

**STATEMENT OF
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THE AMERICAN LEGION
BEFORE THE
SUBCOMMITTEE ON HEALTH
COMMITTEE ON VETERANS' AFFAIRS
UNITED STATES HOUSE OF REPRESENTATIVES
ON
HEALTH CARE FOR FILIPINO WORLD WAR II VETERANS**

JUNE 13, 2002

Mr. Chairman and Members of the Subcommittee:

The American Legion is pleased to have the opportunity to provide testimony regarding issues relating to health care for Filipino World War II veterans within the Department of Veterans Affairs (VA).

When World War II broke out, the Philippine Islands were a Commonwealth of America, governed by, and subject to, the laws of the United States of America. On July 26, 1941, President Franklin D. Roosevelt sought the help of Filipino soldiers in the fight against the Axis Powers. By proclamation, all armed forces of the Philippine Commonwealth Army were called upon to serve in the United States Armed Forces. During World War II, some four hundred thousand Filipino soldiers served under American command, including the Old Philippine Scouts, the Commonwealth Philippine Army, the Guerillas, and later the New Philippine Scouts.

One year after the surrender of Japanese Armed Forces in the Philippines, the United States Congress passed the Surplus Appropriations Rescission Act as amended by Public Law 79-301 on February 18, 1946, which denied the rights, benefits and privileges initially promised to the Filipino soldiers. After nearly five years of fighting and dying alongside American soldiers in the Philippine Campaign, their service to the United States and their contribution to the eventual success of the Allied war effort was significantly denigrated by the passage of this Act.

The Filipino fighting men and women who responded to President Roosevelt's call to arms consisted of the following:

- ◆ Regular Philippine Scouts (Old Scouts) – enlisted and served in the United States armed forces before October 6, 1945.
- ◆ Commonwealth Army of the Philippines – The Philippine Army was established in 1935 as part of the preparation for Philippine independence. Ordered to serve under United States control by President Roosevelt from July 1941 through June 30, 1946.

- ◆ Special Philippine Scouts (New Scouts) – Served under United States control after October 6, 1945. Used as occupation troops throughout South East Asia.
- ◆ Recognized Guerrillas – Declared to be part of the “organized forces of the Philippines” by the Philippine President in 1944. They were composed of members of recognized guerrilla units operating from April 1942 through June 1946. The United States Army reconstructed the rosters of these units and closed the rosters to new additions in 1949.

Today, there are approximately 13,800 surviving Filipino American veterans living in the United States and 46,000 Filipino veterans residing in the Philippines. For the last 55 years, Filipino World War II veterans have sought equal recognition of their military service rendered in the United States Army during World War II.

Current law does not fully recognize the contributions of Filipino veterans of World War II, nor does it provide them equal benefits. The American Legion, however, has supported legislation that, if enacted, would provide veterans of the Philippine Commonwealth Army, Recognized Guerrillas, and New Philippine Scouts, the same wartime status and benefits as United States veterans. The American Legion has long supported efforts to enact legislation extending improvement of compensation, pension, and health care benefits to World War II Filipino veterans, irrespective of their present country of residence. While The American Legion is pleased with the newly enacted laws that aid certain service-disabled Filipino veterans residing in the United States to expand their access to health care and burial services and increases rates of compensation paid to them, we feel more must be done. The American Legion supports the passage of legislation that would appropriate funding to reduce the inequities, and increase the benefits of Filipino veterans, so that they are equal to those of America’s World War II veterans.

Title 38 United States Code, §107 (a) states:

*Service before July 1, 1946, in 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 pursuant to the military order of the President dated July 26, 1941, including among such military forces organized guerrilla forces under commanders appointed, designated, or subsequently recognized by the commander in Chief, Southwest Pacific Area, or other competent authority in the Army of the United States, shall **not** be deemed to have been active military, naval, or air service for the purposes of any law of the United States conferring rights, privileges, or benefits upon any person by reason of the service of such person or the service of any other person in the Armed Forces, except benefits under...*

Legislation pending in the 107th Congress affecting Filipino veterans, specifically, H.R. 491, the *Filipino Veterans’ Equity Act* would repeal section 107 of title 38, United States Code and grant equal benefits to Filipino World War II veterans. Additionally, S. 1042, the *Filipino Veterans Benefits Improvement Act of 2001* would provide eligibility for VA health care and permanent disability pension benefits to Filipino American veterans. It would also provide additional benefits to Filipino veterans residing in the Philippines.

The Filipino soldiers fought valiantly under the American flag, with the United States Armed Forces. These aging veterans now need and deserve the benefits they earned by virtue of their service to America. Indeed, they believe so strongly in this that, in the past, they have gone so far as to chain themselves to a statue of their former commander, General MacArthur, and refused to eat in protest to the inequity of the treatment of Filipino World War II veterans.

At a time when the men and women of America's military forces have once again been called upon to defend this nation, we must continue to demonstrate a commitment to care for those who have previously borne the battle.

Mr. Chairman, that concludes my statement.