

107TH CONGRESS
1ST SESSION

S. 1042

To amend title 38, United States Code, to improve benefits for Filipino veterans of World War II, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 14, 2001

Mr. INOUE introduced the following bill; which was read twice and referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to improve benefits for Filipino veterans of World War II, 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. SHORT TITLE.**

4 This Act may be cited as the “Filipino Veterans’ Ben-
5 efits Improvements Act of 2001”.

6 **SEC. 2. RATE OF PAYMENT OF CERTAIN BENEFITS FOR**
7 **NEW PHILIPPINE SCOUTS RESIDING IN THE**
8 **UNITED STATES.**

9 (a) REDESIGNATION OF PROVISIONS.—Section 107
10 of title 38, United States Code, is amended—

1 (1) in the second sentence of subsection (a), by
2 striking “subsection (c)” and inserting “subsections
3 (c) and (d)”; and

4 (2) by designating subsection (c), as added by
5 section 332(a)(2) of the Veterans Benefits and
6 Health Care Improvement Act of 2000 (Public Law
7 106–419; 114 Stat. 1856), as subsection (d).

8 (b) RATE OF PAYMENT.—That section is further
9 amended—

10 (1) in the second sentence of subsection (b), by
11 striking “Payments” and inserting “Except as pro-
12 vided in subsection (c), payments”; and

13 (2) in subsection (c), as added by section
14 501(a) of H.R. 5482 of the 106th Congress (as en-
15 acted by Public Law 106–377 (114 Stat. 1441A–
16 55))—

17 (A) by inserting “or (b)” after “subsection
18 (a)” the first place it appears; and

19 (B) by striking “subsection (a)” the second
20 place it appears and inserting “the applicable
21 subsection”.

22 (c) EFFECTIVE DATE.—The amendments made by
23 subsection (b) shall take effect on the date of enactment
24 of this Act, and shall apply to benefits paid for months
25 beginning on or after that date.

1 **SEC. 3. RATE OF PAYMENT OF DEPENDENCY AND INDEM-**
2 **NITY COMPENSATION FOR SURVIVING**
3 **SPOUSES OF CERTAIN FILIPINO VETERANS.**

4 (a) **RATE OF PAYMENT.**—Subsection (c) of section
5 107 of title 38, United States Code, as added by section
6 501(a) of H.R. 5482 of the 106th Congress (as enacted
7 by Public Law 106–377 (114 Stat. 1441A–55)) and
8 amended by section 2 of this Act, is further amended by
9 inserting “, and under chapter 13 of this title,” after
10 “chapter 11 of this title”.

11 (b) **EFFECTIVE DATE.**—The amendment made by
12 subsection (a) shall take effect on the date of enactment
13 of this Act, and shall apply to benefits paid for months
14 beginning on or after that date.

15 **SEC. 4. ELIGIBILITY OF CERTAIN FILIPINO VETERANS FOR**
16 **DISABILITY PENSION.**

17 (a) **ELIGIBILITY.**—Section 107 of title 38, United
18 States Code, as amended by this Act, is further
19 amended—

20 (1) in subsection (a)—

21 (A) in paragraph (3) of the first sentence,
22 by inserting “15,” before “23,”; and

23 (B) in the second sentence, by striking
24 “subsections (c) and (d)” and inserting “sub-
25 sections (c), (d), and (e)”;

26 (2) in subsection (b)—

1 (A) by striking paragraph (2) of the first
2 sentence and inserting the following new para-
3 graph (2):

4 “(2) chapters 11, 13 (except section 1312(a)),
5 and 15 of this title.”; and

6 (B) in the second sentence, by striking
7 “subsection (c)” and inserting “subsections (c)
8 and (e)”.

9 (b) RATE OF PAYMENT.—That section is further
10 amended by adding at the end the following new sub-
11 section:

12 “(e) In the case of benefits under chapter 15 of this
13 title paid by reason of service described in subsection (a)
14 or (b), if—

15 “(1) the benefits are paid to an individual re-
16 siding in the United States who is a citizen of, or
17 an alien lawfully admitted for permanent residence
18 in, the United States, the second sentence of the ap-
19 plicable subsection shall not apply; and

20 “(2) the benefits are paid to an individual re-
21 siding in the Republic of the Philippines, the bene-
22 fits shall be paid (notwithstanding any other provi-
23 sion of law) at the rate of \$100 per month.”.

24 (c) EFFECTIVE DATE.—The amendments made by
25 this section shall take effect on the date of enactment of

1 this Act, and shall apply to benefits for months beginning
2 on or after that date.

3 **SEC. 5. ELIGIBILITY OF FILIPINO VETERANS FOR HEALTH**
4 **CARE IN THE UNITED STATES.**

5 The text of section 1734 of title 38, United States
6 Code, is amended to read as follows:

7 “The Secretary, within the limits of Department fa-
8 cilities, shall furnish hospital and nursing home care and
9 medical services to Commonwealth Army veterans and
10 new Philippine Scouts in the same manner as provided
11 for under section 1710 of this title.”.

12 **SEC. 6. OUTPATIENT HEALTH CARE FOR VETERANS RESID-**
13 **ING IN THE PHILIPPINES.**

14 (a) IN GENERAL.—Subchapter IV of chapter 17 of
15 title 38, United States Code, is amended—

16 (1) by redesignating section 1735 as section
17 1736; and

18 (2) by inserting after section 1734 the following
19 new section 1735:

20 **“§ 1735. Outpatient care and services for World War**
21 **II veterans residing in the Philippines**

22 “(a) OUTPATIENT HEALTH CARE.—The Secretary
23 shall furnish care and services to veterans of World War
24 II, Commonwealth Army veterans, and new Philippine
25 Scouts for the treatment of the service-connected disabil-

1 ities and nonservice-connected disabilities of such veterans
2 and scouts residing in the Republic of the Philippines on
3 an outpatient basis at the Manila VA Outpatient Clinic.

4 “(b) LIMITATIONS.—(1) The amount expended by
5 the Secretary for the purpose of subsection (a) in any fis-
6 cal year may not exceed \$500,000.

7 “(2) The authority of the Secretary to furnish care
8 and services under subsection (a) is effective in any fiscal
9 year only to the extent that appropriations are available
10 for that purpose.”.

11 (b) CLERICAL AMENDMENT.—The table of sections
12 at the beginning of chapter 17 of such title is amended
13 by striking the item relating to section 1735 and inserting
14 after the item relating to section 1734 the following new
15 items:

“1735. Outpatient care and services for World War II veterans residing in the
Philippines.

“1736. Definitions.”.

16 (c) EFFECTIVE DATE.—The amendments made by
17 this section shall take effect on the date of the enactment
18 of this Act.

○