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Filipino Veterans [4]

2017-1120-S

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- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

American Coalition for Filipino Veterans, Inc.

2500 Mass. Ave. NW - Washington DC 20008

FOR IMMEDIATE RELEASE

Contact: Eric Lachica, Exec.

2/1/2000 Final version

202 246-1998

TO: LAURA
EFURD
fax 456-6682**Filipino American Veterans on SSI Can Receive****Special Benefit Payments in the Philippines in May**

Washington, D.C., February 1 -- The first payments of "Special Benefits for Certain World War II Veterans" to Filipino American veteran recipients who return to the Philippines are expected to begin on May 1, according to the Social Security Administration officials.

In an hour-and-a-half afternoon meeting at the SSA capital headquarters, Deputy Commissioner William Halter, today informed the representatives of the American Coalition for Filipino Veterans, a Washington-based advocacy group, that the first payments are expected to begin on May 1 under the new program established by Section 251 of the Public Law 106-169.

Halter said, "It is with heartwarming appreciation from my generation that we will implement this law as rapidly as possible. We will be expeditious in making system changes and in our managerial efforts . . . to get the rules, training of our staff and forms approved."

Representing the veterans' coalition during the meeting were: Patrick Ganio Sr., ACFV president and a defender at battles of Bataan and Corregidor, Guillermo Rumingan, ACFV service officer and a disabled Philippine Scout, and Eric Lachica, ACFV executive director. The other SSA officials attending the meeting were Judy Chesser, Deputy Commissioner for Legislation and Congressional Affairs, John Dyer, Executive Director to the Deputy Commissioner, Webster Phillips, Associate Commissioner for Legislation, and Joseph Gribbin, Associate Commissioner for International Programs.

Associate Commissioner Gribbin said, "As we develop our operational policies, we will meet the full spirit of the congressional intent of the law."

The new law allows Filipino American World War II veterans who received Supplemental Security Income (SSI) to receive the special benefit of up to 75 percent of the monthly Federal SSI benefit if they choose to return to the Philippines. This could amount to a monthly maximum of \$380 or about 15,000 Pesos, a dignified income comparable to a professor's salary in Manila.

"We thank you for helping us. Our desperate veterans can now be certain to soon receive a dignified income in their homeland," said Patrick Ganio, a 79-year-old veteran. "We look forward to working with your staff to iron out the details," Ganio added.

- MORE -

SSI in MAY Page 2

Ganio also asked out about spouses or widows who wanted to avail of the special benefit. According to Chesser, the Deputy Commissioner for Congressional Affairs, the law only applies to veterans and that a legislative amendment would have to be introduced and passed by Congress to cover spouses.

Halter and the SSA officials cautioned that the implementing procedures and application form were still in draft form and subject to the approval of their legal counsel. Moreover, they said local SSA offices are not yet trained or prepared to decide on WWII veteran claims.

Lachica, the ACFV executive director, suggested that SSA hold meetings with veterans' organizations in several key cities to answer the veterans' concerns and to help process their applications. Lachica also asked about several cases of veteran members who urgently want to return to their families because of their debilitating terminal illnesses. Gribbin replied, they could fill-out a "protective filing" statement of claimant (SSA form-795) that is available at local SSA offices. However, their monthly payments may not be available in the interim months until a formal decision is made by the SSA.

Rumingan, ACFV service officer, asked why the SSA deducts about \$67 of the Philippine government (PVAO) "old age pension" from the SSI monthly payment that the Filipino American veteran receives. The officials said, under the current U.S. laws, the amounts of pension are income and deducted from the SSI amount.

Ganio and Lachica mentioned to the SSA officials their recent visit to Manila to consult their veteran leaders and to meet with the U.S. Veterans Affairs director, the USVA Outpatient Clinic director and the SSA coordinator in preparation for the return of 2,000 Filipino American veterans this year. Follow-up meetings to deal with questions about residency in the Philippines, certification of World War II military service, and eligibility requirements are to be arranged.

The coalition is planning a "balik-bayani" flight to Manila of 300 veterans to coincide with the anniversary of Bataan Day of Valor on or about April 9.

The coalition is campaigning for official recognition and full VA benefits such as burial allowance, medical care and disability pension for Filipino WWII veterans. According to Ganio, the special benefit law is the first step in winning full VA benefits from the U.S. government.

The coalition's second bill, H.R.1594, the "Filipino Veterans Benefit Improvement Act" which would provide VA medical care in the U.S. and in the Philippines is still pending in the House with 60 cosponsors. A third bill is expected to be introduced this year to provide VA non-service disability pensions for all eligible Filipino WWII veterans.

For more information, call 202 246-1998 or e-mail: elachica@idt.net

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END

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LEGISLATION TO PROVIDE VETERANS HEALTH CARE BENEFITS TO MEMBERS OF THE PHILIPPINE COMMONWEALTH ARMY AND THE MEMBERS OF THE SPECIAL PHILIPPINE SCOUTS, H.R. 1594 -- HON. BENJAMIN A. GILMAN (Extension of Remarks - April 28, 1999)

[Page: E802] [Link to GPO's PDF version for this page.](#) NEW

HON. BENJAMIN A. GILMAN

in the House of Representatives

WEDNESDAY, APRIL 28, 1999

- Mr. GILMAN. Mr. Speaker, I rise today to introduce H.R. 1594, the Filipino Veterans Benefits Improvements Act of 1999. I urge my colleagues to join me in supporting this worthy legislation.
- On July 26, 1941, President Roosevelt issued a military order, pursuant to the Philippines Independence Act of 1934, calling members of the Philippine Commonwealth Army into the service of the United States Forces of the Far East, under the command of General Douglas MacArthur.
- For almost 4 years, over 100,000 Filipinos, of the Philippine Commonwealth Army fought alongside the allies to reclaim the Philippine Islands from Japan. Regrettably, in return, Congress enacted the Rescission Act of 1946. This measure limited veterans eligibility for service-connected disabilities and death compensation and also denied the members of the Philippine Commonwealth Army the honor of being recognized as veterans of the United States Armed Forces.
- A second group, the special Philippine scouts called 'New Scouts' who enlisted in the U.S. armed forces after October 6, 1945, primarily to perform occupation duty in the Pacific, were similarly excluded from benefits.
- I believe it is long past time to correct this injustice and to provide the members of the Philippine Commonwealth Army and the special Philippine scouts with the benefits and the services that they valiantly earned during their service in World War II.
- Realizing Mr. Speaker, than our current budgetary environment is not conducive to the creation of a new large entitlement program, I have crafted this legislation to be fiscally feasible while providing the veterans with the benefits in which they are most in need.
- This legislation contains three major provisions. The first would provide disability compensation to those Filipino veterans residing in the United States on a dollar-for-dollar basis. This would replace the 'peso rate' standard which Filipino veterans had to accept, even if they were residing

within the United States and not the Philippines.

- Second, this bill would make all Filipino veterans residing in the United States eligible for VA health care. These veterans, would be subject to the same eligibility and means test requirements as their American counterparts.
- Finally, this legislation restores funding, which had been removed in 1994, to provide health care to American military personnel and veterans in the Philippines as well as for Filipino World War II veterans residing in the islands.
- These veterans have waited more than 50 years for the benefits which, by virtue of their military service, they were entitled to in 1946.
- I urge my colleagues to carefully review this legislation that corrects this grave injustice and provides veterans benefits to members of the Philippine Commonwealth Army and the members of the special Philippine scouts.
- I submit the full text of H.R. 1594 to be included at this point in the **Record**:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the 'Filipino Veterans' Benefits Improvements Act of 1999'.

SEC. 2. INCREASE IN RATE OF PAYMENT OF CERTAIN BENEFITS TO VETERANS OF THE PHILIPPINE COMMONWEALTH ARMY.

(a) **Increase.**--Section 107 of title 38, United States Code, is amended--

(1) by striking 'Payment' in the second sentence of subsection (a) and inserting 'Except as provided in subsection (c), payment'; and

(2) by adding at the end the following new subsection:

'(c) In the case of benefits under subchapters II and IV of chapter 11 of this title by reason of service described in subsection (a)--

'(1) notwithstanding the second sentence of subsection (a), payment of such benefit shall be made in dollars at the rate of \$1.00 for each dollar authorized; and

'(2) such benefits shall be paid only to an individual residing in the United States who is a citizen of, or an alien lawfully admitted for permanent residence in, the United States.'

(b) **Effective Date.**--The amendments made by subsection (a) shall take effect on the date of the enactment of this Act, and shall apply to benefits paid for months beginning on or after that date.

[Page: E803] [Link to GPO's PDF version for this page.](#) ^{NEW}

SEC. 3. ELIGIBILITY FOR HEALTH CARE OF CERTAIN ADDITIONAL FILIPINO WORLD WAR II VETERANS.

Section 1734 of title 38, United States Code, is amended to read as follows:

'The Secretary, within the limits of Department facilities, shall furnish hospital and nursing home care and medical services to Commonwealth Army veterans and new Philippine Scouts in the same manner

as provided for under section 1710 of this title.'.

SEC. 4. MANDATE TO PROVIDE HEALTH CARE FOR WORLD WAR II VETERANS RESIDING IN THE PHILIPPINES.

(a) **In General.**--Subchapter IV of chapter 17 of title 38, United States Code, is amended--

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

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

1735. Outpatient care and services for World War II veterans residing in the Philippines

(a) **Outpatient Health Care.**--The Secretary shall furnish care and services to veterans, Commonwealth Army veterans, and new Philippine Scouts for the treatment of the service-connected disabilities and non-service-connected disabilities of such veterans and scouts residing in the Republic of the Philippines on an outpatient basis at the Manila VA Outpatient Clinic.

(b) **Limitations.**--(1) The amount expended by the Secretary for the purpose of subsection (a) in any fiscal year may not exceed \$500,000.

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

(b) **Clerical Amendment.**--The table of sections at the beginning of chapter 17 of such title is amended by striking the item relating to section 1735 and inserting after the item relating to section 1734 the following new items:

1735. Outpatient care and services for World War II veterans residing in the Philippines.

1736. Definitions.'

(c) **Effective Date.**--The amendments made by subsection (a) shall take effect on the date of the enactment of this Act.

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Daug - 3/17/00

Laotians + Cambodians - ~~at~~ how they would
feel, why were similarly entitled. Differences
w/ Fil. Vets - unique situation

one argument - \$ Philippine Vets are provided by P.I.
gov't to the - U.S. provided some settlement

~~Polish~~

Czech. + Polish - Law in 1976 - previous Administrator
who in Congress - was Polish.

Paper - review the option -

what Vets + any other group - given assistance - Bosnian,

Facsimile Cover Sheet

Department of Veterans Affairs

To: *Laura Eford*

Organization:

Phone:

Fax:

456-6218

From:

Doug Dembling or Bill Leonard 273-7210

Organization: VA Office of Congressional Affairs

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Date:

12/14

Pages including this
cover page:

15

Comments:

*White paper with options -
This was provided to the White House*

in December 1997.

*VA ended up only supporting
option 2*

VA BENEFITS
FOR PHILIPPINE VETERANS

ELIGIBILITY;
COMPARISON WITH OTHER VETERANS;
OPTIONS

U. S. Department of Veterans Affairs
December 3, 1997

PHILIPPINE VETERAN - DEFINED

Philippine citizens served in the U.S. Armed Forces or with the U.S. Armed Forces during World War II and other periods of conflict/non-conflict. This service can be most simply classified in the following categories¹:

1. SERVICE IN THE UNITED STATES ARMED FORCES

Individuals in this category are U.S. veterans who served on regular active duty and they are entitled to all VA benefits.

2. SERVICE AS REGULAR (OLD) PHILIPPINE SCOUTS

These veterans are often called "Old Philippine Scouts" and enlisted as Scouts *prior to October 6, 1945*. For VA benefits purposes, they are considered to be U.S. veterans² and are entitled to all VA benefits.

