

112TH CONGRESS
1ST SESSION

H. R. 210

To amend title 38, United States Code, to deem certain service in the organized military forces of the Government of the Commonwealth of the Philippines and the Philippine Scouts to have been active service for purposes of benefits under programs administered by the Secretary of Veterans Affairs.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 2011

Ms. SPEIER introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to deem certain service in the organized military forces of the Government of the Commonwealth of the Philippines and the Philippine Scouts to have been active service for purposes of benefits under programs administered by the Secretary of Veterans Affairs.

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 Fair-
5 ness Act of 2011”.

1 **SEC. 2. CERTAIN SERVICE IN THE ORGANIZED MILITARY**
2 **FORCES OF THE PHILIPPINES AND THE PHIL-**
3 **IPPINE SCOUTS DEEMED TO BE ACTIVE**
4 **SERVICE.**

5 (a) IN GENERAL.—Section 107 of title 38, United
6 States Code, is amended—

7 (1) in subsection (a)—

8 (A) by striking “not” after “Army of the
9 United States, shall”; and

10 (B) by striking “, except benefits under—
11 ” and all that follows in that subsection and in-
12 serting a period;

13 (2) in subsection (b)—

14 (A) by striking “not” after “Armed Forces
15 Voluntary Recruitment Act of 1945 shall”; and

16 (B) by striking “except—” and all that fol-
17 lows in that subsection and inserting a period;

18 (3) by amending subsection (c) to read as fol-
19 lows:

20 “(c) DETERMINATION OF ELIGIBILITY.—

21 “(1) IN GENERAL.—In determining the eligi-
22 bility of the service of an individual under this sec-
23 tion, the Secretary shall take into account any alter-
24 native documentation regarding such service, includ-
25 ing documentation other than the Missouri List,
26 that the Secretary determines relevant.

1 “(2) REPORT.—Not later than March 1 of each
2 year, the Secretary shall submit to the Committees
3 on Veterans’ Affairs of the Senate and House of
4 Representatives a report that includes—

5 “(A) the number of individuals applying
6 for benefits pursuant to this section during the
7 previous year; and

8 “(B) the number of such individuals that
9 the Secretary approved for benefits.”; and

10 (4) by amending subsection (d) to read as fol-
11 lows:

12 “(d) RELATION TO FILIPINO VETERANS EQUITY
13 COMPENSATION FUND.—Section 1002(h) of the American
14 Recovery and Reinvestment Act of 2009 (title X of divi-
15 sion A of Public Law 111–5; 123 Stat. 200; 38 U.S.C.
16 107 note) shall not apply to an individual described in sub-
17 section (a) or (b) of this section.”.

18 (b) CONFORMING AMENDMENTS.—(1) The heading
19 of such section is amended to read as follows:

1 **“§ 107. Certain service deemed to be active service:**
2 **service in organized military forces of the**
3 **Philippines and in the Philippine**
4 **Scouts”.**

5 (2) The item relating to such section in the table of
6 sections at the beginning of chapter 1 of such title is
7 amended to read as follows:

“107. Certain service deemed to be active service: service in organized military
forces of the Philippines and in the Philippine Scouts.”.

8 **SEC. 3. EFFECTIVE DATE.**

9 (a) **IN GENERAL.**—The amendments made by this
10 Act shall take effect on the date that is 90 days after the
11 date of the enactment of this Act.

12 (b) **APPLICABILITY.**—No benefits shall accrue to any
13 person for any period before the effective date of this Act
14 by reason of the amendments made by this Act.

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