

115TH CONGRESS  
2D SESSION

# S. 2433

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, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

FEBRUARY 15, 2018

Mr. SCHATZ (for himself and Ms. MURKOWSKI) 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 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, 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 Fair-  
5       ness Act of 2018”.

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.—(1) In de-  
 21 termining the eligibility of the service of an individual  
 22 under this section, the Secretary shall take into account  
 23 any alternative documentation regarding such service, in-  
 24 cluding documentation other than the Missouri List, that  
 25 the Secretary determines relevant.

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

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

8           “(B) the number of such individuals that the  
9 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 AND CLERICAL AMENDMENTS.**—

19           (1) **CONFORMING AMENDMENT.**—The heading  
20 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) CLERICAL AMENDMENT.—The table of sec-  
 6 tions at the beginning of chapter 1 of such title is  
 7 amended by striking the item relating to section 107  
 8 and inserting the following:

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

9 (c) EFFECTIVE DATE.—

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

13 (2) APPLICABILITY.—No benefits shall accrue  
 14 to any person for any period before the effective date  
 15 specified in paragraph (1) by reason of the amend-  
 16 ments made by this section.

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