3. NEW PHILIPPINE SCOUTS

New or Special Philippine Scouts began their service *on or after October 6, 1945*. They are eligible for some (partial) VA benefits.

4. COMMONWEALTH ARMY OF THE PHILIPPINES

These veterans were ordered to service in the Commonwealth Army *on or after July 26, 1941*. Their service terminated June 30, 1946. They are eligible for some (partial) VA benefits.

5. RECOGNIZED GUERRILLAS

These veterans served in resistance units recognized by and cooperating with U.S. forces during the period *April 20, 1942 to June 30, 1946*. They are eligible for some (partial) benefits.

¹ VA is unable to definitively determine how many Philippine citizens served in each of these categories. Table 5 reflects the best estimates that VA could obtain of those living Philippine citizens by category. VA knows of no way to determine the number of individuals in Category 1 as there was no reason to track them as a group. Categories 3-5 considerably overlapped in their service; hence, these 3 categories are grouped as "Other".

² The Old Philippine Scouts were members of a small, regular component of the U.S. Army that was considered to be in regular active service. The Old Scouts were originally formed in 1901, long before any formal plan for Philippine independence, and were part of the U.S. Army throughout the existence of their component.

COMPARISON OF PHILIPPINE BENEFITS TO THOSE OF OTHER ALLIED VETERANS

United States statutes provide for a fairly wide array of veterans' benefits, although the provision of these VA benefits to Philippine veterans varies among the several service categories. **It is notable that generally no VA benefits are provided to non U.S. veterans except those already provided to Philippine veterans.**

The single exception was made with the passage of P.L. 94-491 in October 1976. This law extended health care benefits only to veterans of World Wars I or II who served in the armed forces of either Czechoslovakia or Poland. These veterans had to have served in armed conflict with enemies of the United States, and must have been U.S. citizens for 10 years or more. They become eligible for health care in the same manner as U.S. veterans. A close reading of the legislative history surrounding this legislation shows that the decision to extend health care benefits to these "allied" veterans was made strictly on political grounds.

The Department of Veterans Affairs, consistent with legislative authority, also provides health care services to some allied veterans based on reciprocal agreements among the involved nations. These reciprocal agreements currently exist with the United Kingdom, Canada and, by extension, Australia, New Zealand, and South Africa. The agreements ensure that medical services can be provided to service-connected veterans on a reimbursable basis.

A minor provision of law provides that VA could provide vocational rehabilitation or loan guaranty benefits to some allied veterans of World War II who may have been U.S. citizens but who were called to service in allied forces. There is no recent history of application of this provision.

It should be noted that neither the United States nor the Government of the Philippines describes our military relationship during World War II as an alliance. Filipinos served in or among U.S. units and, generally, within the command structure of U.S. forces. The Philippines was, at that time, not an independent nation.

On an intermittent basis, there are overtures made by numerous other groups who provided services to the U.S. armed forces during World War II and subsequent conflicts. The size of these groups – resistance, Vietnamese, Montanards, Laotians, etc. – can only be imprecisely estimated. The Republic of Vietnam Command group, which has petitioned for recognition and benefits, is believed to number between 300 - 400. The Laotian group contends it represent 40,000 individuals. Cubans have petitioned the President for recognition. U.S. and foreign civilian employees and contractors of the Department of Defense and Central Intelligence Agency periodically inquire about veteran status and recognition. The recognition of special groups as having veteran status is the responsibility of the Secretary of Defense who has delegated it to the Secretary of the Air Force.

**OPTIONS - BENEFITS
NON-HEALTH CARE****OPTION 1. Extend Full Benefits to Philippine Veterans**

The Department of Veterans Affairs opposes this proposal. Costs to extend health care and non health care benefits would be prohibitive (estimated at \$1.2 billion per year in benefits outlays plus administrative costs). Granting full benefits would run counter to Congressional intent from 1946 to present, and would be inconsistent with the long-standing U.S. position on how Philippine veteran service is best recognized.

OPTION 2. Pay Those Currently Eligible for Service Connected Disability Compensation (and DIC) at Full Dollar Rate Instead of ½ Rate

VA opposes. Benefits outlays, by estimate, would increase by \$25 million per year to fund this change. Payment of compensation at standard rates into the Philippines would be incompatible with the economic situation in the country. Federal court rulings have previously upheld the constitutionality of payment of compensation at the half dollar rate to Philippine veterans.

Modifying this proposal to pay full compensation only to Philippine veterans and survivors residing in the U.S. would cost about \$5.1 million per year. The inclusion of the factor of place of residence in the determination of compensation eligibility is wholly inconsistent with this benefit program.

A variation on this theme would be to authorize a percentage benefit higher than the current \$.50 on a dollar but lower than the full rate (e.g., \$.75 on the dollar). Costs would be proportional.

OPTION 3. Authorize Non Service Connected Disability Pension and Death Pension to Philippine Veterans and Survivors

VA opposes extension of pension benefits. Because the vast majority of Philippine veterans still reside in the Philippines and, given their average age and income status, most would be eligible for NSC pension – assuming the current income limitations in law were used. Veteran caseload would increase more than 50,000 in the first year and survivors' claims would be almost as high at first, higher in succeeding years. OMB estimates the cost would be \$5.1 billion over the next 5 years.

A sub option involves the legislative establishment of a special income limitation more consistent with the Philippine economy. No cost is projected as it would depend on that income scale. This could create a major inconsistency in claims management and benefits equity among veterans and, more specifically, among Philippine veterans in the U.S. versus those in the Philippines. This would also be inconsistent with the way the current income limitation is applied for U.S. veterans who reside in other countries.

OPTION 4. Provide Burial Benefits to Philippine Veterans

This option suggests eligibility could be authorized for burial allowance, burial flag, burial in national cemetery and/or headstone/marker. Any one or all could be provided with legislative authority. Costs are estimated as \$2 million annually for burial allowance, \$2.2 million per year for headstones/markers, and approximately \$100,000 per year for burial in national cemeteries. VA opposes the change in eligibility.

OPTION 5. Make One-Time Payments to Beneficiaries as Settlement of U.S. Government Obligation to Philippine Veterans (Buy-Out Option)

This proposal has been considered before. It calls for the termination of benefits to Philippine veterans by means of a one-time payment established through some formula created by actuaries. Immediate problems are: source of revenue to fund the initiative; the volume of resources required; lack of acceptability to some beneficiaries and other claimants; the fact that it closes out all future claims possibilities; difficulties in assuring equity; probable court challenges. There is no estimate of the dollars required and it would have enormous deficit implications since costs would not be spread over the lifetime of new eligibles.

OPTIONS - HEALTH CARE

BACKGROUND:

For U.S. veterans, Public Law 104-262, dated October 9, 1996, made significant changes in veterans' eligibility for medical care. This "eligibility reform" law established two categories of veterans who are eligible for care – those to whom the VA "shall" furnish any needed hospital or outpatient care and those to whom the VA "may" furnish care and who are required to make co-payments to receive care. However, all VA care is discretionary funding. Benefits are not entitlements, but services. Those who fall in the "shall" category are considered higher priority and include service-connected disabled veterans as well as indigent veterans. After October 1, 1998, most veterans will have to be enrolled in the VA health care system in order to receive treatment. VA resources and congressionally-mandated priority groups will determine how many veterans will be enrolled for care each year. Highest enrollment priority will go to service-connected disabled veterans. (See Table 4.)

For Philippine veterans, Title 38 USC, Section 1734, provides that Philippine veterans "may" be furnished hospital, nursing home and medical services in the U.S. for treatment of service-connected disabilities "within the limits of Department facilities." There are 5,838 Philippine veterans receiving service-connected disability compensation from the VA. No data are available on the actual number of Philippine veterans who have been able to get care under this discretionary authority, but it is estimated to be a small number.

Two categories of U.S. veterans located in the Philippines are eligible for VA inpatient and outpatient care only for their service-connected disabilities, through the Manila VA Outpatient Clinic:

- Filipinos (as well as U.S. citizens) who served in the regular U.S. Armed Forces; and,
- "Old" Philippine Scouts (veterans who enlisted in the U.S. Armed Forces prior to October 6, 1945).

Philippine veterans are not eligible for any health care treatment services through the VA in the Philippines. The Philippine government provides health care services for Philippine veterans at the Veterans Memorial Medical Center (VMMC).

What other
notions

~~What~~
this is
needed to be
set ahead?

OPTION 1. Equalize VA Health Care Services and Benefits for Philippine and U.S. Veterans

a. In the United States

It is estimated that the number of Philippine veterans currently residing in the U.S. is approximately 17,000. VA and OMB estimate that there would be a cost impact of approximately \$30.2 million per year to provide medical care services in the U.S. This option would extend the same priority eligibility categories to Philippine veterans living in the U.S. as apply to U.S. veterans (see Table 4).

The impact of this new workload depends on the geographic locations of these veterans and where they seek care. The greatest impact is expected in Hawaii and California.

b. In the Philippines

The goal of this aspect of Option 1 is to equalize the type of care for which Philippine veterans residing in the Philippines are eligible and the type of care for which U.S. veterans residing in the Philippines are currently eligible. Both groups would continue to have different eligibility from those veterans residing in the United States.

The estimated size of the service-connected Philippine veteran population in the Philippines is 4,588. The estimated cost impact includes a one-time expense of approximately \$100,000 for physical modifications to the Manila VA Clinic and approximately \$4 million per year to cover the outpatient and inpatient treatment costs. The number of these veterans will decrease during the next five years because of the high death rate in this older population. There is currently available excess capacity at the Manila VA Clinic which is projected to be adequate to handle the outpatient workload impact. The number of inpatient episodes and resource requirements is more difficult to estimate, but the VA should be able to provide for their inpatient care with a \$4 million per year budget increase.

Pros

- Provides equity of access and expands eligibility for VA health care in both the U.S. and the Philippines.
- Takes advantage of the currently available capacity at the Manila VA Clinic to serve more veterans.

Cons

- If new fenced funding is not provided to the VA, U.S. veterans will oppose this option. It will be viewed as reducing services and access to the VA for U.S. veterans.
- Could set precedent for other allied veterans who may also push for equalized VA benefits.

OPTION 2. Expand VA Health Care Benefits for Veterans in the Philippines by Authorizing VA to Treat Service-Connected Veterans for Non-Service-Connected Disabilities

This option is actually an "add-on" to Option 1. Option 1 would have to be implemented in order for this option 2 to be implemented.

Currently, VA has authority in the Philippines and in other foreign countries to provide treatment *only* for service-connected disabilities. However, a recent VA team which assessed VA operations in the Philippines recommended that Title 38 USC be amended to authorize the Manila VA Clinic, *within existing resources*, to treat the non-service connected conditions of service-connected U.S. veterans.

This option builds on that concept. It proposes that VA be authorized to treat the non-service connected conditions of service-connected U.S. and Philippine veterans in the Philippines. This care could be provided at the Manila VA Clinic and possibly the Veterans Memorial Medical Center (VMMC) on a space available basis. Priority would be given to the treatment of service-connected conditions. At the Manila VA Clinic, the additional cost impact is estimated by VA at \$1.5 million per year. At VMMC, the additional cost impact is estimated by VA at \$1.2 million per year.

Pros

- Improves quality of health care to service-connected veterans by allowing them to be enrolled in primary care clinics so that preventive, holistic health care services can be provided.
- Consistent with the intent of P.L. 104-262 which reforms VA eligibility.
- Takes advantage of the currently available capacity at the Manila VA Clinic.

Cons

- Would give a benefit to veterans in the Philippines which is not available in other foreign countries (where VA is authorized to treat service-connected disabilities only). In 1994, after VA consultation with Congress, a policy decision was made that the VA would not provide non-service-connected hospital care in the Philippines.
- If new fenced funding is not provided to the VA, U.S. veterans will oppose this option. It will be viewed as reducing services and access to the VA for U.S. veterans.

OPTION 3. Treat all Service-Connected Philippine Veterans Residing in the U.S. In The Same Manner As VA Now Treats Service-Connected U.S. Veterans in the U.S.

