

114TH CONGRESS
2D SESSION

S. 3003

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 SENATE OF THE UNITED STATES

MAY 26, 2016

Mr. SCHATZ (for himself and Ms. MURKOWSKI) introduced the following bill;
which was read twice and 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Filipino Veterans Fair-
5 ness Act of 2016”.

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
 11 under—” and all that follows in that subsection
 12 and inserting 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.—

21 “(1) IN GENERAL.—In determining the eligi-
 22 bility of the service of an individual under this sec-
 23 tion, the Secretary shall take into account any alter-
 24 native documentation regarding such service, includ-
 25 ing documentation other than the Missouri List,
 26 that the Secretary determines relevant.

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

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

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

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

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

19 (b) CONFORMING AND CLERICAL AMENDMENTS.—

20 (1) CONFORMING AMENDMENT.—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) 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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