

Department of Legislative Services
Maryland General Assembly
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FISCAL AND POLICY NOTE

House Joint Resolution 6 (Delegate Valderrama, *et al.*)
Rules and Executive Nominations

Filipino World War II Veterans

This joint resolution acknowledges and appreciates the important role played by Filipino veterans in World War II and urges the U.S. Congress to pass the Filipino Veterans Equity Act of 2007. President Bush is also urged to take a more active role in calling for the passage of the federal Act.

Fiscal Summary

State Effect: Requesting the enactment of federal legislation pertaining to Filipino World War II veterans would not affect State finances.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: Federal law denies full VA (Veterans Affairs) benefits to Filipino World War II veterans who served in the Philippine Commonwealth Army, guerrilla service, and the New Philippine Scouts. Veterans serving in the Regular Philippine Scouts are entitled to full VA benefits.

Background: The proposed Filipino Veterans Equity Act of 2007 (S.57 and H.R. 760) will deem certain service performed before July 1, 1946 in the organized military forces of the Philippines and the Philippine Scouts as active military service for purposes of eligibility for veterans' benefits through the U.S. Department of Veterans Affairs. The U.S. Congress has considered similar legislation in prior years.

Federal Benefits to Filipino World War II Veterans

During World War II, Filipino soldiers served in four types of military units: the Regular Philippine Scouts, the Philippine Commonwealth Army, guerrilla service, and the New Philippine Scouts. **Exhibit 1** defines the type of military service performed by each unit.

Regular Philippine Scouts

Veterans of the Regular Philippine Scouts serving before October 6, 1945 are entitled to all VA benefits under the same criteria as apply to any veteran of U.S. military service. Those benefits are paid at the full-dollar rate and their dependents and survivors are entitled to benefits under eligibility rules common to the survivors of all U.S. veterans. In addition, these veterans are eligible for VA health care benefits based upon their status as U.S. veterans.

Other Military Units

Veterans of the Philippine Commonwealth Army, recognized guerilla forces, and the New Philippine Scouts are entitled to compensation for service-connected disabilities. They are not entitled to disability pensions for nonservice-connected disabilities, nor are their survivors entitled to death benefits. Veterans residing outside of the United States are paid at the rate of 50 cents for each dollar, while veterans residing within the United States receive full-dollar rate compensation payments if they are either U.S. citizens or lawfully admitted permanent resident aliens.

The survivors of these veterans who are entitled to Dependency and Indemnity Compensation (for example, if the veteran died during military service) are paid at a rate of 50 cents for each dollar when residing in the Philippines. Survivors residing in the United States and who are either U.S. citizens or lawfully admitted permanent resident aliens are entitled to full-dollar payment.

In addition, Filipino veterans are eligible for VA health care benefits in the United States on the same basis as U.S. veterans if they reside in the United States and are citizens or lawfully admitted for permanent residence. However, Filipino veterans living in the Philippines are ineligible for veteran health care treatment services.

Exhibit 1

Types of Military Service in the Philippines during World War II

Regular Philippine Scouts: Members of a small, regular component of the U.S. Army established in 1901.

Philippine Commonwealth Army: Members were called into service of the U.S. Armed Forces of the Far East (USAFFE). Members served from July 1941 until June 1946.

Guerrilla Service: Members served the USAFFE as resistance units during the Japanese occupation. Members served between April 1942 and June 1946.

New Philippine Scouts: Members were Philippine citizens who served with the U.S. Armed Forces with the consent of the Philippine government. Members served between October 1945 and June 1947.

Source: U.S. Department of Veterans Affairs

History of U.S. and Philippines Relations

The Philippines were under U.S. control from 1898 until 1946, when the island nation received its independence. For three years during World War II, the island was occupied by the Japanese. Filipino soldiers served in a variety of military units during World War II, with some units coming under direct U.S. command and others having no ties to the U.S. military. In 1941, President Roosevelt ordered the Philippine Commonwealth Army into active service under U.S. command. Through the duration of the war, at least 142,000 Filipino soldiers fought in the same manner and under the same commander as other members of the U.S. armed forces.

President Truman acknowledged the contributions of the Philippine people who fought under U.S. command to defend the islands against Japanese occupation. Despite their efforts, in 1946 the U.S. Congress enacted the Rescission Act which denied full U.S. veterans' benefits to Filipino soldiers serving in the Philippine Commonwealth Army, guerrilla service, and the New Philippine Scouts. In recent years, the U.S. Congress has enacted legislation to extend some veterans benefits to these soldiers; however, full U.S. benefits still have not been granted. It is estimated that 20,000 Filipino veterans of World War II are still alive, of whom 5,000 reside in the United States. **Exhibit 2** provides a timeline of important events relating to both U.S. and Philippine relations and federal benefits for Filipino veterans.

Exhibit 2
Important Dates Surrounding Benefits to Filipino Veterans

- 1898 The Philippines became a U.S. possession following the Spanish-American War, in which the islands were ceded from Spain.
- 1935 The Philippines became a self-governing commonwealth and received certain powers over its internal affairs. The U.S. Congress enacted legislation in 1934 which provided a 10-year timeframe for the independence of the nation.
- 1941 President Roosevelt issued an Executive Order calling members of the Philippine Commonwealth Army into the service of the U.S. Armed Forces.
- 1942 Allied forces were over-run and Japan occupied the Philippines.
- 1945 Allied forces defeated Japan and the U.S. regained control of the Philippines.
- 1946 Philippines gained its independence from the U.S.
- 1946 U.S. Congress enacted the Rescission Act which denied full veterans' benefits to Filipino soldiers serving in the Philippine Commonwealth Army, guerrilla forces, and New Philippine Scouts.
- 1973 U.S. Congress enacted legislation permitting the VA to provide medical treatment of service-connected conditions (and nonservice-connected illnesses in certain conditions) for Philippine Army and New Philippine Scout Veterans.
- 2000 U.S. Congress enacted legislation providing full-dollar rate compensation payments to veterans of the Philippine Commonwealth Army or recognized guerrilla forces residing in the U.S. if they are either U.S. citizens or lawfully admitted permanent resident aliens.
- 2003 U.S. Congress enacted legislation providing full-dollar rate compensation payments to veterans of the New Philippine Scouts residing in the U.S. if they are either U.S. citizens or lawfully admitted permanent resident aliens.
- 2003 U.S. Congress enacted legislation expanding DIC benefits to the full-dollar rate for survivors of veterans who served in the Philippine Commonwealth Army, guerrilla forces, or New Philippine Scouts, if the survivor is residing in the United States and is either a U.S. citizen or a legally admitted resident alien.

Source: U.S. Department of Veterans Affairs, U.S. State Department

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): U.S. Department of Veterans Affairs, Congressional Budget Office, U.S. State Department, Department of Legislative Services

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ncs/jr

Analysis by: Hiram L. Burch Jr.

Direct Inquiries to:
(410) 946-5510
(301) 970-5510