

108TH CONGRESS
1ST SESSION

H. R. 1984

To amend title 38, United States Code, to improve benefits for Filipino veterans of World War II, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 6, 2003

Ms. MILLENDER-MCDONALD introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to improve benefits for Filipino veterans of World War II, and for other purposes.

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”.

6 **SEC. 2. RATE OF PAYMENT OF CERTAIN BENEFITS FOR**
7 **NEW PHILIPPINE SCOUTS RESIDING IN THE**
8 **UNITED STATES.**

9 (a) RATE OF PAYMENT.—Section 107 of title 38,
10 United States Code, is amended—

1 (1) in the second sentence of subsection (b), by
2 striking “Payments” and inserting “Except as pro-
3 vided in subsection (c), payments”; and

4 (2) in subsection (c)—

5 (A) by inserting “or (b)” after “subsection
6 (a)” the first place it appears; and

7 (B) by striking “subsection (a)” the second
8 place it appears and inserting “the applicable
9 subsection”.

10 (b) EFFECTIVE DATE.—The amendments made by
11 subsection (a) shall take effect on the date of the enact-
12 ment of this Act, and shall apply to benefits paid for
13 months beginning on or after that date.

14 **SEC. 3. RATE OF PAYMENT OF DEPENDENCY AND INDEM-**
15 **NITY COMPENSATION FOR SURVIVING**
16 **SPOUSES OF CERTAIN FILIPINO VETERANS.**

17 (a) RATE OF PAYMENT.—Subsection (c) of section
18 107 of title 38, United States Code, as amended by section
19 2 of this Act, is further amended by inserting “, and under
20 chapter 13 of this title,” after “chapter 11 of this title”.

21 (b) EFFECTIVE DATE.—The amendment made by
22 subsection (a) shall take effect on the date of the enact-
23 ment of this Act, and shall apply to benefits paid for
24 months beginning on or after that date.

1 **SEC. 4. ELIGIBILITY OF CERTAIN FILIPINO VETERANS FOR**
2 **DISABILITY PENSION.**

3 (a) ELIGIBILITY.—Section 107 of title 38, United
4 States Code, as amended by this Act, is further amend-
5 ed—

6 (1) in subsection (a)—

7 (A) in paragraph (3) of the first sentence,
8 by inserting “15,” before “23,”; and

9 (B) in the second sentence, by striking
10 “subsections (c) or (d)” and inserting “sub-
11 sections (c), (d), or (e)” ; and

12 (2) in subsection (b)—

13 (A) by striking paragraph (2) of the first
14 sentence and inserting the following new para-
15 graph (2):

16 “(2) chapters 11, 13 (except section 1312(a)),
17 and 15 of this title.”; and

18 (B) in the second sentence, by striking
19 “subsection (c)” and inserting “subsections (c)
20 and (e)”.

21 (b) RATE OF PAYMENT.—That section is further
22 amended by adding at the end the following new sub-
23 section:

24 “(e) In the case of benefits under chapter 15 of this
25 title paid by reason of service described in subsection (a)
26 or (b), if—

1 **SEC. 6. OUTPATIENT HEALTH CARE FOR VETERANS RESID-**
2 **ING IN THE PHILIPPINES.**

3 (a) IN GENERAL.—Subchapter IV of chapter 17 of
4 title 38, United States Code, is amended—

5 (1) by redesignating section 1735 as section
6 1736; and

7 (2) by inserting after section 1734 the following
8 new section 1735:

9 **“§1735. Outpatient care and services for World War**
10 **II veterans residing in the Philippines**

11 “(a) OUTPATIENT HEALTH CARE.—The Secretary
12 shall furnish care and services to veterans of World War
13 II, Commonwealth Army veterans, and new Philippine
14 Scouts for the treatment of the service-connected disabil-
15 ities and nonservice-connected disabilities of such veterans
16 and scouts residing in the Republic of the Philippines on
17 an outpatient basis at the Manila VA Outpatient Clinic.

18 “(b) LIMITATIONS.—(1) The amount expended by
19 the Secretary for the purpose of subsection (a) in any fis-
20 cal year may not exceed \$500,000.

21 “(2) The authority of the Secretary to furnish care
22 and services under subsection (a) is effective in any fiscal
23 year only to the extent that appropriations are available
24 for that purpose.”.

25 (b) CLERICAL AMENDMENT.—The table of sections
26 at the beginning of chapter 17 of such title is amended

1 by striking the item relating to section 1735 and inserting
2 after the item relating to section 1734 the following new
3 items:

“1735. Outpatient care and services for World War II veterans residing in the
Philippines.
“1736. Definitions.”.

4 (c) EFFECTIVE DATE.—The amendments made by
5 this section shall take effect on the date of the enactment
6 of this Act.