Title 38 USC, Section 1734, provides that Philippine veterans "may" be furnished hospital, nursing home and medical services in the U.S. for treatment of service-connected disabilities "within the limits of Department facilities." This provision could be modified to make their care in the U.S. equal to U.S. veterans. This option would extend the same applicable priority eligibility categories to service-connected Philippine veterans living in the U.S. as apply to service-connected U.S. veterans (see Table 4).

The VA estimates that there are approximately 1,250 Philippine veterans (excluding Old Scouts) with service-connected disabilities residing in the U.S.. Based on the average annual cost per VA user, VHA estimates that the total cost of this workload will be approximately \$4.3 million per year. This cost is inclusive of the discretionary, space available care that is now being provided to these veterans in the U.S; no information is available on the cost of that discretionary care, but it is believed to be a relatively minor amount.

Pros

- Puts service-connected Philippine veterans in a special category for VA health care eligibility in the U.S. (like former POWs, World War I veterans, veterans exposed to Agent Orange, etc.)
- Allows VA care in the U.S. for the highest priority category of Philippine veterans at a lower cost than that for equalizing health care benefits for all Philippine veterans

Cons

- Could be viewed as offering Philippine veterans something they are already *authorized* under Title 38, Section 1734, even though few actually enjoy this benefit.

OPTIONS - OTHER**1. Submit Legislative Proposal to Reopen Immigration Authority for Philippine Veterans**

During the early 1990s, special legislation was enacted to grant Philippine veterans special opportunity for U.S. immigration and naturalization. Over 20,000 applications were approved, with approximately 5,000 still pending.

2. Extend Legislative Authority to Continue VA Operations in the Philippines

The current legislative authority for the VA regional office and outpatient clinic in the Philippines expires on December 31, 1999. An recent assessment of the VA operation in the Philippines recommends extension of this authority until December 31, 2003.

3. Transfer Claims Folder Jurisdiction for Veterans Residing Outside of the Philippines

About 2,000 veterans and surviving spouses receiving VA benefits reside in the United States. To improve customer service to this group of beneficiaries, claims folder jurisdiction could be transferred to the appropriate stateside regional office, increasing access for the beneficiaries and reducing claims processing times.

4. Re-establish the VA Grant-in-Aid program to assist the Government of the Philippines in its care of Philippine and U.S. veterans

For over 30 years, the U.S. government provided Grant-in-Aid (GIA) funds to the Veterans Memorial Medical Center (VMMC) to assist in the maintenance and upgrading of physical plant and equipment, in amounts of \$500,000 or \$1 million per year. With the suspension of VA referrals to VMMC in 1994, the GIA funding was discontinued at the end of FY95.

This option would re-establish the GIA program, with these funds intended to directly support the Philippine government for the health care treatment of Philippine veterans at VMMC.

TABLE 1 VA BENEFITS ELIGIBILITY (NON-HEALTH CARE)					
	REGULAR U.S.	OLD SCOUTS	NEW SCOUTS	COMMON- WEALTH	RECOG. GUERRILL A
SC Disability Compensation	X	X	X*	X*	X*
NSC Disability Pension (means tested benefit)	X	X			
DIC (SC death for survivors)	X	X	X*	X*	X*
Death Pension	X	X			
Burial (National Cemetery)	X	X			
Burial Allowance	X	X		X*	X*
Burial Flag	X	X		X	X
Headstones	X	X			
Life Insurance	X	X	X	X	X

* Paid at .50 on a dollar (1/2 rate)

SC = service connected

NSC = nonservice-connected

DIC = Dependency & Indemnity Compensation

TABLE 2
VA HEALTH CARE ELIGIBILITY IN THE PHILIPPINES

	REGULAR U.S.	OLD SCOUTS	NEW SCOUTS	COMMON- WEALTH	RECOG. GUERRILLA
Hospital Care - SC	X	X			
Hospital Care - NSC					
Outpatient Care - SC	X	X			
Outpatient Care - NSC					

Note: Eligible Philippine veterans are furnished care by the Government of the Philippines.
SC = service connected NSC = non service connected

TABLE 3
CURRENT VA HEALTH CARE ELIGIBILITY IN THE U.S.

TYPE OF CARE	REG. U.S. *	OLD SCOUTS *	NEW SCOUTS **	COMMON-WEALTH **	RECOG. GUERRILLA **
Hospital Care - SC	X	X	X	X	X
Hospital Care - NSC	X	X			
Outpatient Care - SC	X	X	X	X	X
Outpatient Care - NSC	X	X			

Note: VA health care eligibility is subject to enrollment prioritization (see Table 4) and space availability.
It is a service, not an entitlement.
SC=Service Connected NSC=Non Service Connected

* Same as U.S. Veterans

* Same as U.S. Veterans
 ** Philippine Veterans "may" be furnished hospital, nursing home, and medical services in the U.S. for treatment of service-connected disabilities on a space and resource available basis.

TABLE 4
HEALTH CARE ENROLLMENT CATEGORIES
RELATED TO PHILIPPINE VETERAN ELIGIBILITY

	REGULAR U.S.	OLD SCOUTS	NEW SCOUTS	COMMON- WEALTH	RECOG. GUERRILLA
Priority Group 1	X	X	*	*	*
Priority Group 2	X	X	*	*	*
Priority Group 3	X	X	*	*	*
Priority Group 4	X	X	*	*	*
Priority Group 5	X	X	*	*	*
Priority Group 6	X	X	*	*	*
Priority Group 7	X	X	*	*	*

Priority Group 1: Veterans with service-connected (SC) conditions rated 50% or more disabling.

Priority Group 2: Veterans with SC conditions rated 30 or 40% disabling.

Priority Group 3: Veterans who are Former POWs.
 Veterans with SC conditions rated 10 or 20% disabling.
 Veterans discharged from active duty for compensable conditions.
 Veterans awarded special eligibility classification (38 USC Section 1151).

Priority Group 4: Veterans who are receiving aid and attendance or housebound benefits.
 Veterans who have been determined by VA to be catastrophically disabled.

Priority Group 5: Nonservice-connected veterans and SC veterans rated 0% disabled, whose income & net worth are below the established dollar thresholds

Priority Group 6: All other eligible veterans who are not required to make copayments for care:

- ♦ World War I and Mexican Border War veterans
- ♦ Veterans receiving care for exposure to toxic substances or environmental hazards while in service
- ♦ Compensable 0% service-connected veterans.

Priority Group 7: Nonservice connected veterans and noncompensable 0% SC veterans with income or net worth above the statutory threshold and who agree to pay specified copayments.

* These veterans may be service connected, but are only entitled to discretionary VA care for their service-connected conditions. They are not contemplated by these priority groupings; it is expected that a space and resource availability determination would be applied to these veterans only after all *priority groups* of veterans were accommodated.

TABLE 5 Philippine Veteran Population (Living)			
	Old Scouts	Other	Total
In USA:			
Receiving compensation	224	1,250	1,474
Not receiving compensation	425	15,750	16,175
Total in USA	649	17,000	17,649
In Philippines:			
Receiving compensation	637	4,588	5,225
Not receiving compensation	1,714	54,412	56,126
Total in Philippines	2,351	59,000	61,351
Total:			
Receiving compensation	861	5,838	6,699
Not receiving compensation	2,139	70,162	72,301
Total	* 3,000	76,000	79,000

Notes: The assumptions in this paper are based on the data in this table.

* The number of living Old Scouts shown represents the best estimate available; there is some indication that the number could actually be larger.

Date: October 27, 1999
To: Maria Echaveste, Deputy Chief of Staff, The White House
From: Congressman Bob Filner

Budget Summit Priorities: Funding for Health Care for Filipino World War II Veterans

I request the inclusion of \$30.7 million in the Department of Veterans Affairs' FY2000 budget to provide access for Filipino World War II veterans to Department of Veterans Affairs (VA) Medical Facilities, both in the United States and in the Philippines--as called for in the Filipino Veterans' Benefits Improvements Act (H.R. 1594), sponsored by Congressman Benjamin Gilman and myself. We propose that access to VA Medical Facilities would follow the same priority as U.S. veterans receive, nothing more or less.

History: During World War II, the military forces of the Commonwealth of the Philippines, at that time a territory of the United States, were drafted to serve in our armed forces by Executive Order of the President of the United States. In spite of their heroic service, crucial to the outcome of World War II, Filipino veterans were denied the benefits they expected by the 79th Congress in the Rescissions Act of 1946. These actions have seared the hearts of Filipino World War II veterans and their families, many of whom are now United States citizens, for over 50 years. The respect and honor due them because of their noble defense of democratic ideals has been stripped away.

In 1996, President Clinton and Congress, with a Presidential Proclamation and Congressional Resolutions, took the first steps to honor and recognize the service of Filipino World War II veterans. But they are still awaiting the promised benefits. Now in their 70s and 80s, the greatest need of these veterans is for health care. To address this need, Congressman Gilman and I introduced the Filipino Veterans' Benefits Improvements Act (H.R. 1594) in the 106th Congress. I have attached information about this bill which is estimated by the VA to cost \$30.7 million, \$500,000 of which would go to the VA Outpatient Clinic in Manila, the rest to provide health care to Filipino World War II veterans who reside in the United States.

Support/opposition: Benefits for Filipino World War II veterans are supported by over 200 co-Members of Congress who have co-sponsored legislation to restore these benefits; a vast coalition of Filipino-American organizations throughout the nation; American veterans who served in the Philippines; numerous veterans service organizations including The American Legion, the Jewish War Veterans, the Veterans of Foreign Wars, and Vietnam Veterans of America; State Legislatures, County Boards of Supervisors and City Councils in the United States; the Philippine government; religious groups such as the Synod of the Sun of the Presbyterian Church; the Mayor of Los Angeles; and editorials in the Washington Post, the Los Angeles Times, and the San Diego Union (attached). Opposition has come from the Chairman of the House Veterans' Affairs Committee and the Department of Veterans' Affairs, I believe due primarily to the cost of restoring all benefits, including compensation, which is estimated to cost between \$500 million and \$1 billion a year. **However, with a projected budget surplus, the United States has the opportunity to do what is morally right: to take the step of including \$30.7 million in the FY2000 budget for access to health care for Filipino World War II veterans.**

106TH CONGRESS
1ST SESSION

H. R. 1594

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

APRIL 28, 1999

Mr. GILMAN (for himself and Mr. FILNER) 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' Ben-
5 efits Improvements Act of 1999".

6 **SEC. 2. INCREASE IN RATE OF PAYMENT OF CERTAIN BEN-**

7 **EFITS TO VETERANS OF THE PHILIPPINE**
8 **COMMONWEALTH ARMY.**

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

1 (1) by striking “Payment” in the second sen-
2 tence of subsection (a) and inserting “Except as pro-
3 vided in subsection (c), payment”; and

(2) by adding at the end the following new sub-
section:

6 “(c) In the case of benefits under subchapters II and
7 IV of chapter 11 of this title by reason of service described
8 in subsection (a)—

9 “(1) notwithstanding the second sentence of
10 subsection (a), payment of such benefit shall be
11 made in dollars at the rate of \$1.00 for each dollar
12 authorized; and

13 “(2) such benefits shall be paid only to an indi-
14 vidual residing in the United States who is a citizen
15 of, or an alien lawfully admitted for permanent resi-
16 dence in, the United States.”.

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

21 SEC. 3. ELIGIBILITY FOR HEALTH CARE OF CERTAIN ADDI-
22 TIONAL FILIPINO WORLD WAR II VETERANS.

23 Section 1734 of title 38, United States Code, is
24 amended to read as follows:

1 “The Secretary, within the limits of Department fa-
 2 cilities, shall furnish hospital and nursing home care and
 3 medical services to Commonwealth Army veterans and
 4 new Philippine Scouts in the same manner as provided
 5 for under section 1710 of this title.”.

