

107TH CONGRESS
1ST SESSION

H. R. 843

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.

IN THE HOUSE OF REPRESENTATIVES

MARCH 1, 2001

Mr. REYNOLDS introduced the following bill; which was referred to the
Committee on Veterans' Affairs

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,*

1 **SECTION 1. SWORN AFFIDAVIT OF KOREAN CONFLICT AND**
2 **EARLIER COMBAT VETERANS TO BE ACCEPT-**
3 **ED AS PROOF OF SERVICE-CONNECTION OF**
4 **DISEASE OR INJURY ALLEGED TO HAVE**
5 **BEEN INCURRED OR AGGRAVATED DURING**
6 **COMBAT.**

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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