veterans Advocacy's position is that we will support any offset required to correct this injustice. I know that your Committee staff has been working tirelessly to craft an offset acceptable to all parties and I assure you that we appreciate and thank them and you for this hard work.

Our understanding is that H.R. 299 will be scheduled for another mark-up hearing on April 26th. Please feel free to represent to the Committee that the bill, and its discussion draft, have the complete support of Military—Veterans Advocacy and the veterans we represent. I have been informed of the planned offset and I believe it is an equitable avenue for financing this bill.

It is imperative that H.R. 299 become law. Blue Water Navy veterans are dying every day, often leaving their families destitute. This bill has been pending for seven years and we must restore the presumption to those who served in Vietnamese bays, harbors and territorial seas.

Again thank you for your effort on our behalf and I look forward to working with you on other toxic exposure issues in the future.

Sincerely,

JOHN B. WELLS,
Commander USN (Retired),
Executive Director.

DAV, NATIONAL SERVICE &
LEGISLATIVE HEADQUARTERS,
Washington, DC, April 20, 2018.

Hon. DR. PHIL ROE,
Chairman, House Committee on Veterans Affairs,
Washington, DC.

DEAR CHAIRMAN ROE: On behalf of DAV and our more than one million members, all of whom were injured or made ill during wartime service, I write to offer our support for approving legislation that would provide a presumption of service connection for "Blue Water" Navy veterans who served in the vicinity of the Republic of Vietnam as well as veterans exposed to Agent Orange near the Korean demilitarized zone (DMZ).

The Agent Orange Act of 1991 required the Department of Veterans Affairs (VA) to provide presumptive service connection to Vietnam veterans with illnesses that the National Academy of Sciences directly linked to Agent Orange exposure. Yet, in 2002, the VA decided to cover only veterans who could prove that they had "boots on the ground" during the Vietnam War. Because of this decision, thousands of Vietnam veterans were excluded from receiving benefits although these "Blue Water" Navy veterans had significant Agent Orange exposure from drinking and bathing in contaminated water just offshore. It is simply inequitable that veterans who served on ships no more distant from the spraying of herbicides than many who served on land have been arbitrarily and unjustly denied benefits because they are excluded from the presumption of service connection for herbicide-related disabilities.

DAV strongly supports Section 1 (Clarification of Presumptions of Exposure for Veterans Who Served in Vicinity of Republic of Vietnam) of the discussion draft dated April 16, 2018, based on DAV Resolution No. 18, which calls for legislation to expressly provide that the phrase "served in the Republic of Vietnam" include service in the territorial waters offshore.

Enactment of this legislation would provide "Blue Water" Navy Vietnam veterans the disability and health care benefits they earned as a result of exposure to Agent Orange. Eligibility for VA benefits under this legislation would be retroactive to September 25, 1985, the date VA began providing disability compensation to veterans with medical disorders related to Agent Orange providing long overdue justice to thousands of veterans who were excluded by the VA in 2002.

In accordance with DAV Resolution No. 25, we also support Section 2 of this discussion draft, to recognize September 1, 1967 as the earliest date for exposure to herbicides on the Korean DMZ. This change will provide veterans greater equity with respect to herbicide exposure and the presumptive diseases associated therein.

Currently, VA regulations provide that any veteran who, during active military, naval, or air service, served between April 1, 1968, and August 31, 1971, in a unit that, as determined by the Department of Defense, operated in or near the Korean DMZ in an area in which herbicides are known to have

been applied during that period, shall be presumed to have been exposed during such service to an herbicide agent. Section 2 would define the exposure to herbicides as a veteran who, during active military, naval, or air service, served in or near the Korean demilitarized zone (DMZ), during the period beginning on September 1, 1967, and ending on August 31, 1971.

DAV does not have a resolution specific to Section 3 (Loans Guaranteed Under Home Loan Programs of Department of Veterans Affairs) or Section 4 (Information Gathering for Department of Veterans Affairs Home Loan Appraisals) and takes no position on these sections.

Chairman Roe, thank you for introducing and moving this important legislation and for your continued efforts to support our nation's veterans disabled in their service.