6 **SEC. 4. MANDATE TO PROVIDE HEALTH CARE FOR WORLD**
 7 **WAR II VETERANS RESIDING IN THE PHIL-**
 8 **IPPINES.**

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

11 (1) by redesignating section 1735 as section
 12 1736; and

13 (2) by inserting after section 1734 the following
 14 new section:

15 **“§ 1735. Outpatient care and services for World War**
 16 **II veterans residing in the Philippines**

17 “(a) OUTPATIENT HEALTH CARE.—The Secretary
 18 shall furnish care and services to veterans, Commonwealth
 19 Army veterans, and new Philippine Scouts for the treat-
 20 ment of the service-connected disabilities and non-service-
 21 connected disabilities of such veterans and scouts residing
 22 in the Republic of the Philippines on an outpatient basis
 23 at the Manila VA Outpatient Clinic.

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

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

"1736. Definitions."

13 (c) **EFFECTIVE DATE.**—The amendments made by
14 subsection (a) shall take effect on the date of the enact-
15 ment of this Act.

The Stars and Stripes®

The National Tribune

Since 1861

THE OLDEST NATIONAL VETERANS NEWSPAPER

Vol. 122 No. 10

MAY 10 - MAY 23, 1999

Filipino Veterans Welcome Benefits Bill

(Stars and Stripes)—Filipino WWII veterans hailed the introduction April 28 of H.R. 1594, "The Filipino Veterans' Benefits Improvements Act of 1999," as "the first vital step" in obtaining full recognition of their military service by the U.S. government.

The bill was introduced by Rep. Benjamin Gilman, R-N.Y., chairman of the House International Relations Committee. Its co-sponsor is Rep. Bob Filner, D-Calif., a member of the Veterans Affairs Committee.

"I believe it is long past time to correct this injustice and to provide the members of the Philippine Commonwealth Army and Special Philippine Scouts with the benefits and services that they valiantly earned during World War II," said Gilman, a WWII veteran who served in the Pacific theater with the U.S. Army Air Corps.

"Realizing that our current budgetary environment is not conducive to the creation of a new entitlement program, I have crafted this legislation to be fiscally feasible while providing the veterans with the benefits they are most in need of," he added.

"We deeply thank Gilman and Filner for their tireless and dedicated efforts to our cause of justice and equity," said Patrick Ganio, 78, president of the Washington-based American Coalition for Filipino Veterans, Inc., and a veteran of the WWII battles of Bataan and Corregidor.

"We fought as soldiers for America 57 years ago. We deserve to be treated as equals. This bill will be the key step in winning benefits for us."

Ganio's organization, with 1,400 members in the U.S., is campaigning to recognize former Filipino soldiers as veterans of the U.S. armed forces and to make them eligible to receive veterans health and disability pension benefits.

The new legislation would:

- ◆ Provide 100 percent parity for Filipino service-connected veterans living in the United States who were wounded, injured or taken prisoner during WWII and who previously were receiving half the monthly compensation of their American counterparts.

- ◆ Allow all Filipino veterans living in the U.S. to be eligible for health care at local VA clinics and hospitals.

- ◆ Provide annual funding of \$500,000 to the Manila U.S. Out-patient Clinic to treat Filipino WWII veterans living in the Philippines.★

The Washington Post

AN INDEPENDENT NEWSPAPER

SATURDAY, DECEMBER 13, 1997

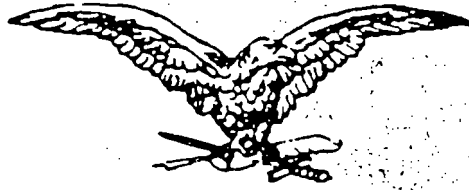
Under the American Flag

IN 1941, AS Japan prepared for war, the United States folded the armed forces of its then-territory the Philippines into its own. Promises of generous individual military benefits followed. Fighting to liberate their homeland, the Filipinos conducted themselves, it is established, with valor. But no sooner was the war over and independence bestowed than Congress reneged on important benefits. Now some of the American citizens among the 70,000 aging survivors of those Filipino forces are petitioning for review. Considerations of equity and honor commend their cause, but the benefits remain frozen.

As it happens, a couple of American Pacific war veterans loom over the Washington political terrain on which this issue is being fought. Chairman Ben Gilman (R-N.Y.) of International Relations introduced the Filipino Veterans Equity Act. Chairman Bob Stump (R-Ariz.) of Veterans' Affairs thinks it costs too much. For one thing, the new congressional pay-as-you-go rule would require his committee to make up the nearly half-billion-dollar annual cost of

pensions matching those given American servicemen. The Filipino former soldiers swore an oath to American authority and fought side by side with American soldiers, but Mr. Stump questions whether they are *American* veterans. So as not to raise their expectations, he has resisted the hearings they seek to promote their appeal.

It is demeaning to Americans as well as to Filipinos for the United States to continue denying benefits that were pledged at the highest level, then abundantly earned on the battlefield, then denied, then withheld through decades of Filipino entreaty. Surely this is an issue begging for a consensus financial resolution. Such an outcome would preserve a modicum of obligation to full-fledged comrades who fought under the American flag. It would ease the declining years of survivors' ranks that are shrinking by the day. A Senate version of this bill would leave the Filipino veterans with funeral and burial expenses only. We would not like to be the ones to tell these fading old soldiers they must die for the government they served to pay.



THURSDAY, JUNE 19, 1997

Honor Promises, However Late

U.S. has a moral obligation to these Filipino soldiers

They served with honor, dignity and respect. Yet more than 50 years later, the United States is yet to fulfill its moral obligation to provide benefits to the Filipinos who fought alongside American soldiers during World War II. The nation broke its promises. It is time to make amends.

About 200,000 Filipino soldiers came under U.S. military command in 1942 when President Franklin D. Roosevelt signed an executive order drafting the entire armed forces of the Philippines, then a U.S. protectorate. They fought the Japanese under Gen. Douglas MacArthur in some of the bloodiest battles of the war, including Corregidor and Bataan.

The soldiers were initially promised full military benefits and U.S. citizenship, but Congress reneged on those pledges in 1946 when the Philippines was given independence. Congress granted them citizenship rights in the 1990 immigration law but has failed to deal with the broken promise of GI benefits, from home loans to medical care. To draw attention to the plight of the estimated 70,000 surviving Filipino veterans, a group of them has been staging a sit-in protest at MacArthur Park in Los

Angeles since last weekend.

Sen. Daniel Inouye (D-Hawaii) has tried for the last 10 years to muster support to establish the benefits, which would cost an estimated \$700 million annually, diminishing over time. Reps. Bob Filner (D-San Diego) and Benjamin A. Gilman (R-N.Y.) have introduced legislation in the House to do the same. Despite the clear moral justification for such legislation, Washington is ducking the issue because new federal expenditures require offsets to avoid expanding the deficit. Neither political party has been willing to come up with a way to pay the benefits. They ought to apply some bipartisan spirit on behalf of Filipinos who



In chains: Former soldiers protesting for benefits from Washington.

fought for American interests. Thousands of these soldiers endured the Bataan death march and years of captivity.

Congress should at least hold hearings to illuminate the unkept promises and their effects on the lives of these aging former soldiers. If more Americans—including members of Congress—understood the issue, they surely would make haste to grant the Filipino veterans what they are due. This is about national honor.

The San Diego Union-Tribune

Saturday

May 10, 1997

A moral obligation

Filipino vets deserve equal treatment

This week's visit to San Diego by Philippine President Fidel Ramos highlighted the friendship and close historical ties that have long existed between Americans and Filipinos. But it also cast a spotlight on a glaring injustice against Filipino veterans of World War II that demands to be corrected by the U.S. government half a century later.

In 1941, as war clouds gathered in the Pacific, President Franklin D. Roosevelt signed an executive order drafting the entire armed forces of the Philippines into the U.S. military. At the time, the sprawling archipelago was an American commonwealth.

Throughout World War II, Filipino soldiers fought the Japanese alongside their American counterparts and distinguished themselves in such famous battles as Bataan and Corregidor. In 1946, however, when Philippine independence was granted, Congress cut off benefits to Filipino veterans. Even as he signed the legislation, President Harry

Truman acknowledged it did not "release the United States from its moral obligation to provide for the heroic Philippine veterans."

Yet that is where the matter stood for nearly 50 years, until Rep. Bob Filner, D-San Diego, introduced a bill to restore benefits for the estimated 75,000 Filipino veterans who are still alive. About a third of the vets live in the United States, including an undetermined number in San Diego County's flourishing Filipino community.

It is unclear how much it would cost the U.S. government to honor its moral obligation to Filipinos who served in the American military. The Congressional Budget Office puts the figure at up to \$800 million a year; Filner believes that number is vastly inflated.

But the dollar figure is hardly the issue. The real question is whether the United States will do its duty by the Filipino veterans, just as they did their duty a half-century ago. Filner's measure deserves passage by Congress.

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- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
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- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

TO: Laura Efurd FAX: 202 456-2930 *fx 6682*
FR: Eric Lachica, American Coalition for Filipino Veterans, Inc. *Eue*
RE: HR 3443 Presidential Bill Signing Guests to be invited TOP 15

1. Patrick Ganio, Sr. Phone: 202 588-0358'
Defender at Bataan & Corregidor, POW, ACFV president
SSN: (b)(6) DOB: (b)(6) [001]
2. Franco Arcebal: Phone: 714 533-0235
ACFV vice-president, United Fil-Am Veterans Los Angeles commander
SSN: (b)(6) DOB: (b)(6)
3. Eric LACHICA-Furbeyre 202 246-1998
ACFV executive director Washington DC

570-89-8994

TO: Laura Efurd FAX: 202 456-2930 *fx 6682*
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ACFV Veteran, Disabled New Scout Virginia
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15. Tomas Culanag 202 291-4028
ACFV Veteran, Washington DC
SSN: (b)(6) DOB: (b)(6)

American Coalition for Filipino Veterans, Inc.

Laura:
Thank you again! Call me
when you can
Eric
202 246-1998

TO: Eric Lachica 202-986-7332
From: Laura Efurd
Thanks for your help.

TO: Laura Efurd
Call me if this
NOT OKAY.
Salamat
ERIC



(L-R) ERIC LACHICA, FRANCO ARCEBAL,
PATRICK GANIO, MARIANO AUREUS,
POTUS, JOAQUIN TEJADA, HILLARY,
GARY ARANAL (on top), EUFEMIO ABELLERA
Loida-NICOLAS-LEWIS, GUILLERMO RUMINGAN
ERNESTO CASINTAHAN, BEN MENOR, Jr.

1999 REVIEW: APA COMMUNITY FLEXED POLITICAL MUSCLES, NURTURED ECONOMIC AND CULTURAL STRENGTHS

Mercedes Tira Andrei

WASHINGTON—Growing rapidly in numbers, the Asian Pacific American (APA) community in the national capital region weathered the major political storms of 1999 that dragged them into the eye of controversies Washington loves to tackle.

They continued to fight for national recognition and appreciation in order to shield the community from any harm that might be spawned by last year's political scandals involving individual Americans of Asian descent.

They built alliances with other minority communities, learned how to refine their mastery of the legislative process, joined their neighborhoods to establish a voice that would be listened to by authorities and the public at large. Jewish and APA community leaders together shared lessons in empowerment and strategies to bring programs of advocacy front and center on the nation's stage.

The District of Columbia government partnered with APA leaders to identify areas of cooperation and improved outreach. Stronger and more mature APA organizations took under their wings young organizations such as the National Federation of Filipino American Associations (NaFFAA).

They fielded political candidates and campaigned for voting rights and voter registration to increase their presence in the centers of power. Believing in knowledge as an empowering factor, APA area leaders embarked on information drives to educate their communities about Census 2000, allay their fears about it and explain its beneficial impact on the diverse APA communities' growth and ability to attract attention for

improved services.

APA families and communities upheld their commitment to nourish their family-based cultural heritage and to promote and preserve the best of their cultural traditions.

