

109TH CONGRESS  
1ST SESSION

# S. 79

To require the Secretary of the Army to determine the validity of the claims of certain Filipinos that they performed military service on behalf of the United States during World War II.

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## IN THE SENATE OF THE UNITED STATES

JANUARY 24, 2005

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

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## A BILL

To require the Secretary of the Army to determine the validity of the claims of certain Filipinos that they performed military service on behalf of the United States during World War II.

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. DETERMINATIONS BY THE SECRETARY OF THE**  
4       **ARMY.**

5       (a) IN GENERAL.—Upon the written application of  
6 any person who is a national of the Philippine Islands,  
7 the Secretary of the Army shall determine whether such  
8 person performed any military service in the Philippine Is-

1 lands in aid of the Armed Forces of the United States  
2 during World War II which qualifies such person to re-  
3 ceive any military, veterans', or other benefits under the  
4 laws of the United States.

5 (b) INFORMATION TO BE CONSIDERED.—In making  
6 a determination for the purpose of subsection (a), the Sec-  
7 retary shall consider all information and evidence (relating  
8 to service referred to in subsection (a)) that is available  
9 to the Secretary, including information and evidence sub-  
10 mitted by the applicant, if any.

11 **SEC. 2. CERTIFICATE OF SERVICE.**

12 (a) ISSUANCE OF CERTIFICATE OF SERVICE.—The  
13 Secretary of the Army shall issue a certificate of service  
14 to each person determined by the Secretary to have per-  
15 formed military service described in section 1(a).

16 (b) EFFECT OF CERTIFICATE OF SERVICE.—A cer-  
17 tificate of service issued to any person under subsection  
18 (a) shall, for the purpose of any law of the United States,  
19 conclusively establish the period, nature, and character of  
20 the military service described in the certificate.

21 **SEC. 3. APPLICATIONS BY SURVIVORS.**

22 An application submitted by a surviving spouse, child,  
23 or parent of a deceased person described in section 1(a)  
24 shall be treated as an application submitted by such per-  
25 son.

1 **SEC. 4. LIMITATION PERIOD.**

2       The Secretary of the Army may not consider for the  
3 purpose of this Act any application received by the Sec-  
4 retary more than two years after the date of the enact-  
5 ment of this Act.

6 **SEC. 5. PROSPECTIVE APPLICATION OF DETERMINATIONS**

7                   **BY THE SECRETARY OF THE ARMY.**

8       No benefits shall accrue to any person for any period  
9 before the date of the enactment of this Act as a result  
10 of the enactment of this Act.

11 **SEC. 6. REGULATIONS.**

12       The Secretary of the Army shall prescribe regulations  
13 to carry out sections 1, 3, and 4.

14 **SEC. 7. RESPONSIBILITIES OF THE SECRETARY OF VET-**

15                   **ERANS AFFAIRS.**

16       Any entitlement of a person to receive veterans' bene-  
17 fits by reason of this Act shall be administered by the De-  
18 partment of Veterans Affairs pursuant to regulations pre-  
19 scribed by the Secretary of Veterans Affairs.

20 **SEC. 8. DEFINITION.**

21       In this Act, the term "World War II" means the pe-  
22 riod beginning on December 7, 1941, and ending on De-  
23 cember 31, 1946.

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