

116TH CONGRESS
1ST SESSION

H. R. 2823

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

MAY 17, 2019

Ms. SPEIER (for herself, Ms. BARRAGÁN, Mr. CASE, Mr. COHEN, Mr. CONNOLLY, Mr. CORREA, Ms. ESHOO, Ms. GABBARD, Mr. GREEN of Texas, Mr. KHANNA, Ms. LEE of California, Mrs. LEE of Nevada, Mr. TED LIEU of California, Mr. LIPINSKI, Ms. NORTON, Mr. PANETTA, Mr. SCHIFF, Mr. SHERMAN, Mr. VARGAS, Mr. GONZALEZ of Texas, Mr. SCOTT of Virginia, Ms. SCHAKOWSKY, and Mr. GOMEZ) 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Filipino Veterans Fair-
3 ness Act of 2019”.

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

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

10 (1) in subsection (a)—

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

13 (B) by striking “, except benefits under—
14 ” and all that follows in that subsection and in-
15 serting a period;

16 (2) in subsection (b)—

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

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

21 (3) by amending subsection (c) to read as fol-
22 lows:

23 “(c) DETERMINATION OF ELIGIBILITY.—(1) In de-
24 termining the eligibility of the service of an individual
25 under this section, the Secretary shall take into account
26 any alternative documentation regarding such service, in-

1 cluding documentation other than the Missouri List, that
2 the Secretary determines relevant.

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

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

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

12 (4) by amending subsection (d) to read as fol-
13 lows:

14 “(d) RELATION TO FILIPINO VETERANS EQUITY
15 COMPENSATION FUND.—Section 1002(h) of the American
16 Recovery and Reinvestment Act of 2009 (title X of divi-
17 sion A of Public Law 111–5; 123 Stat. 200; 38 U.S.C.
18 107 note) shall not apply to an individual described in sub-
19 section (a) or (b) of this section.”.

20 (b) CONFORMING AMENDMENTS.—(1) The heading
21 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.

○