In business and entrepreneurship, they demonstrated growth in their commercial ventures by becoming the biggest customer of Small Business Administration

(SBA) loans and benefits. More and more Asians have joined the information highway as e-commerce advocates and Internet global players.

Area APA communities have also become biggest contributors of private assistance to Asian countries that experienced disaster and catastrophe last year.

In education, APA students form at least 20 percent of the student population in the capital area that garner excellence in academic work, according to public school authorities.

In social and civic affairs, APA doctors have learned to draw strengths from each other's professional groups, volunteers workers have increased in number and strength and Asian women continued to be drawn closer to political concerns. The APA senior citizens have also caught the attention of the community while the overall health concerns of the community have continued to gain attention.

In a nutshell, 1999 saw the APA community in the greater Washington area has lit more candles of courage and commitment than at any other time to increase their understanding of each other's diversity and to broaden their status and role as productive and loyal citizens of the United States.

(APA Review on P. 18)



ACFV leaders pose with the President & First Lady before the SSI bill signing ceremony at the White House last Dec. 14, 1999.

(L-R) Eric Lachica, Franco Arcebal, Patrick Ganio, Mariano Aureus, Joaquin Tejada, Gary Aranal, Eufemio Abellera, Loida Nicolas-Lewis, Guillermo Rumingan, Ernie Casintahan, and Ben Menor. PHOTOCREDIT: Sharon Farmer, White House photographer

1999: ASIAN PACIFIC AMERICAN COMMUNITY FLEXED POLITICAL MUSCLES, NURTURED ECONOMIC AND CULTURAL STRENGTHS

(From P. 14) The top story of 1999 that hit the nation as well as the APA community revolved around China and Chinese Americans. China's alleged involvement in the nuclear laboratory spying scandal in Los Alamos, the case of Asian American nuclear scientist Wen Ho Lee who was found guilty of downloading Los Alamos secret files into his personal computer, the case of another Chinese American, John Huang, found guilty of illegal fund raising for the Democratic Party, the cases of other Asian Americans found errant in their political donations have all contributed facets to an anti-Asian American wave last year that deepened the stereotyping and racial profiling of Americans of Asian descent.

Rep. David Wu of Oregon and the APA community sought to counter this negative perception by successfully getting Congress to pass a resolution barring any member of Congress from raising anti-Asian American sentiment based on the actions of an individual. The Wu resolution also stressed the loyalty and contributions of Asian Americans to the American nation.

The APA community also came together like one big family to support the candidacy for a seat on Capitol Hill of Filipino American Jon Amores. West Virginia Delegate Amores however quit the race last fall because of a serious fundraising deficit. However, his campaign left lessons not lost on the community, including the values of persistence and commitment to reach the empowerment goal on the Hill.

The community lost Candidate Amores but around the country, more APAs have set their sights on seats on Capitol Hill. One man worthy of mention is former Rep. Jay Kim of California: found guilty of irregularities in his political campaign, fined a hefty sum but not barred from running again is returning to the electoral road for Capitol Hill in November 2000. Mike Honda and Cecy Groom have also decided last year to make a run for the House of Representatives. On the local level, Ilryong Moon took another term in the Fairfax School Board in Virginia while a young Filipino American won a seat in the Prince George's School Board in Maryland. Two Asian Americans continued to serve as delegates of their respective counties in the Maryland State assembly: Del. David M. Valderrama of Prince Georges' County and Del. Kumar Barve of Montgomery County.

Significantly, the Congressional Research Service released a report last year on "APA Political Participation and Representation in Elective Office" which noted that while APA political presence is moving steadily, voter registration is most important to increase presence and empowerment.

In October last year, a study released through the Democratic National Committee showed that in 96 of the 435 congressional districts, APAs comprise more than 5% of the population. The tremendous potential of APA voting power

is indicated in this study. Asian voters can indeed become political change agents if they decided to become naturalized Americans, register to vote and actually go to the polling booths on election day and cast their ballots. The study revealed that APA demographic strengths are concentrated in Hawaii, California, New York, Illinois, Texas, and Washington State. APA moderate presence can also be felt in Massachusetts, Maryland, Minnesota, Oregon, Pennsylvania, Arkansas, Georgia, Nevada and Virginia.

The Democratic Party recognized the growing APA electoral power by assigning last year Courtini Sunjoo Pugh as DNC Director for API (call her at 202-863-8000). The Republican Party on the other hand relies on APA party stalwarts like Susan Au Allen of Washington, DC to keep an eye on APA interests within the party.

In immigration issues, Korean Americans continued to fight for family reunification while other Asian American professionals, particularly Filipino nurses, won immigration victories in their struggle to continue their stay in their fields of expertise.

The persistence of hate crimes against minorities crept into Asian American communities last year: a Japanese American, several Korean Americans were shot to death in the Midwest. The worst violence against an APA was in Los Angeles last summer when Filipino American postal worker Joseph Ito was gunned down, an innocent victim of a racist. The community in Washington led vigils of protest and allied with other civil rights groups that called for the passage of a stronger hate crimes bill. Congress failed to pass the bill last year.

The national recognition of World War II veterans who are of Asian descent reinforced the contributions of loyalty and patriotism of Asian Americans to the nation. President Clinton and Washington extolled the surviving Chinese American war vets who served silently and were forgotten after the war. The veterans were brought to the nation's spotlight by the cinematic work of a young Asian American who partnered with the strong Organization of Chinese Americans to bring to reality the documentary "They Served With Honor", the story of Chinese American World War II vets.

Filipino American war vets also won a victory in their struggle in Washington for recognition, honor, justice and equity. President Clinton signed the Foster Care Independence Act last December that provided the return of these aging war vets to their homeland to be with their loved ones before they die and to continue receiving their social security income upon their return to the Philippines.

Japanese Americans who suffered internment during the war have also begun to memorialize their process to win justice and honor from the nation: they broke ground last November to create a memorial garden near Capitol Hill.

Other Asian communities in the area celebrated and remembered their cultural roots last year, bringing to the nation's attention the richness of their folk traditions and the depth of their bonds with America. The Indonesian community, though small in Washington and beset with political winds of change in Jakarta and East Timor, put up a grand showcase of Indonesian culture through dance and theatre that started in Washington. The cultural roadshow was dedicated to the celebration of Indonesian-US 50th anniversary of diplomatic relations and friendship.

The Vietnamese Americans also celebrated their nativeland's economic pact with the United States while the Thai-Americans commemorated the birthday of their King.

Indian Americans were happy to see that one of them, Sharminia Singh, was appointed by the White House as a ranking official of the Health and Human Services Department.

Health issues of APA senior citizens were also given attention as well as voting rights of APA youth. Filipino American physicians allied with Vietnamese American doctors to launch professional sharing of experiences and informative forums.

In the cultural field, APAs have caught the attention of the Smithsonian which is trying to map out a strategy to reach out to the community. The Kennedy center, for its part, intensified its promotion of APA participation in its programs, and notably supported the innovative dance creations of Dai Soon Burgess.

In business, Asian Americans locally and nationally have risen to levels of growth and power. In Montgomery County, for instance, Asian American banks have been established to carve a niche for the APA market. More Asians have joined the World Wide Web as Netpreneurs, building vibrant websites and increasing the effort to unite Asians overseas through the Internet.

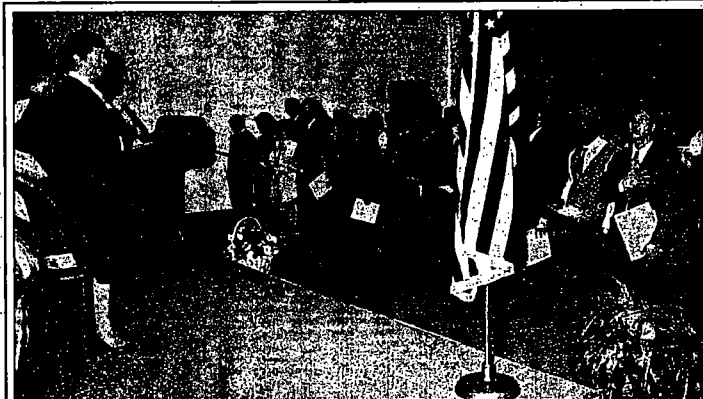
Last year, the Small Business Administration (SBA) reported that APA businesses accounted for the lion's share of

loans given to minority groups. APA businesses took in a total of \$670 million SBA-guaranteed loans, each loan averaging as much as \$315,675. The typical average SBA loan last year amounted to \$282,954.

Last year also saw the number of Asian American billionaires most of whom are investors in Silicon Valley businesses. One study released last year by AnnaLee Saxenian, a professor at the University of California at Berkeley, found that a remarkable 25% of all Silicon Valley companies are run by immigrants from either India or Greater China (Taiwan, China or Hong Kong). Ms. Saxenian also found that Asian immigrants are heading 13% of Silicon Valley companies started between 1980 and 1984, rising to 29% of all companies founded between 1995 and 1998.

Two household names in Silicon valley companies are Asians, for instance: Jerry Yang, 30, from Taiwan created yahoo and has since been valued at \$3.7 billion. Vinod Khosla, 44, on the other hand, co-founded Sun Microsystems with Scott McNealy. As a teenager in New Delhi, Khosla dreamed of starting a technology company—today he's worth \$1 billion from his shares in Sun and several other startups he helped to found.

According to Forbes Global magazine last October Asian Americans dominate the Forbes Global 400. The top 10 Asian American business titans in 1999 are the following: Rupert Murdoch, 68, from Australia, \$6.8 billion net worth, News Corp; Jerry Yang, 30, from Taiwan, \$3.7 billion, Yahoo; Charles Wang, 55, from China, \$1.6 billion, Computer Associates, Inc; Henry Yuen, 51, from China, \$1.3 billion, Gemstar; Sanjiv Sindhu, 42, from India, \$1.1 billion, i2 Technologies; Rajendra Singh, 44, from India, \$1.1 billion, telephony; Vinod Khosla, 44, from India, \$1 billion, venture capital; Naveen Jain, 40, from India, \$930 million, Infospace; Michael Chowdry, 44, from India, \$675 million, Atlas Air; and David Lee, 50, from Taiwan, \$675 million, Global Crossing.



The Washington District Office of the Immigration and Naturalization Service (INS) conducted the final administrative naturalization ceremonies for 1999 at George Mason University (Law Campus) December 16. Four hundred and fifty-four immigrants from 69 countries were sworn in as United States citizens in three separate ceremonies for this turn of the century event. Photo by Jay Chen

Dr. Enzo Lachica 202-986-9332

From: Laura Eford

Thanks for your help.



Facsimile Cover Sheet

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Mr. Chairman, the Honorable Members of the House Committee on Veterans Affairs: Good morning.

Mr. Chairman:

Thank you and the distinguished members of the Committee for this great opportunity for me to present our problems and concerns over a forgotten lot of our WWII veterans. As the representative of this group who are members of the Filipino War Veterans, Inc. and of the American Coalition for Filipino Veterans, Inc. of which I serve as the President to both, it is my distinct honor to testify before this august body. It is our most sincere hope that our thoughts will be most helpful to the committee to review and resolve the validity of our claim for equity of benefits in the upcoming months.

Mr. Chairman: I am Patrick G. Ganio, Sr., a WWII veteran, a POW and a survivor of Bataan and Corregidor during the Battle of the Philippines. While I am proud to be a Filipino by birth, I am equally proud to be an American by choice.

With me today are a number of my comrades in the war, our daughters and sons who have come to listen to the issues which to them matter most. They want to know and to witness for themselves what America is today in the way this Committee deal with the issue of "Equality and Justice" that affect their parents who served in the war.

Mr. Chairman: Thanks for the privilege to present before this Committee our *long standing claim for full veterans benefits under the laws of the United States for the service we rendered in the US military forces in defense of America in the second world war. And the benefits we are claiming for are those equal with other American veterans particularly provided under the Improved Pension Law of January 1, 1979.*

Affected in this claim are three categories of veterans: *the Commonwealth army, Recognized Guerrillas, and the New or Special Scouts.*

Mr. Chairman: We recall that Congress on June 22, 1944 passed the GI Bill of Rights by which Congress with unmistakable intent did its moral duty and obligation to achieve the promise of this Government of the

constitutional guarantee of equality of rights and justice in providing the full range of benefits to all who serve America in the second world war without regard to race, color, or nationality.

