

HOUSE BILL REPORT

SJM 8008

As Reported by House Committee On:
State Government & Tribal Affairs

Brief Description: Asking that the federal government provide veterans' benefits owed to Filipino veterans.

Sponsors: Senators Prentice, Rockefeller, Berkey, Weinstein, Kauffman, Marr, Oemig, Kline, Hobbs, Murray, Poulsen, Rasmussen, Kastama, Shin, Franklin, Hatfield, Sheldon, Kohl-Welles, Jacobsen, Fraser, Pridemore and Kilmer.

Brief History:

Committee Activity:

State Government & Tribal Affairs: 3/16/07, 3/20/07 [DP].

Brief Summary of Bill

- Requests the President and Congress of the United States to amend the Rescission Act of 1946 to restore to Filipino veterans full United States veteran status with military benefits.

HOUSE COMMITTEE ON STATE GOVERNMENT & TRIBAL AFFAIRS

Majority Report: Do pass. Signed by 8 members: Representatives Hunt, Chair; Appleton, Vice Chair; Chandler, Ranking Minority Member; Armstrong, Assistant Ranking Minority Member; Green, Kretz, McDermott and Ormsby.

Staff: Marsha Reilly (786-7135).

Background:

The Commonwealth Army of the Philippines was established in the early 1900s when the United States assumed formal sovereignty over the Philippines. At that time, the United States was preparing for the Philippines to become a sovereign nation. Public Law 73-127, enacted in 1934, required the Commonwealth Army to respond to the call of the President of the United States under certain conditions. On July 26, 1941, President Franklin Roosevelt ordered the Commonwealth Army into the service of the United States Armed Forces of the Far East (USAFFE) where it served throughout World War II.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Among the other military components of the Philippines were the "Old Scouts" or "Regular Scouts," members of a small, regular component of the U.S. Army. Originally formed in 1901, the Regular Philippine Scouts were part of the U.S. Army throughout their existence.

Anticipating the need of local occupational forces in 1945, Congress enacted Public Law 79-190 authorizing the recruitment of 50,000 "new" Philippine Scouts. New Philippine Scouts were Philippine citizens who served with the U.S. Armed Forces with the consent of the Philippine government and served between October 6, 1945, and June 30, 1947.

Another group of Filipinos served as guerrillas in the USAFFE resistance units recognized by and cooperating with the U.S. forces between April 20, 1942, and June 30, 1946, inclusive.

Prior to 1946, the U.S. Department of Veterans Administration (VA) officials considered that Filipino military service met the statutory definition of a U.S. veteran. However, in 1946 Congress passed Public Laws 79-301 and 79-391:

- Public Law 79-301, the First Supplemental Surplus Appropriation Rescission Act, authorized a \$200 million appropriation to the Commonwealth Army of the Philippines, with the provision that service in the Commonwealth Army of the Philippines should not be deemed to have been service in the military or naval forces of the United States.
- Public Law 79-391, the Second Supplemental Surplus Appropriation Rescission Act enacted in 1946, provided that service in the New Philippine Scouts was not deemed U. S. military service.

Generally, Old Philippine Scouts are eligible for VA benefits in the same manner as U.S. veterans. Commonwealth Army veterans, including certain organized Filipino guerrilla forces and New Philippine Scouts residing in the United States who are citizens or lawfully admitted for permanent residence, are also eligible for VA health care in the United States on the same basis as U.S. veterans.

Certain Commonwealth Army veterans and new Philippine Scouts may be eligible for disability compensation and burial benefits. Other veterans of recognized guerrilla groups also may be eligible for certain VA benefits. Survivors of World War II era Filipino veterans may be eligible for dependency and indemnity compensation. Eligibility and the rates of benefits vary based on the recipient's citizenship and place of residence.

Summary of Bill:

The Senate and House of Representatives of the State of Washington petition the President and Congress of the United States to give priority in the issuance of immigrant visas to the descendants of Filipino World War II veterans and to amend the Rescission Act of 1946 to restore to Filipino veterans full United States veteran status with military benefits.

Appropriation: None.

Fiscal Note: Not requested.

Staff Summary of Public Testimony:

(In support) The Department of Veterans Affairs supports this effort on the part of the very distinguished Filipino veterans to get the entitlements that they deserve. The Commission of Asian Pacific American Affairs supports the bill. The \$200 million was denied. There were approximately 600,000 World War II Filipino veterans living in the United States, and now there are only 200,000. In Washington, there are less than 100. In 1990, many Filipino veterans were offered citizenship, but not their families. The mortality rate is about 10 individuals per week. These veterans cannot get medical assistance from veterans hospitals. There are two bills in Congress for purposes of benefits and reunification of these veterans with their families.

Filipino veterans are very old and want their children to be with them. There is a great need to be with family at this point in their lives. It is requested that the bill be passed to help reunite these families.

The International Drop-In Center (Center) supports the bill. The Center's function is primarily to provide day activities to seniors, and many of these seniors are Filipino veterans. The Center is engaged with the Family Unification Act (Act). There is no answer on what happened to the \$200 million, but as a follow-up to this question being asked at a recent meeting in Washington, D.C., it is being researched. Those that live in the Philippines have a difficult time getting medical benefits. The Filipino veterans living in Seattle are living in a little bit better than substandard conditions. Assuming the Act is passed, the Center is looking at how to assist with family member reunification.

(Opposed) None.

Persons Testifying: John Lee, Washington State Department of Veterans Affairs; Ellen Abellera, Commission of Asian Pacific American Affairs; and Benito Valdez, Greg Garcia, and Thelma Sevilla, International Drop-In Center.

Persons Signed In To Testify But Not Testifying: None.