

112TH CONGRESS
1ST SESSION

H. R. 120

To amend title 38, United States Code, to provide for eligibility for housing loans guaranteed by the Department of Veterans Affairs for the surviving spouses of certain totally disabled veterans.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 2011

Ms. FOXX (for herself, Mr. WESTMORELAND, Mr. KISSELL, Mr. BISHOP of Utah, Mrs. LUMMIS, and Mr. TERRY) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to provide for eligibility for housing loans guaranteed by the Department of Veterans Affairs for the surviving spouses of certain totally disabled veterans.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Disabled Veterans’
5 Surviving Spouses Home Loans Act”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

1 (1) Surviving spouses of veterans whose deaths
2 were not service-connected, but who had service-con-
3 nected disabilities that were permanent and total for
4 at least 10 years immediately preceding their deaths,
5 are eligible to receive a monthly dependency and in-
6 demnity compensation payment from the Depart-
7 ment of Veterans Affairs under section 1318 of title
8 38, United States Code.

9 (2) However, surviving spouses of such veterans
10 are not eligible for the Department of Veterans Af-
11 fairs home loan guaranty under section 3701 of such
12 title.

13 (3) Surviving spouses of veterans whose deaths
14 were not service-connected, but who had service-con-
15 nected disabilities that were permanent and total for
16 at least 10 years immediately preceding their deaths
17 should be eligible for the Department of Veterans
18 Affairs home loan guaranty in addition to monthly
19 dependency and indemnity compensation payments.

1 **SEC. 3. DEPARTMENT OF VETERANS AFFAIRS HOUSING**
2 **LOAN GUARANTEES FOR SURVIVING**
3 **SPOUSES OF CERTAIN TOTALLY DISABLED**
4 **VETERANS.**

5 (a) IN GENERAL.—Section 3701(b) of title 38,
6 United States Code, is amended by adding at the end the
7 following new paragraph:

8 “(6) The term ‘veteran’ also includes, for pur-
9 poses of home loans, the surviving spouse of a de-
10 ceased veteran who dies and who was in receipt of
11 or entitled to receive (or but for the receipt of re-
12 tired or retirement pay was entitled to receive) com-
13 pensation at the time of death for a service-con-
14 nected disability rated totally disabling if—

15 “(A) the disability was continuously rated
16 totally disabling for a period of 10 or more
17 years immediately preceding death;

18 “(B) the disability was continuously rated
19 totally disabling for a period of not less than
20 five years from the date of such veteran’s dis-
21 charge or other release from active duty; or

22 “(C) the veteran was a former prisoner of
23 war who died after September 30, 1999, and
24 the disability was continuously rated totally dis-
25 abling for a period of not less than one year im-
26 mediately preceding death.”.

1 (b) EFFECTIVE DATE.—The amendment made by
2 subsection (a) shall apply with respect to a loan guaran-
3 teed after the date of the enactment of this Act.

4 (c) CLARIFICATION WITH RESPECT TO CERTAIN
5 FEES.—Fees shall be collected under section 3729 of title
6 38, United States Code, from a person described in para-
7 graph (6) of subsection (b) of section 3701 of such title,
8 as added by subsection (a), in the same manner as such
9 fees are collected from a person described in paragraph
10 (2) of such subsection.

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