We believe that the passage of the Rescission Act should not have been necessary nor should there be any reason after General Bradley, the VA Administrator reported to the Senate Appropriations Committee on October 26, 1945 \$3-B compensation benefit obligation of the Federal Government to Filipino veterans.

The report was based on a study prepared by a Study Committee for the purpose as requested on August 27, 1945 by Senator Carl Hayden, Chairman of the Committee. The calculation was based on equal pay benefits of Filipino servicemen on equal footing with all US military personnel under command of General MacArthur in accordance with the opinion of the *Attorney General, 40 Op. 185, 1942 in VA Cze No. 491 of May 22, 1942 on entitlement to insurance benefits under the NSLI of 1940, and 40 Op. 281, 1943 for purposes of entitlement to arrears in pay under the Missing Persons Act of 1943. The Attorney General holds that the "military service of Filipino servicemen" is valid service in the Armed forces of the United States Military Forces during the period of the second world war for purposes of benefits under the laws.*

But from the legislative history of the Act Congress viewed that *"it is unthinkable for Congress to include the large number of Filipinos to be entitled to compensation benefits that run to billions of dollars...to settle the legal question of 'military service' is to adopt the principle that while the organized military forces of the Government of the Commonwealth of the Philippines served in our Army, they were not a part of our Army."* (1946 Congressional Committee Report).

Apparently, the logical conclusion was that *our military service is not deemed active service in the US Military forces.* And to justify further the intent to reduce the benefits was to conceive certain rational basis which we believe were not compelling to override or deny our fundamental right to equal treatment. Of this, we sense an act of discrimination in treating us differently and disparately from other class of American veterans in *providing in the Act that our service is deemed not active service for purposes of rights, privileges, or benefits under the laws of the United States.*

Mr. Chairman: Speaking of any written promise particularly of President Roosevelt and of General MacArthur to give full benefits to Filipino veterans, *yes sir, they did just that when the eyes of the free world were focused on us in our bloody resistance and determination to hold the*

enemy at all cost in our epic defense of Bataan and Corregidor with unusual valor.

In a Radio Message of the General sent to the War Department on February 10, 1942 and referred to the President, he recommended the equalization of pay benefits to all men under his command in a sense of duty and obligation to fulfill the promise of the Constitution.

Accordingly, they caused the introduction of Senate Bill, S 2387 by Senator Reynolds on March 19, 1942. It was passed by the Senate on March 29, and in the House on April 7, 1942. But the bill was not enthusiastically pursued to become a law for economic reason in the face of the inevitable surrender of Bataan and Corregidor and ultimately of the Philippines.

Any public official for that matter from the President down and the members of this Committee and Congress do take their OATH to perform their moral duty to extend to the people they serve the full right to equality and justice in the light of the American dream as written in the Constitution.

Mr. Chairman: What could be the best proof of any written promise of the President and General MacArthur or any public official more than their *oath*, or their *pledge* to do a moral duty to serve fairly and justly, and above all, the *Constitution itself which is the supreme law of the Nation?* This is our basic knowledge. This is how and what we know of the duties and responsibilities of our public officials or leaders in the public service, unless they choose to be recreant to assume that obligation to achieve the promise of the Constitution.

And we believe in the authority and capacity of this Committee to help this government fulfill its commitment accordingly. And thanks for all that the Committee has done and is doing in the way of resolving our quest for simple justice. Of this we seek more compassion and understanding of our issues for final settlement. We equally give thanks to our sponsors and supporters to our Equity Bills.

I would like to recall a bit of US history. For forty seven years of sovereignty over the Philippines, we learned of this democracy we embraced to become America's show window in Asia. We learned of the dream and ideals of the founders of this Great Union of States. We learned that *they so conceived this Nation to be dedicated to the proposition that all men are created equal.*

It is good to know of the truth that *all men are born equal with inalienable right to freedom, liberty, equality, and justice and which values are the bedrock of our democracy.* Yes, these are the dream. These

are the ideals they proclaimed in the *Declaration of Independence*. These are the promise they wrote in the *Constitution of the United States to become our fundamental law that serves as the Bible which guides the administrative, the legislative and the judicial actions and decisions of our leaders.*

Accordingly, no other than President William McKinley on his sworn duty to achieve the American dream as promised in the Constitution, he proclaimed the foundation of American policy over the Filipinos to establish a civil government in 1900. Partly he stated, to wit: *"The Philippines are ours not to exploit but to develop, to educate, and to train in the science of self-government... the purpose of the American government is the welfare and advancement of the Philippine people... to extend to them the constitutional guarantee and protection of their civil rights to the fullest extent."*

Our military service in the USAFFE is a mark in history. Our role was vital to the defense of *US strategic interest in the Philippines*. What we did in Bataan and Corregidor was in the words of General MacArthur *a feat in US military history, no army has done so much with so little...thus saved for the United States billions of dollars and thousands of American lives for breaking the Japanese time table. As a consequence we gained for the United States the most precious time to build and restore its counter offensive power that virtually shortened the war to win victory sooner in 1945. Otherwise, it would have meant a long costly war that may have reached the shores of continental America and a colossal loss of lives, money, and materials to win victory.*

As a touching tribute for what we did for America, MacArthur said: *"I do not know the dignity of their birth, but I do know the glory of their death. They died unquestioning, uncomplaining, with faith in their hearts, and on their lips the hope that we would go on to victory."*

Yes, Mr. Chairman, we ended victorious, a military victory we shared together with honor and dignity as veterans of America. This being a fact of our history, *we hope that this Committee will have in conscience the political will to do justice where justice is due. And to help this government meet its legitimate obligation, to do what is right to the very people that laid their lives for America.*

We gratefully appreciate the support, the understanding and compassion of not a few of our supporters and friends in and out of Congress and this Administration. They have done and are giving us support to our cause to achieve the promise of the Constitution they have sworn under oath to fulfill. We believe in them as we believe in America. We have

pledged our allegiance to the Constitution and the Flag when we were inducted to serve during the war and repeatedly when we took our oath of citizenship as proud Americans. And as long as we continue to have increasing support, we will continue to pursue our quest for *simple Justice*.

To quote just a few, President Roosevelt in his address to the people of the Philippines on December 28, 1941, said in part: *"...In this great struggle of the Pacific the loyal Americans of the Philippine Islands are called upon to play a crucial role...I give to the Philippines my solemn pledge that their freedom will be redeemed and their independence established and protected. The entire resources, in men and in material, of the United States stand behind that pledge.* (Speeches and Public Papers of FDR)

Congressman Canfield in 1947 Congressional hearing had this to say: *"They were with us when we needed them most. It is only fair that we give our best to them when they need our help. Justice is justice. Let us give it to them, cheerfully, unhesitatingly, and now."*

During the Congressional hearing of September 19, 1966, Congressman Miller had this remark: *"When General MacArthur and President Roosevelt made an implied promise to those Filipino veterans that they would be treated as American veterans, they did not talk about discounting the dollar at that time, did they?"*

From the same source, Congressman Saylor of Pennsylvania elaborated: *"The question is whether or not veterans benefits are given to the men and women who served in the Armed Forces of the United States on the basis of their service, or of their place of residence after service. If the benefit is based on military service, then these Filipino veterans are entitled to full benefits... That is the rule in the 66 foreign countries around the world."* (Referring to the 116,000 aliens drafted to serve in the US Military during the war.)

"Do not forget," he continued, *that when this happened, it was not the independent Republic of the Philippines. When these men were taken into the Army of the United States, the Philippine Commonwealth was a territory of the United States of America. They belonged to the United States... and remained ours until July 4, 1946. All ... they are trying to do is to get equal treatment."*

Lastly, US High Commissioner to the Philippines Paul V McNutt in his letter to Congress during the deliberation of the Rescission Act in 1946 said in part: *"We are pledged by the Act of Congress, by the written words of the President of the United States, and by our national conscience to*

bind the wounds inflicted on the Philippine Islands through our war with Japan."

Yes, Mr. Chairman. By our conscience. Because we believe we were not mercenaries who were hired by President Roosevelt to serve America in its hour of need. We responded to the call to service as proud soldiers of America. The order to us was a constitutional contract for Federal service to defend the nation. And at this point, our claim is less a question of money. It is certainly more of a question of morality. To us, it is pride, honor, and dignity as Americans in the defense of democracy, human freedom, liberty and justice. Because upon these values our loyalty as a subject people to America was built and molded in the crucible of the war.

In the pursuit of our claim, Mr. Chairman, we ask no more than what we earned and deserve under the law. Considering all the different factors and issues involved - historical, legal, moral or otherwise - we seek for final settlement on the basis of an equitable and practical solution.

In this connection, 52 years after the passage of the Rescission Act, data we are getting from DVA, INS, and CBO reports include 70,000 or which are 66,000 surviving eligible veterans as of 1995; 28,000 are naturalized veterans 15,000 of which are living in the Philippines as of 1997.

We understand that the issue of equity or equitability is raised when all 70,000 are equally given full benefits on the ground that those living outside the United States with lower standard of living will be of the better advantage.

It is rather suggested that this matter be addressed fairly and compassionately with the most equitable and practical solution on any of the following alternatives:

- a) Full benefits to all 70,000 survivors, citizen and non-citizen alike;***
- b) Full benefits to the 28,000 naturalized veterans and matching grant to non-citizen veterans residing in the Philippines.***
- c) Full benefits for all veterans residing in the US and half benefits to those who reside outside, citizen or non-citizen alike.***

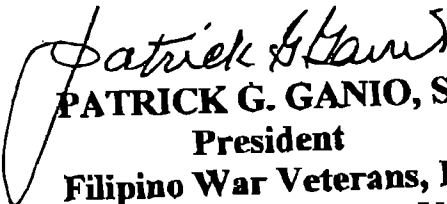
Mr. Chairman and Distinguished Members of the Committee: I know that in spite of our valid issues to claim for full benefits, Congress as has ever been in the past opposed is due to cost the claim entails. In spite of this however, we aver that what we saved for America in defending Bataan and Corregidor more than offset any necessary for our purpose. Besides for the past 52 years that our claim has not be granted the United States must have saved billions of dollars more. Plus the fact that the current economy has given the government a tax income of \$50-B that could

equally back the political will of this government to fulfill an overdue obligation.

Mr. Chairman: I believe that this hearing is our last opportunity to be heard before this Committee and to settle once and for all this long standing issue on Equity and Justice to our claim for equality of right. We trust that we have expressed our thoughts and ideas most useful to your upcoming deliberation and decision that we believe can be the legacy you can share to us, your Filipino American comrades. Even at this late in our fading life, your most favorable decision can bring relief and a breath of honor and dignity as among America's war heroes and defenders of freedom.

Thank you.

Presented by:



PATRICK G. GANIO, SR.

President

Filipino War Veterans, Inc.

American Coalition for Filipino Veterans, Inc.

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VETERANS OF FOREIGN WARS OF THE UNITED STATES



STATEMENT OF
BOB MANHAN, ASSISTANT DIRECTOR
NATIONAL LEGISLATIVE SERVICE

BEFORE THE

COMMITTEE ON VETERANS' AFFAIRS
UNITED STATES HOUSE OF REPRESENTATIVES

WITH RESPECT TO
EQUITY FOR CERTAIN WORLD WAR II FILIPINO VETERANS

WASHINGTON, DC

JULY 22, 1998

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE:

Thank you, Mr. Chairman, for holding this important hearing this morning. The fact that you are chairing a full committee session on a bill that would usually be heard by your Subcommittee on Benefits makes the case that this is an issue with a long and emotional history that probably has no simple or quick solution. But I assure you the VFW shares everyone's concern to find a proper and equitable solution to this 52 year old issue. Over the past several years the VFW has had various national resolutions that address the problem of granting benefits administered by Department of Veterans Affairs (VA) to Filipinos who served with the U.S. armed forces in the Philippine Islands during World War II. A copy of current Resolution No. 620 is attached to this statement for

your information.

