

111TH CONGRESS  
1ST SESSION

# S. 1444

To amend title 38, United States Code, to clarify the meaning of “combat with the enemy” for purposes of service-connection of disabilities.

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## IN THE SENATE OF THE UNITED STATES

JULY 13, 2009

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

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## A BILL

To amend title 38, United States Code, to clarify the meaning of “combat with the enemy” for purposes of service-connection of disabilities.

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 “Compensation Owed  
5       for Mental Health Based on Activities in Theater Post-  
6       traumatic Stress Disorder Act” or the “COMBAT PTSD  
7       Act”.

1 **SEC. 2. CLARIFICATION OF MEANING OF “COMBAT WITH**  
2 **THE ENEMY” FOR PURPOSES OF SERVICE-**  
3 **CONNECTION OF DISABILITIES.**

4 (a) CLARIFICATION.—Section 1154(b) of title 38,  
5 United States Code, is amended—

6 (1) by striking “In the case” and inserting “(1)  
7 In the case”; and

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

10 “(2) For the purposes of this subsection, the term  
11 ‘combat with the enemy’ includes service on active duty—

12 “(A) in a theater of combat operations (as de-  
13 termined by the Secretary in consultation with the  
14 Secretary of Defense) during a period of war; or

15 “(B) in combat against a hostile force during a  
16 period of hostilities.”.

17 (b) EFFECTIVE DATE.—Paragraph (2) of subsection  
18 (b) of section 1154 of title 38, United States Code, as  
19 added by subsection (a), shall apply with respect to a claim  
20 for disability compensation under chapter 11 of such title  
21 pending on or after the date of the enactment of this Act.

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