

**Testimony by
CONGRESSWOMAN PATSY T. MINK OF HAWAII
Before the Veterans Affairs Health Subcommittee
In Support of Health Care Benefits for Filipino Veterans**

June 13, 2002

Mr. Chairman and Members of the Subcommittee,

I want to thank you for granting me the opportunity to discuss World War II Filipino veterans' health care benefits and to express my strong support for the Health Care for Filipino World War II Veterans Act.

Before World War II, the Philippines had been a U.S. possession for 42 years. Located off the coast of mainland Asia, Filipinos found themselves a short distance from the hostilities that would soon draw the whole world into a war to avenge the bombing of Pearl Harbor, and the atrocities in the European Theater.

The U.S. asked the Philippines to help America fight the long and difficult battles to come. When President Roosevelt issued Military Order No. 1 on July 26, 1941, nearly 200,000 Filipinos responded. They responded without hesitation to defend their homeland and to answer the call for help.

From 1941 to 1945, Filipino soldiers fought alongside American soldiers. They defended Bataan and Corregidor, which helped ensure General MacArthur's ultimate victory. Thousands of Filipino prisoners of war endured the infamous Bataan Death March, and many more died in prisons.

When the Filipino soldiers joined with America in its struggle to defend freedom, the members of the Commonwealth Army expected to receive their benefits at the end of the war. When the Philippines was forced to form guerrilla forces during the Japanese occupation, these brave soldiers also expected to receive their benefits.

After the war, the U.S. Congress established the New Philippine Scouts by enacting the Armed Forces Voluntary Recruitment Act (Public Law 79-190) in October 1945. From 1945 through 1946, the New Philippine Scouts helped defend the Philippines as the nation worked to rebuild itself.

President Roosevelt promised that Filipino veterans would become U.S. citizens and thus have the same benefits given to all other U.S. veterans. In October 1945 General Omar Bradley, Administrator of the Veterans Administration, reaffirmed that they were to be treated like all other American veterans and would receive full benefits. But the U.S. Congress broke this promise to the Commonwealth Army and the recognized guerrilla forces by enacting the Rescission Act (Public Law 79-301). Congress broke the promise to New Philippine Scouts when it passed the Second Rescission Act (Public Law 79-391).

The Rescission Acts stated that the World War II service of Filipinos shall not be deemed to be service in the military or national forces of the U.S. or any component thereof. Exceptions only were given to those who died, were maimed, or were separated from active service due to physical disability.

Since passing the Rescission Acts, the U.S. government has done little or nothing to recognize the service of these World War II Filipino soldiers.

Actions Taken to Improve Filipino Health Benefits

Year	Law	Description
1948	Public Law 80-865	Authorized the construction of the Veterans Memorial Hospital in Manila.
1963	Public Law 88-40	Allowed the Veterans Memorial Hospital in Manila to care for non-service connected conditions of Filipino and U.S. veterans.
1973	Public Law 93-82	Authorized U.S. assistance to help the Philippine government provide medical care to Filipino veterans.
1981	Public Law 97-72	Reauthorized U.S. assistance to help the Philippine government provide medical care to Filipino veterans.
1990	Public Law 101-649	Made certain Filipino veterans who served during World War II eligible for U.S. citizenship.
1999	Public Law 106-169	Expanded U.S. income-based Social Security disability benefits to certain World War II veterans, including Filipino veterans of World War II who served in the organized military forces of the Philippines.

Year	Law	Description
2000	Public Law 106-377	Allowed Commonwealth Army veterans and veterans of the recognized guerrilla forces to receive disability compensation at the full statutory rate and visit VA medical facilities for those disabilities, if they are permanent legal residents.
2000	Public Law 106-419	Provided full burial benefits for Commonwealth Army veterans and veterans of the recognized guerrilla forces if they are permanent residents of the U.S. and meet certain other entitling conditions.

Even after passing multiple bills to correct the injustice of the Rescission Acts, there is still much work to do to help Filipino veterans legally residing in the U.S. New Philippine Scouts are denied most non-health care benefits and all health care benefits for non-service connected injuries. The surviving spouses of veterans from the Commonwealth Army and the guerrilla forces do not receive full dependency and indemnity compensation rates.

VA Benefits for Filipino Veterans Legally Residing in the US

Benefit	Commonwealth Army	Recognized Guerillas	New Philippine Scouts
Health Care for Service Connected Disabilities	Yes*	Yes*	Yes*
Health Care for Non-Service Connected Disabilities	Yes*	Yes*	No
Outpatient Care for Service Connected Disabilities	Yes*	Yes*	Yes*
Outpatient Care for Non-Service Connected Disabilities	Yes*	Yes*	No
Service Connected Disability Compensation	Yes	Yes	Yes (Half Rate)
Non-Service Connected Disability Pension	No	No	No
Dependency and Indemnity Compensation (DIC)	Yes (Half Rate)	Yes (Half Rate)	Yes (Half Rate)
Death Pension	No	No	No
Burial Allowance	Yes	Yes	No

* Subject to enrollment prioritization and resource availability.

I sponsored H.R.594 in the 107th Congress to amend the Social Security Act and allow World War II Filipino veterans to obtain health care benefits through Medicare. Under my bill, qualified World War II Filipino veterans living in the U.S. would be entitled to Medicare Part A benefits and the option to enroll in Part B. With the current veterans' health care system (TRICARE) using Medicare as a primary insurer, my bill would have provided a ready basis for providing full health care benefits to all surviving World War II Filipino veterans living in the U.S.

Congressman Filner has introduced a bill that will provide health care benefits to Filipino veterans living in the US. I am pleased to be a cosponsor of this bill and to hear that the Administration supports it.

Congressman Filner's bill will provide VA medical care to World War II Filipino veterans who live in the U.S. and are U.S. citizens or legal permanent residents. It will provide the full dependency and indemnity compensation (DIC) rates to surviving spouses of Filipino veterans, and the bill includes benefits for New Philippine Scouts.

For more than fifty years Filipino veterans have been denied veterans' benefits they earned during World War II. Fewer than 14,000 Filipino veterans live in the U.S. and that number is rapidly falling. Now is the time to fulfill our obligation to these brave veterans. They are entitled to VA health care benefits same as any other veteran.