In brief, the VFW would like to restore full veterans' benefits to certain organized military forces of the Philippine Commonwealth Army and the Philippine Scouts. Said another way the VFW asks that the 105th Congress consider changing a law that was passed more than 50 years ago by the 79th Congress. Specifically, when P.L. 79-301 passed it included the First Rescission Act of 1946 which in essence said Filipinos who had served with U.S. armed forces during WWII were not deemed veterans for the purpose of receiving benefits from VA. The VFW accepts the fact that only Congress makes the laws, and it serves no real purpose today to repeat their historical deliberation leading to the rescission action.

Despite the rescission law which has been codified today as section 107, title 38, United States Code, the VFW offers the following points to make the case that equity or a sense of fair play must today be considered with the objective of restoring lost VA benefits. It is not necessary here to rewrite the history of Filipino military participation with U.S. forces during WWII. However, the VFW will here interpret some of the past with the intent of having today's generation better understand the equity issue. First, consider whether these Filipino soldiers were under direct U.S. military command. Most commonly accepted standards involve the questions of were they:

- subject to U.S. military training and control? The answer is YES;
- did they receive military training and go into military operations with American forces? The answer is YES;
- susceptible to assignment for duty in a combat zone? YES;

- permitted to resign? Answer is NO; and last and most important for the VFW is this last point:
- did these Filipinos have reasonable expectations that their service would be considered as active U.S. military service? The answer is absolutely YES.

Because this element of "reasonable expectation" is the key to the VFW's position, we offer the following facts. First, historical documentation includes a White House order of July 26, 1941, that states in part: "... and place under the command of a general officer, United States Army, ... all of the organized Military forces of the Government of the Commonwealth of the Philippines."

There is also the text of a radiogram from Army Chief of Staff General George C. Marshall to General Douglas MacArthur who was designated as Commander United States Army Forces in the Far East. A portion of that text states "... This command shall include the Philippine Department, forces of the Commonwealth of the Philippines called into the service of the armed forces of the United States. ..."

Based on this War Department message General MacArthur issued on July 27, 1941, his General Order No. 1, from USAFFA headquarters in Manila, Philippine Islands. The key extract for us is the very first sentence which says, "This command includes the Philippine Department forces of the Government of the Commonwealth of the Philippines called and ordered into active service of the armed forces of the United States for the period of the existing emergency, and such other forces as may be assigned to it."

Five months later and 11 days after president Roosevelt declared war on Nazi Germany, Imperial Japan, and all other Axis Powers, General MacArthur, on December 18, 1941, issued his General Order No. 46, which called to active duty all active units of the Philippine Army into the service of the armed forces of the United States for the period of the existing emergency.

World War II ended in September 1945. Five months later, on February 20, 1946, President Truman signed H.R. 5158 into law that effectively barred Philippine Army veterans from all benefits with the exception of disability and death benefits made payable on the basis of 1 peso for every dollar of eligible benefits. This is the substance of the Rescission Act. However, President Truman made the following statement at time he signed this law: "Philippine Army veterans are nationals of the United States and will continue in that status until July 4, 1946. They fought, as American nationals, under the American Flag, and under the direction of our military leaders. They fought with gallantry and courage under most difficult conditions during the recent conflict. Their officers were commissioned by us. Their official organization, the Army of the Philippine Commonwealth, was taken into the armed forces of the United States by Executive Order by the President of the United States on July 26, 1941. That order has never been revoked.

"I consider it a moral obligation of the United State to look after the welfare of Philippine Army veterans."

Please recall that President Truman had been a soldier who served in combat during WWI, had later served a total of 12 years in Congress and later was Vice President and President. The point the VFW makes here is that President Truman voiced an

honest, common sense appraisal of the Filipino soldier's duty status, who but for the accident of birth, would have been regarded as an American soldier and, therefore, qualified to receive all veterans benefits.

Others could say that these Filipinos were only fighting to defend their own country. Yes, but there is certainly nothing in this argument to mitigate the fact they fought as part of the U.S. armed forces for American military objectives. Also please consider that the average 17 or 18 year old Filipino in the late 1930s and early 1940s probably did not exceed the average 8th grade educational level of his WWII American drafted counterpart, and that this Filipino young man, his parents, and his grandparents would have grown up in an American colony when English was the language of government and 85 percent were Roman Catholic. It is also a fact that in 1934 the Tydings-McDuffie Act provided for a transitional period until 1946, at which time the Philippines would become completely independent. Based on these facts, the VFW is satisfied that the average Filipino soldier at the time Japan attacked Pearl Harbor thought of himself first and foremost as fighting for America and the democratic principles our administration had introduced in the islands during the previous 42 years or since the Philippines were ceded to the U.S. in 1899 by the Treaty of Paris.

Today, the VFW strongly believes some positive congressional action should be taken to correct the rescission. One is the option is to restore entitlements much like the bill H.R. 836, the "Filipino Veterans Equity Act," and VFW Resolution No. 620 outline. However, as a first step the VFW can accept some other alternatives in the spirit of not wanting to be guilty of rejecting "the good" while holding out for "the best." Some serious alternative considerations could be to extend full benefits at the dollar rate only to

those veterans who have become American citizens; or, to expand this concept, to include all Filipinos residing in the United States, ensuring no retroactive monies will be authorized. Another consideration involves those otherwise eligible Filipinos in the Philippine Islands who could receive payments, again not retroactive, at the peso rate or at the same rate VA is using today to pay American veterans who presently reside in the islands.

In summary, the VFW views this issue in the same manner as the dependency and indemnity compensation (DIC) equity problem. About 9 years ago another congress passed P.L. 101-508 that eliminated reinstatement of DIC for previously eligible former military spouses whose subsequent marriage was terminated by divorce or death. This current congress corrected the DIC inequity in P.L. 105-178. The VFW sought and received Chairman Stump's unconditional support to correct that problem, which he did. Today, we ask the Chairman and his committee to please consider correcting that portion of P.L. 79-301 which so unfairly limited veterans benefits to certain Filipino soldiers who were, for all practical purposes, in the American Army during WWII.

I shall respond to any questions you or the committee may have, Mr. Chairman. Again, thank you for allowing the VFW the opportunity to participate in this hearing.

Resolution No. 620**BENEFITS FOR FILIPINO VETERANS AND SCOUTS WHO SERVED WITH THE
U. S. ARMED FORCES DURING WWII**

WHEREAS, Filipino veterans and scouts as members of the organized military forces of the government of the Commonwealth of the Philippines and the Philippine Scouts were called into the service of the United States Armed Forces in the Philippines pursuant to the military order by the President of the United States dated July 26, 1941; and

WHEREAS, they served in the regular components of the United States Armed Forces during the period of 1941-1945 under the command of General Douglas MacArthur; and

WHEREAS, many Filipino veterans and scouts have been discriminated against by the classification of their service as not being service rendered in the United States Armed Forces for the purposes of benefits from the Department of Veterans Affairs; and

WHEREAS, legislation has been introduced in the United States Congress to deem service in the organized military forces of the Government of the Commonwealth of the Philippines that were called into service in the U. S. Armed Forces during WWII to be active service for the purpose of equal benefits under programs administered by the Secretary of Veterans Affairs; and

WHEREAS, additional legislation has been introduced that would direct the Secretary of the Army to issue a certificate of service to Filipino nationals who the Secretary determines to have performed any military service in the Philippine Islands in aid of the Armed Forces of the United States during World War II; now, therefore

BE IT RESOLVED, by the Veterans of Foreign Wars of the United States, that we support legislation to recognize veterans of the organized military forces of the Government of the Commonwealth of the Philippines, while such forces were in the service of the Armed Forces of the United States during World War II, as having been active service for purposes of equal benefits under programs administered by the Secretary of Veterans Affairs; and

BE IT FURTHER RESOLVED, that the Veterans of Foreign Wars support additional legislation that directs the Secretary of Army to issue a certificate of service to every national of the Philippine Islands deemed by the Secretary to have performed any military service in aid of the Armed Forces of the United States during World War II.

**Adopted by the 98th National Convention of the Veterans of Foreign Wars of the
United States held in Salt Lake City, Utah, August 16-21, 1997**



Jewish War Veterans of the United States of America

Chartered By an Act of Congress

1811 R Street, N.W. • Washington, DC 20009 • (202) 265-6280 FAX (202) 234-5662 • email: jwv@erols.com

**Testimony presented before the House Veterans Affairs Committee
Wednesday, July 22, 1998
By PNC Robert M. Zweiman
International Liaison
Jewish War Veterans of the U.S.A.**

Chairman Stump, members of the House Veterans Affairs Committee, friends, my name is Robert M. Zweiman of Fort Lee, New Jersey. I am a Past National Commander of Jewish War Veterans of the U.S.A., and currently serve as its International Liaison. I am pleased that I have the opportunity to speak with you today on this important matter.

Mr. Chairman, over fifty years ago, while a soldier in our nation's armed forces, I was fortunate enough to be stationed in what was then one of our country's territories, the Philippines. It was a country -- actually an extension of the boundaries of the United States of America -- for which many of our fighting men and women made the ultimate sacrifice to defend and protect. Those people were Americans, in almost every sense of the word. I was also fortunate enough to work alongside the proud men and women of the Filipino army, who committed themselves to the fight against evil, in the name of the United States. In that time, I grew to admire and respect the country and the people, and that respect has grown over the intervening years.

It has now been fifty years since the war in the Pacific ended. The men and women of the American armed forces returned home to revel in their victory, to heal the mental and physical wounds of war, and to begin their lives again. These veterans did so with the knowledge that their government, in return for their military service, would comfort and succor them, from the moment they returned to the land of the free and the home of the brave, until those final moments of life. It is the obligation of rights in return for sacrifice

... over 100 years of Jewish Pride and American Patriotism"

that made their commitment to America so special to the millions of returning veterans. In large part, and until recently, those benefits were carried out. Veterans of bygone wars were cared for in our nation's VA hospitals, funded by taxpayer dollars. This small reward is but a pittance of what is owed to our nation's 27 million living veterans, but it was what was promised, and is both good and right.

But it has been with distress and sadness which we of the Jewish War Veterans have watched the treatment of fellow veterans of that war. Men and women, who fought for our nation's flag in time of war, these Filipino veterans were promised the same care and benefits afforded to American veterans. These men and women, some of whom I have the pleasure of calling 'friend', fought alongside American forces at some of the titanic battles of World War II - Bataan and Corregidor. Their country was occupied, and while America prepared to defeat Japan, these Filipino soldiers worked to delay and harass the occupying forces, allowing American forces to build up and prepare for their return to the Philippines.

Their courage and bravery in the face of overwhelming odds cannot be questioned, but must be honored here, so long now from those terrible events. Our primary obligation, Mr. Chairman, is to follow through on the promise of fifty years past.

Mr. Chairman, in 1996, the National Convention of Jewish War Veterans of the U.S.A., convened here in Washington, D.C., passed a resolution supporting the Filipino Veterans Equity Act of 1995. At that time, the resolution called for the urgent passage of legislation that would restore these much-needed benefits to the Filipino veteran population in the United States. That resolution is still in effect today, and it translates to support House Resolution 836, which we hereby publicly support and actively will urge Congress for immediate passage. This legislation is more than just words on paper to veterans, American and Filipino.

We must begin to heal the scar of neglect and indifference that caused these benefits to be rescinded so many years ago. It will try to clean the stain of discrimination and prejudice that fell upon these brave men and women who served this country in time of war. The legislation would work to care for men and women, now in the twilight of their lives, whose last years should be spent in relative comfort for a lifetime of patience.