7 **SEC. 7. ELIGIBILITY FOR HOUSING LOANS.**

8 Section 3701(b) of title 38, United States Code, is
9 amended by adding at the end the following new para-
10 graph:

11 “(5) The term ‘veteran’ also includes an indi-
12 vidual who is a Commonwealth Army veteran (as de-
13 fined in subsection (a) of section 3566 of this title),
14 or a new Philippine Scout (as defined in subsection
15 (b) of such section) who resides in the United
16 States.”.

17 **SEC. 8. EDUCATIONAL BENEFITS FOR SPOUSES AND DE-**
18 **PENDENTS.**

19 (a) INCLUSION OF SPOUSES.—Section 3565(a) of
20 title 38, United States Code, is amended to read as fol-
21 lows:

22 “(a) The term ‘eligible person’ as used in section
23 3501(a)(1) of this title includes the spouse, surviving
24 spouse, and child of a Commonwealth Army veteran or

1 a ‘New’ Philippine Scouts in the same manner as a spouse,
2 surviving spouse, and child of a person who meets the re-
3 quirements of service-connected disability or death under
4 such section, based on service as defined in section 3566
5 of this title.”.

6 (b) INCREASE IN RATES PAYABLE FOR DEPENDENTS
7 RESIDING IN THE UNITED STATES.—Section 3565(b) of
8 such title is amended—

9 (1) by striking “children” in the matter pre-
10 ceding paragraph (1) and inserting “a spouse, sur-
11 viving spouse, or child”;

12 (2) by redesignating paragraph (2) as para-
13 graph (3);

14 (3) in paragraph (1) by striking “, and” and in-
15 serting “in the case of a spouse, surviving spouse, or
16 child residing in the Philippines,”; and

17 (4) by inserting after paragraph (1) the fol-
18 lowing new subparagraph:

19 “(2) notwithstanding section 3532(d) of this
20 title, educational assistance allowances authorized by
21 section 3532 of this title and the special training al-
22 lowance authorized by section 3542 of this title shall
23 be paid at the rate of \$1.00 for each dollar in the
24 case of a spouse, surviving spouse, or child residing
25 in the United States, and”.

1 **SEC. 9. ELIGIBILITY FOR VOCATIONAL REHABILITATION.**

2 (a) **ELIGIBILITY.**—Section 107 of title 38, United
3 States Code, as amended by this Act, is further amend-
4 ed—

5 (1) in subsection (a)—

6 (A) in paragraph (3) of the first sen-
7 tence—

8 (i) by striking “and 24” and inserting
9 “24”; and

10 (ii) by inserting “, and chapter 31”
11 before “of this title”;

12 (B) in the second sentence, by striking “or
13 (e)” and inserting “(e), or (f)”; and

14 (2) in subsection (b)(2) of the first sentence by
15 striking “and 15” and inserting “15, and 31”; and

16 (B) in the second sentence, by striking
17 “and (e)” and inserting “, (e), and (f)”.

18 (b) **RATE OF PAYMENT.**—That section is further
19 amended by adding at the end the following new sub-
20 section:

21 “(f) In the case of benefits under chapter 31 of this
22 title paid by reason of service described in subsection (a)
23 or (b), if the benefits are paid to an individual residing
24 in the United States who is a citizen of, or an alien law-
25 fully admitted for permanent residence in, the United

1 States, the second sentence of the applicable subsection
2 shall not apply.”.

3 (c) EFFECTIVE DATE.—The amendments made by
4 this section shall take effect on the date of the enactment
5 of this Act, and shall apply to benefits for months begin-
6 ning on or after that date.

7 **SEC. 10. ELIGIBILITY FOR BENEFITS FOR JOB COUN-**
8 **SELING, TRAINING, AND PLACEMENT.**

9 (a) VETERANS.—Section 4101(4) of title 38, United
10 States Code, is amended by inserting before the period the
11 following: “, and includes a Commonwealth Army veteran
12 (as defined in subsection (a) of section 3566 of this title),
13 or a new Philippine Scout (as defined in subsection (b)
14 of such section)”.

15 (b) DEPENDENTS.—Section 4104(5) of such title is
16 amended—

17 (1) by striking “or” at the end of subparagraph
18 (B);

19 (2) by striking the period at the end of sub-
20 paragraph (C) and inserting “, or” and

21 (3) by adding at the end the following new sub-
22 paragraph:

23 “(D) the spouse or child of a Common-
24 wealth Army veteran (as defined in subsection

25 (a) of section 3566 of this title), or a new Phil-

1 ippine Scout (as defined in subsection (b) of
2 such section).”.

3 **SEC. 11. REPRESENTATION ON THE ADVISORY COMMITTEE**
4 **ON MINORITY VETERANS.**

5 (a) IN GENERAL.—Section 544 (a)(2) of title 38,
6 United States Code, is amended by adding at the end the
7 following new subparagraph:

8 “(D) The Secretary shall ensure that at least one
9 member of the Committee each year is a Commonwealth
10 Army veteran (as defined in subsection (a) of section 3566
11 of this title), or a new Philippine Scout (as defined in sub-
12 section (b) of such section).”.

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