Respectfully,

GARRY J. AUGUSTINE,
Executive Director,
Washington Headquarters.

BLUE WATER NAVY VIETNAM
VETERANS ASSOCIATION,
April 20, 2018.

DR. PHIL ROE,
Chairman of the House Veterans Affairs Committee, House of Representatives, Washington, DC.

DEAR CHAIRMAN ROE: On behalf of the Blue Water Navy Vietnam Veterans Association (BWN), we plead with the United States Congress to allow the proposed pay for to be used in supporting the passage of the Blue Water Navy Vietnam Veterans Act of 2017, which is the sole purpose of our existence as an Association. This has been our top priority, and we have worked hard to ensure that our Navy Veterans and Shipmates receive the benefits that they rightly deserve for their sacrifices to our nation.

Veteran and Military Service Organizations across this country should be running to the opportunity to stand for us, considering we have stood for them for more than 50 years. While we were proud to stand with them when the original Agent Orange Act was passed in 1991, in 2002 when our benefits were stripped from us, we had to go on a 16-year campaign to get many of them to be on our side again.

The Department of Veterans Affairs (VA) has failed our nation's Veterans on this issue, and it is now up to Congress to provide the requisite medical coverage by passing this legislation. If there is every any doubt why a group of service members are all coming down with, and dying from the same illnesses, then the Department of Veterans Affairs should have a duty to assist them regardless of the cost. Many of our Shipmates have died waiting for the day their benefits would be restored, and so have their widows. As we approach the final passage of this legislation on Memorial Day, we send our thoughts and prayers to our fallen Shipmates and their loved ones!

We ask that you strongly encourage your colleagues to vote for this legislation once it is brought to the floor for a vote. We applaud you and your staff who are actively fighting for a group of Veterans that has long been abandoned by the VA and deprived of much needed medical care, we can't thank these saintly people enough.

Thank you for taking an active role in such an important issue to the Blue Water Navy Vietnam Veterans community by working to improve the lives of our remaining 90,000 Sailors who served our great nation.

Very Respectfully,
MIKE YATES,
National Commander.
MICHAEL J. LITTLE,

National Executive Director.

FLEET RESERVE ASSOCIATION,
April 19, 2018.

Hon. PHIL ROE,
Chairman, House Veterans Affairs Committee,
House of Representatives, Washington, DC.

DEAR CHAIRMAN ROE: The Fleet Reserve Association (FRA) supports the "Blue Water Navy Vietnam Veterans Act" (H.R. 299) that would clarify a presumption for filing disability claims with the Department of Veterans Affairs (VA) for ailments associated with exposure to the Agent Orange herbicide during the Vietnam War. FRA believes Congress should recognize that so-called "Blue water" veterans were exposed to Agent Orange herbicide and authorize presumptive status for VA disability claims associated with this exposure.

We understand that the bill will be amended to provide for a fee on VA home loan mortgages to cover the estimated cost for providing the presumption for the "Blue Water" veterans, and this fee will not apply to any veteran with a disability rating.

The Association appreciates your strong leadership on this issue. FRA stands ready to provide assistance in advancing this legislation.

Sincerely,

THOMAS J. SNEE,
National Executive Director.

THE AMERICAN LEGION,
June 22, 2018.

Hon. DAVID VALADAO,
House of Representatives, Washington, DC.

DEAR REPRESENTATIVE VALADAO: On behalf of the 2 million members of The American Legion, we heartily support the provisions of H.R. 299, legislation 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.

This legislation, as written, includes as part of the Republic of Vietnam its territorial seas for purposes of the presumption of service connection for diseases associated with exposure by veterans to certain herbicide agents while in Vietnam. It also includes American servicemen who served in the Korean demilitarized zone (DMZ) between September 1, 1967 and August 31, 1971.

The American Legion strongly supports legislation to expand the presumption of Agent Orange exposure to any military personnel who served on any vessel during the Vietnam War that came within 12 nautical miles of the coastlines of Vietnam, as well as in the Korean DMZ between 1967 and 1971. Our organization feels that our nation's defenders should receive the full benefits to which they are entitled.