The issues involved with the passage of this legislation are vitally important since it has to do with America. The issue transcends questions of how many veterans would be served, or the costs attributed to that service. It has to do with the word and promise of the United States being upheld, now and in the future. That, Mr. Chairman, is the most important of thing of all. That is why we are here today, and why Jewish War Veterans will continue to support the cause of Filipino veterans, now and in the future.

Please, Mr. Chairman, we ask you and the members of this committee to speedily present this legislation to the full House for consideration, and work to move the bill through the process for a signature by the President. Filipino veterans have waited decades for the promise to be fulfilled. Don't make them wait too much longer, especially now that we can do something about it.

Mr. Chairman, members of the committee, thank you for allowing me the opportunity to present these remarks to you. I am now willing to entertain any questions you might have for Jewish War Veterans of the U.S.A.

Enc. Copy of JWV 1996 National Resolution



Jewish War Veterans of the United States of America

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Jewish War Veterans of the U.S.A. National Resolution -- 1996 Washington, D.C.

SUPPORT OF FILIPINO VETERANS EQUITY ACT OF 1995

The Jewish War Veterans of the U.S.A. (JWV) announced its support of the Filipino Veterans Equity Act of 1995 and urged Congress to consider its passage.

This Act would repeal the Rescission Act of 1946 which mandated that World War II service of Filipino veterans was not deemed active armed service entitling the veterans to all benefits conferred upon other American veterans, except for those who died, were maimed or separated from active service because of physical disability. During World War II, the Philippine Islands were a U.S. territory.

We join with our fellow veterans' organizations in rectifying the injustice done to Filipino veterans of World War II, many of whom fought Japanese aggression with distinction and honor. We support the Filipino Veterans Equity Act and urge immediate congressional support. As citizens of a territory of the U.S. during World War II, our brother Filipino veterans are entitled to the benefits and health care bestowed on all U.S. veterans.



STATEMENT

BY

**CARROLL WILLIAMS, DIRECTOR
NATIONAL VETERANS AFFAIRS & REHABILITATION
THE AMERICAN LEGION**

BEFORE THE

**COMMITTEE ON VETERANS' AFFAIRS
UNITED STATES HOUSE OF REPRESENTATIVES**

ON

HR 836 - FILIPINO VETERANS EQUITY ACT

JULY 22, 1998

**STATEMENT OF CARROLL WILLIAMS, DIRECTOR
NATIONAL VETERANS AFFAIRS AND REHABILITATION COMMISSION
THE AMERICAN LEGION
BEFORE THE
COMMITTEE ON VETERANS' AFFAIRS
UNITED STATES HOUSE OF REPRESENTATIVES
ON
HR 836 - FILIPINO VETERANS EQUITY ACT**

JULY 22, 1998

Mr. Chairman and Members of the Committee:

The American Legion appreciates this opportunity to address HR 836 which proposes that the definition of active military service be amended to include those who are veterans of service in the Philippine Commonwealth Army and New Philippine Scouts.

In 1898, the Philippine Islands became a possession of the United States. In 1934, Congress enacted PL 73-127, the Philippines Independence Act, which granted the Philippines commonwealth status and provided a ten year time frame for eventual full independence. During this period, although the Commonwealth government had powers over Philippine internal affairs, the government of the United States retained certain sovereign powers which included calling those members of the Commonwealth's armed forces into the military service of the United States.

In 1941, President Franklin D. Roosevelt issued a series of executive orders placing the Commonwealth Army under the command of the U.S. Army. At the conclusion of the war in the Pacific, in October 1945, PL 79-190, The Armed Forces Voluntary Recruitment Act, authorized the establishment of the New Philippine Scouts to assist in the occupation of Japanese territories. However, in PL 79-301 and 79-391, the First and Second Surplus Supplemental Recession Acts, Congress stipulated that military service in the Philippine Commonwealth Army, recognized guerrillas, and New Philippine Scouts was not recognized as service in the armed forces of the United States for U.S. veterans' benefit purposes. This provision is currently contained in title 38, United States Code, section 107.

Throughout World War II, the men of the Commonwealth Army, including those recognized guerrillas, served under the same command as other members of the United States armed forces. They fought bravely at Bataan and Corregidor and in the many battles to liberate the Philippines. The American Legion believes that it has been an injustice to continue to deny these veterans and their survivors the same benefits as authorized for other U.S. veterans who fought in the very same battles.

At the 1996, National Convention, Delegates representing all 56 departments of The American Legion (including the Department of the Philippines) adopted resolutions in support of

Filipino veterans. Resolution #97 called for legislation that would provide equal benefits to naturalized Filipino veterans and their survivors. Resolution #98 supports legislation to amend Title 38, USC, Section 107, which would recognize the status of Filipino Veterans of World War II. The American Legion continues to support both resolutions.

The President's FY 1999 budget request for VA included a legislative proposal to pay those Filipino veterans currently in receipt of VA disability compensation who reside in the United States at the full benefit rate. The estimated additional cost was \$25 million over five years. Funding for this, as well as several other proposed benefit improvements, was to come from the projected budget savings of \$17 billion resulting from the enactment of a restriction on tobacco-related disease claims.

The American Legion vigorously opposed this effort to take away veterans' historic right to compensation for diseases which are attributable to their military service, including those related to the use of tobacco products while on active duty. Unfortunately, many Members of Congress were willing to put politics over principle in enacting the "Transportation Equity Act for the 21st Century", PL 105-178 which barred all tobacco-related disease claims and took \$15 billion from the VA budget to help fund surface transportation projects. The American Legion is continuing to work to have this provision of the law repealed and the necessary funding restored to VA.

The increased benefit rates for certain Filipino veterans proposed in the President's budget request is inadequate. It failed to redress the payment limitation which would still apply to those Filipino veterans in receipt of VA benefits who live outside of the United States. Moreover, The American Legion strongly opposed the idea and reality of taking benefits away from one group of service disabled veterans to pay for benefits to another group of equally deserving service disabled veterans.

Mr. Chairman, The American Legion is very cognizant of the realities and limitations of the budget process which require that funds be identified for such additional benefits. The American Legion believes it would be manifestly unfair to attempt to remedy one injustice by creating another injustice. Therefore, The American Legion strongly urges Congress to act forthrightly to appropriate sufficient additional funds to VA to cover the increased benefit and workload costs associated with this legislation. Congress must also ensure that such action will not have any negative or detrimental effect on funding for current VA benefit programs.

Critics and opponents of HR 836 have cited the possible cost and budget impact of such initiatives as reasons to defeat any such legislation. In addressing the real problem of funding for HR 836, The American Legion suggest the Congress seriously consider utilizing funds from the projected surplus in the FY 1999 Federal budget. Provision could be made to allocate needed funds to VA to pay for the expanded benefits. There are, however, widely varying estimates as to the total cost involved. In order for Congress to make a fair and accurate assessment of the level of funding required to implement this legislation, caseload and benefit cost estimates must be based on realistic assumptions and accurate data, including information on the differences in the

cost-of-living in the United States and the Philippine as well as projected offsets to federal benefits currently being paid to Filipino veterans residing in the United States, and other factors.

In conclusion, the Filipino veterans have been denied benefits they deserve for too long. For this reason, The American Legion is asking this committee and Congress to give favorable consideration to HR 836.

The American Legion



For God and Country

★ WASHINGTON OFFICE ★ 1608 "K" STREET, N.W. ★ WASHINGTON, D.C. 20006-2847 ★
(202) 861-2700 ★

July 20, 1998

Honorable Bob Stump, Chairman
House Veterans' Affairs Committee
337 Cannon House Office Building
Washington, DC 20515

Dear Chairman Stump:

The American Legion has not received any federal grants or contracts, during this year or in the last two years, from any agency or program relevant to the subject of the July 22, hearing on HR 836 - Filipino Veterans Equity Act.

Sincerely,

Carroll Williams, Director
National Veterans Affairs
and Rehabilitation Commission

**BIOGRAPHY FOR
CARROLL L. WILLIAMS, DIRECTOR
NATIONAL VETERANS AFFAIRS AND REHABILITATION COMMISSION**

Born in Washington, DC, on November 17, 1948, Mr. Williams graduated from Anacostia High School in 1967. He received an Associate of Arts Degree from Prince George's College, and a B.A. Degree from National-Louis University.

Mr. Williams served on active duty in the United States Marine Corps from 1967-1970, and completed a tour of duty in Vietnam from 1967-1969.

He began his employment with The American Legion in 1970. After serving in several managerial positions in the Veterans Affairs and Rehabilitation Division, he assumed the position of Director of VA&R on June 27, 1994.

Mr. Williams is married to the former Stephanie Brown. Their children are DeShawn, Carroll II, Stefon, and Christina. He resides in Maryland and is a member of American Legion Post #275 in Glenarden, Maryland.



Jewish War Veterans of the United States of America

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**Testimony presented before the House Veterans Affairs Committee
Wednesday, July 22, 1998
By PNC Robert M. Zweiman
International Liaison
Jewish War Veterans of the U.S.A.**

Chairman Stump, members of the House Veterans Affairs Committee, friends, my name is Robert M. Zweiman of Fort Lee, New Jersey. I am a Past National Commander of Jewish War Veterans of the U.S.A., and currently serve as its International Liaison. I am pleased that I have the opportunity to speak with you today on this important matter.

Mr. Chairman, over fifty years ago, while a soldier in our nation's armed forces, I was fortunate enough to be stationed in what was then one of our country's territories, the Philippines. It was a country -- actually an extension of the boundaries of the United States of America -- for which many of our fighting men and women made the ultimate sacrifice to defend and protect. Those people were Americans, in almost every sense of the word. I was also fortunate enough to work alongside the proud men and women of the Filipino army, who committed themselves to the fight against evil, in the name of the United States. In that time, I grew to admire and respect the country and the people, and that respect has grown over the intervening years.

It has now been fifty years since the war in the Pacific ended. The men and women of the American armed forces returned home to revel in their victory, to heal the mental and physical wounds of war, and to begin their lives again. These veterans did so with the knowledge that their government, in return for their military service, would comfort and succor them, from the moment they returned to the land of the free and the home of the brave, until those final moments of life. It is the obligation of rights in return for sacrifice

that made their commitment to America so special to the millions of returning veterans. In large part, and until recently, those benefits were carried out. Veterans of bygone wars were cared for in our nation's VA hospitals, funded by taxpayer dollars. This small reward is but a pittance of what is owed to our nation's 27 million living veterans, but it was what was promised, and is both good and right.

But it has been with distress and sadness which we of the Jewish War Veterans have watched the treatment of fellow veterans of that war. Men and women, who fought for our nation's flag in time of war, these Filipino veterans were promised the same care and benefits afforded to American veterans. These men and women, some of whom I have the pleasure of calling 'friend', fought alongside American forces at some of the titanic battles of World War II - Bataan and Corregidor. Their country was occupied, and while America prepared to defeat Japan, these Filipino soldiers worked to delay and harass the occupying forces, allowing American forces to build up and prepare for their return to the Philippines.

Their courage and bravery in the face of overwhelming odds cannot be questioned, but must be honored here, so long now from those terrible events. Our primary obligation, Mr. Chairman, is to follow through on the promise of fifty years past.

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The issues involved with the passage of this legislation are vitally important since it has to do with America. The issue transcends questions of how many veterans would be served, or the costs attributed to that service. It has to do with the word and promise of the United States being upheld, now and in the future. That, Mr. Chairman, is the most important of thing of all. That is why we are here today, and why Jewish War Veterans will continue to support the cause of Filipino veterans, now and in the future.

Please, Mr. Chairman, we ask you and the members of this committee to speedily present this legislation to the full House for consideration, and work to move the bill through the process for a signature by the President. Filipino veterans have waited decades for the promise to be fulfilled. Don't make them wait too much longer, especially now that we can do something about it.

Mr. Chairman, members of the committee, thank you for allowing me the opportunity to present these remarks to you. I am now willing to entertain any questions you might have for Jewish War Veterans of the U.S.A.

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