

# Union Calendar No. 365

111<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 3787

[Report No. 111-625]

To amend title 38, United States Code, to deem certain service in the Reserve components as active service for purposes of laws administered by the Secretary of Veterans Affairs.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 8, 2009

Mr. WALZ (for himself, Mr. LATHAM, Mr. ADLER of New Jersey, Mr. BILBRAY, Mr. BOOZMAN, Mr. BROUN of Georgia, Mr. BROWN of South Carolina, Mr. CONNOLLY of Virginia, Mr. COURTNEY, Mr. FILNER, Mr. GONZALEZ, Mr. HALL of New York, Mrs. HALVORSON, Mr. HARE, Ms. HERSETH SANDLIN, Mr. MCNERNEY, Mr. MASSA, Mr. MICHAUD, Mr. MITCHELL, Mr. OBERSTAR, Mr. ORTIZ, Mr. PERRIELLO, Mr. PETERSON, Mr. POMEROY, Mr. RODRIGUEZ, Mr. ROE of Tennessee, Mr. TAYLOR, and Mr. TEAGUE) introduced the following bill; which was referred to the Committee on Veterans' Affairs

SEPTEMBER 28, 2010

Additional sponsors: Mr. SPACE, Mr. LOEBSACK, Mr. TIM MURPHY of Pennsylvania, Mr. COHEN, Mr. KIND, Mr. MCGOVERN, Mr. FRANK of Massachusetts, Mr. KING of Iowa, Mr. BOSWELL, Mr. BRALEY of Iowa, Mr. ARCURI, Mr. BUYER, Mr. PATRICK J. MURPHY of Pennsylvania, Mr. KLINE of Minnesota, Mr. MILLER of Florida, and Mr. KAGEN

SEPTEMBER 28, 2010

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italic*]

# **A BILL**

To amend title 38, United States Code, to deem certain service in the Reserve components as active service for purposes of laws 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. CERTAIN SERVICE PERFORMED IN THE RE-**  
 4 **SERVE COMPONENTS DEEMED ACTIVE SERV-**  
 5 **ICE.**

6 Section 106 of title 38, United States Code, is  
 7 amended by adding at the end the following new sub-  
 8 section:

9 “(g) Any person who has not otherwise performed  
 10 qualifying active duty service shall be deemed to have been  
 11 on active duty for purposes of all laws administered by  
 12 the Secretary if the person is entitled under chapter 1223  
 13 of title 10 to retired pay for nonregular service or, but  
 14 for age, would be entitled under such chapter to retired  
 15 pay for nonregular service.”

16 **SECTION 1. PROVISION OF STATUS UNDER LAW BY HON-**  
 17 **ORING CERTAIN MEMBERS OF THE RESERVE**  
 18 **COMPONENTS AS VETERANS.**

19 (a) *IN GENERAL.*—Chapter 1 of title 38, United States  
 20 Code, is amended by inserting after section 107 the fol-  
 21 lowing new section:

1 **“§ 107A. Honoring as veterans certain persons who**  
2 **performed service in the reserve compo-**  
3 **nents**

4 *“Any person who is entitled under chapter 1223 of title*  
5 *10 to retired pay for nonregular service or, but for age,*  
6 *would be entitled under such chapter to retired pay for non-*  
7 *regular service shall be honored as a veteran but shall not*  
8 *be entitled to any benefit by reason of this section.”.*

9 (b) *CLERICAL AMENDMENT.—The table of sections at*  
10 *the beginning of such chapter is amended by inserting after*  
11 *the item relating to section 107 the following new item:*

*“107A. Honoring as veterans certain persons who performed service in the reserve components.”.*

Amend the title so as to read: “A bill to amend title 38, United States Code, to recognize the service in the reserve components of certain persons by honoring them with status as veterans under law.”.



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