Through Resolution No. 35, Agent Orange, passed at the 2016 National Convention, The American Legion supports legislation "to amend title 38, United States Code, section 1116, to provide entitlement to these presumptions for those veterans who were exposed to Agent Orange while serving in areas other than the Republic of Vietnam where Agent Orange was tested, sprayed, or stored."

Thank you again for your continued commitment to the men and women in uniform and the nation's veterans and for your leadership on this important issue.

Sincerely,

DENISE ROHAN,
National Commander, The American Legion.

Mr. ROE of Tennessee. Mr. Speaker, the VA estimates that there are 6.6 million living Vietnam-era veterans; there are 58,220 who died in that war;

and there only will be about 4.4 million remaining in just 10 short years. That means we will lose 2.2 million Vietnam-era veterans in the next 10 years, which is an average of about 523 Vietnam-era veterans per day.

We must now act because, if we don't, blue water Navy veterans may not be around to receive the benefits they and their loved ones have been waiting on for so long. We owe it to the brave men and women veterans who served offshore during the Vietnam era to cease waiting on perfect science and provide compensation benefits for conditions they may have developed because of exposure to Agent Orange.

I am not the only one who believes this. H.R. 299 has broad bipartisan support: 330 cosponsors. I think I can speak for all of us when I say that H.R. 299, as amended, does the right thing for our blue water Navy veterans.

Mr. Speaker, this is personal for our Vietnam-era veterans like myself. I served and walked the territory not long after in Korea, over 40 years ago.

We have done great work on the committee: We passed an accountability bill this year, a way to speed up disability claims. The Forever GI Bill funded the Veterans Choice Program. We just passed the VA MISSION Act, just a few of the things that our committee in a bipartisan way, has done.

But there is a little inconvenience out there that we have 90,000 blue water Navy veterans who are being left behind—not after today.

Mr. Speaker, I thank the other side of the aisle. We worked hand in hand.

And I thank the staffs—I don't think they get enough credit—for the hard work that the staffs do behind the scenes. When we seem to find a blind alley and can't get to a conclusion, they continue to work in a bipartisan way to find a way to get to yes.

I also thank all of the outside groups that kept this issue in front of us for decades.

When I got the chairmanship a year and a half ago, I said one of the things that I will base my chairmanship on is if we can get this solved and do the right thing for our blue water Navy veterans. Today, we are going to do the right thing in this House and send it to the Senate, where they will do the right thing.

Mr. Speaker, once again, I encourage all Members to support H.R. 299, as amended, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. ROE) that the House suspend the rules and pass the bill, H.R. 299, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ROE of Tennessee. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further pro-

ceedings on this motion will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 5 o'clock and 15 minutes p.m.), the House stood in recess.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. RUTHERFORD) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 299, by the yeas and nays;

H.R. 5783, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The second electronic vote will be conducted as a 5-minute vote.

BLUE WATER NAVY VIETNAM VETERANS ACT OF 2018

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 299) 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, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. ROE) that the House suspend the rules and pass the bill, as amended.

The vote was taken by electronic device, and there were—yeas 382, nays 0, not voting 45, as follows:

[Roll No. 289]

YEAS—382

Abraham	Biggs	Bucshon
Adams	Bilirakis	Budd
Aderholt	Bishop (GA)	Burgess
Aguilar	Bishop (MI)	Bustos
Allen	Bishop (UT)	Butterfield
Amash	Blum	Byrne
Amodei	Blumenauer	Calvert
Arrington	Blunt Rochester	Capuano
Babin	Bonamici	Cárdenas
Bacon	Bost	Carson (IN)
Banks (IN)	Boyle, Brendan	Carter (GA)
Barletta	F.	Carter (TX)
Barr	Brady (TX)	Cartwright
Barragán	Brat	Castor (FL)
Barton	Brooks (AL)	Castro (TX)
Bass	Brooks (IN)	Chabot
Beatty	Brown (MD)	Cheney
Bera	Brownley (CA)	Cicilline
Bergman	Buchanan	Clark (MA)
Beyer	Buck	Clay