

110TH CONGRESS  
1ST SESSION

# H. R. 653

To amend title 38, United States Code, to allow the sworn affidavit of a veteran who served in combat during the Korean War or an earlier conflict to be accepted as proof of service-connection of a disease or injury alleged to have been incurred or aggravated by such service.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 24, 2007

Mr. REYNOLDS (for himself and Mrs. MALONEY of New York) introduced the following bill; which was referred to the Committee on Veterans' Affairs

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## A BILL

To amend title 38, United States Code, to allow the sworn affidavit of a veteran who served in combat during the Korean War or an earlier conflict to be accepted as proof of service-connection of a disease or injury alleged to have been incurred or aggravated by such service.

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 “Joseph I. Hoover Com-  
5       bat Veteran Affidavit Act of 2007”.

1 **SEC. 2. SWORN AFFIDAVIT OF KOREAN CONFLICT AND EAR-**  
2 **LIER COMBAT VETERANS TO BE ACCEPTED**  
3 **AS PROOF OF SERVICE-CONNECTION OF DIS-**  
4 **EASE OR INJURY ALLEGED TO HAVE BEEN**  
5 **INCURRED OR AGGRAVATED DURING COM-**  
6 **BAT.**

7 (a) IN GENERAL.—Section 1154(b) of title 38,  
8 United States Code, is amended—

9 (1) by inserting “(1)” after “(b)”;

10 (2) by inserting “after July 27, 1953,” after  
11 “in active service”;

12 (3) by designating the third sentence as para-  
13 graph (3) and in that paragraph inserting “under  
14 paragraph (1) or (2)” after “in each case”; and

15 (4) by inserting after paragraph (1), as des-  
16 ignated by paragraph (1) of this subsection, the fol-  
17 lowing new paragraph:

18 “(2) In the case of any veteran who engaged in com-  
19 bat with the enemy in active service on or before July 27,  
20 1953, with a military, naval, or air organization of the  
21 United States during a period of war, campaign, or expe-  
22 dition, if there is no clear and convincing evidence to the  
23 contrary the Secretary shall accept as sufficient proof of  
24 service-connection of any disease or injury alleged to have  
25 been incurred in or aggravated by such service the sworn  
26 affidavit of the veteran attesting to the service-connection

1 of such disease or injury, notwithstanding the fact that  
2 there is no official record of such incurrence or aggrava-  
3 tion in such service.”.

4 (b) EFFECTIVE DATE.—The amendments made by  
5 subsection (a) shall apply with respect to affidavits sub-  
6 mitted after the date of the enactment of this Act.

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