

118TH CONGRESS
1ST SESSION

H. R. 2638

To direct the Secretary of Veterans Affairs to treat certain individuals who participated in the invasion of the Bay of Pigs, Cuba, in April, 1961, as veterans for the purposes of eligibility for benefits under laws administered by the Secretary.

IN THE HOUSE OF REPRESENTATIVES

APRIL 17, 2023

Mr. GIMENEZ (for himself, Ms. SALAZAR, and Ms. MALLIOTAKIS) introduced the following bill; which was referred to the Committee on Veterans' Affairs

A BILL

To direct the Secretary of Veterans Affairs to treat certain individuals who participated in the invasion of the Bay of Pigs, Cuba, in April, 1961, as veterans for the purposes of eligibility for benefits under laws administered by the Secretary.

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 “Cuban-American Un-
5 recognized Bravery Act of 2023” or the “CUBA Act of
6 2023”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) On April 16, 1961, Cubans who had been
4 trained and equipped by the United States landed in
5 the Bay of Pigs, Cuba, with the mission to topple
6 the Castro regime and free Cuba from communist
7 tyranny.

8 (2) Lack of adequate support, and poor plan-
9 ning and execution of the invasion led to the deaths
10 of several hundred members of the invasion force
11 and subsequent capture and imprisonment of the
12 survivors.

13 (3) Many of these survivors faced harsh condi-
14 tions accompanied by torture and threats of execu-
15 tion while they waited for their release.

16 (4) After 20 months of negotiations for their
17 release, President John F. Kennedy welcomed back
18 the last survivors in Miami, Florida, upon their re-
19 turn to the United States on December 29, 1962.

20 (5) Many survivors became productive United
21 States citizens and contributed greatly to their new
22 home that gave them back the freedom they lost in
23 Cuba.

24 (6) Currently, it is estimated that there are ap-
25 proximately 300 survivors still living from the Bay
26 of Pigs invasion. These survivors still struggle with

1 the emotional effects of the invasion, along with fi-
2 nancial hardships and healthcare challenges.

3 (7) These survivors fought on behalf of the
4 United States in a cause of freedom in the face of
5 global communist tyranny. They were trained and
6 sent to Cuba by the United States Government yet
7 do not receive the benefits of veterans that they de-
8 serve and to which they ought to be entitled.

9 (8) Granting these survivors eligibility for bene-
10 fits under the laws administered by the Secretary of
11 Veterans Affairs would help them and their families
12 with financial and healthcare burdens, allow for
13 them to receive a military funeral, and aid in healing
14 the lingering psychological wounds left from the Bay
15 of Pigs invasion 62 years ago.

16 **SEC. 3. EXPANSION OF ELIGIBILITY FOR VETERANS BENE-**
17 **FITS TO CERTAIN INDIVIDUALS WHO SERVED**
18 **IN BAY OF PIGS, CUBA, IN APRIL, 1961.**

19 (a) IN GENERAL.—For the purposes of determining
20 eligibility for benefits under the laws administered by the
21 Secretary of Veterans Affairs, the Secretary shall treat a
22 covered individual as a veteran.

23 (b) APPLICABILITY DATE.—Beginning on the date
24 that is 90 days after the date of the enactment of this
25 Act, a covered individual may file a claim for a benefit

1 described in subsection (a), and the Secretary shall con-
2 sider and make a determination regarding such claim,
3 without regard to any time limit applicable to such filing
4 or claim.

5 (c) COVERED INDIVIDUAL DEFINED.—In this sec-
6 tion, the term “covered individual” means an individual
7 whom the Secretary determines—

8 (1) was a member of the military group that in-
9 vaded the Bay of Pigs, Cuba, in April, 1961;

10 (2) is a citizen of the United States; and

11 (3) is not in receipt of the benefit for which the
12 covered individual applied.

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