STATEMENT OF
TERRY TRACY
DEPARTMENT SERVICE OFFICER
DEPARTMENT OF CALIFORNIA
THE AMERICAN LEGION
TO THE
SUBCOMMITTEE ON HEALTH
COMMMITTEE ON VETERANS' AFFAIRS
UNITED STATES HOUSE OF REPRESENTATIVES
ON
HEALTH CARE FOR FILIPINO WORLD WAR II VETERANS

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Mr. Chairman and Members of the Subcommittee:

The American Legion is pleased to have the opportunity to present 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 400,000 Filipinos 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, Congress passed the Surplus Appropriations Rescission Act (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 Sates 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 Sates Army reconstructed the rosters of these units and closed the rosters to new additions in 1949.

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

In the Philippine Islands, VA medical care is provided at the Manila Outpatient Clinic, which is under the auspices of the Veterans Benefits Administration (VBA), but also supported by the Veterans Integrated Service Network (VISN) 21. Traditionally, the vast majority of the clinic's functions have been related to Compensation & Pension examinations, but care has also been provided for the VA service-connected disabled medical conditions of Filipino veterans. In Fiscal Year (FY) 00, the clinic saw about 3,500 patients and handled about 11,000 outpatient visits within a budget of about $3 million and 70 employees. Under the provisions of the Millennium Bill, authority was granted to provide limited treatment of nonservice-connected (NSC) medical conditions of service-connected disabled veterans within the constraints of available resources and the scope of care provided at the clinic. It was reported that the clinic in FY 02 is starting to expand the coverage for NSC conditions for eligible veterans. NSC veterans have never had eligibility to access VA health care services.

The Veterans Health Administration (VHA) does not have the capability of specifically tracking how many Filipino veterans receive care within the stateside system. For many years VHA has had the authority to provide Commonwealth Army veterans and New Philippine Scouts with medical care for their service-connected disabilities in VHA facilities. Last fall, the President signed Public Law 106-377. Section 501 provides certain Filipino veterans with eligibility for hospitalization, nursing home care, and medical care in the same manner as any United States veteran. Access to these services will reflect local circumstances.

Current law does not fully recognize the contributions of Filipino veterans, nor does it provide them equal benefits. The American Legion fully supports legislation that would provide veterans of the Philippine Commonwealth Army, Recognized Guerillas, and New Philippine Scouts, the same wartime status and benefits as American veterans. Resolution No. 295, passed at the 82nd National Convention of The American Legion in Milwaukee, WI, mandates The American Legion -- **To urge the U.S. Congress 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 pleased with the newly enacted laws that now aid certain service-connected disabled Filipino veterans residing in the United States, by expanding their access to health care,

authorizing burial services, and increasing the rates of compensation paid to them, The American Legion believes that this is simply not enough. The ultimate goal is enactment of legislation with appropriate funding to eliminate the inequities between veterans' benefits of Filipino veterans and their American counterparts.

Title 38 United States Code (USC), §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…*

The American Legion fully supports two pending bills affecting Filipino veterans:

- **H.R. 491** (*The Filipino Veterans' Equity Act*) would repeal section 107 of title 38, USC, and grant equal benefits to Filipino veterans.
- **S. 1042** (*The Filipino Veterans Benefits Improvement Act of 2001*) would provide eligibility for VA health care and permanent disability pension benefits to Filipino veterans and provide additional benefits to Filipino veterans residing in the Philippines.

The Filipino soldiers fought valiantly with the United States Armed Forces. 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.