

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

# H. R. 5555

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.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 17, 2010

Ms. FOXX (for herself, Ms. KAPTUR, Mr. MCGOVERN, Mr. JONES, Mr. CUELLAR, Mr. PASCRELL, Mr. PETERSON, Mr. KANJORSKI, Mr. COLE, Mr. SESTAK, Mr. KUCINICH, Ms. WATERS, Mr. AL GREEN of Texas, and Mr. LIPINSKI) introduced the following bill; which was referred to the Committee on Veterans' Affairs

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## 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, not as the result of the vet-  
11 eran’s own willful misconduct, and who was in re-  
12 ceipt of or entitled to receive (or but for the receipt  
13 of retired or retirement pay was entitled to receive)  
14 compensation at the time of death for a service-con-  
15 nected disability rated totally disabling if—

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

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

23 “(C) the veteran was a former prisoner of  
24 war who died after September 30, 1999, and  
25 the disability was continuously rated totally dis-

1           abling for a period of not less than one year im-  
2           mediately preceding death.”.

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

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