

# LATE TESTIMONY

STATE OF HAWAII  
DEPARTMENT OF DEFENSE

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TESTIMONY ON HOUSE CONCURRENT RESOLUTION 109 &  
HOUSE RESOLUTION 91 REQUESTING CONGRESS AND THE PRESIDENT  
OF THE UNITED STATES TO ENACT THE FILIPINO AMERICAN VETERANS  
EQUITY ACT OF 2007, OR SIMILAR LEGISLATION PROVIDING VETERANS  
BENEFITS TO FILIPINO VETERANS WHO SERVED OUR NATION IN WORLD  
WAR II

HOUSE COMMITTEE ON INTERNATIONAL AFFAIRS

MONDAY, MARCH 24, 2008

BY

OFFICE OF VETERANS SERVICES

Good morning Chair Rita Cabanilla, Chair, Vice Chair Karen Awana and  
members of the Committee.

I am Mark Moses, Director of the Office of Veterans Services, I support  
the intent of HCR 109/HR 91. However, I must clarify the actions of United  
States forces in the Philippines referenced in ~~House Concurrent Resolution 109~~ *Both*  
At line 14 the Resolution states that on April 9, 1942, the United States retreated  
from the Philippines. This characterization of United States actions should be  
amended. The following is an accurate chronology of events:

- On February 22, 1942, President Roosevelt ordered General MacArthur to leave  
the Philippines.
- On March 11, 1942, General MacArthur left Corregidor, vowing, "I shall return".  
General Wainwright became the new U.S. Commander in the Philippines.
- On April 9, 1942, against overwhelming enemy force, U.S. forces on Bataan  
surrendered to Japanese forces.
- On May 6, 1942, Japanese forces took Corregidor. General Wainwright  
unconditionally surrendered all U.S. and Filipino forces in the Philippines.

Regarding the Bataan Death March referenced at line 15 of ~~H.C.R. 109~~, it is  
important to note that any survivors of this atrocity and subsequent incarceration  
will be eligible for a VA POW Protocol Exam, which considers a host of physical  
and psychological injuries that POWs experience. It is very likely that any  
veteran with injuries suffered in this atrocity will be granted service connection for  
disabilities related to these experiences.

Regarding benefits for World War II Philippine Veterans that exist at this time. It  
is important to note that veterans of the Commonwealth Army, Special Philippine

Scouts, and organized Guerillas are eligible for Disability Compensation payable to a veteran with service-connected conditions rated at ten percent or more. A ten percent service-connected rating could include an injury that is moderately disabling. Examples of this are moderate hearing loss, painful scarring, and minor skin conditions. Higher ratings are assigned based upon the severity of disability. All veterans are rated on the same criteria for service-connected conditions. A zero percent service-connected rating (non-compensable) will likely be assigned for injuries or conditions that occurred in service but that are not disabling at the present time. This rating may increase if medical evidence shows that the injury/condition is disabling in the future.

World War II Philippine Veterans noted above are also eligible for VA health care benefits at VA medical facilities if the veteran resides in the United States. Additionally, these veterans are entitled to clothing allowances if their condition requires it based on medical needs. Examples are clothing related to prosthetic limbs or orthopedic needs.

The survivors of World War II Philippine Veterans are potentially entitled to Dependency and Indemnity Compensation. This benefit is payable to eligible surviving spouses, children, and dependent parents if the veteran died in service, or dies due to service-connected conditions. Additionally, burial allowance, including interment in a national or state veterans' cemetery, headstone or marker, and military burial honors are available for deceased WWII Philippine veterans. Please see the attached informational sheets for additional details of all programs outlined above.

The key program that World War II Philippine Veterans are not eligible for is Pension for low-income war veterans with non-service connected disabilities. The related program that survivors are ineligible for is Death Pension. These pensions are for low-income survivors of veterans with wartime service. The Office of Veterans' Services sees no reason for this disparity and fully supports the principles of Equity enumerated in the Filipino American Veterans' Equity Act of 2007.

This concludes my testimony, thank you.

**Which Filipino Veterans Are Eligible for Benefits?**

Filipino veterans with service in one of the following military forces may establish eligibility to VA benefits:

- Armed Forces of the United States.
- Commonwealth Army of the Philippines with service from July 26, 1941 through June 30, 1946 while the Commonwealth Army was in the Armed Forces of the United States.
- Regular Philippine Scouts who enlisted prior to October 6, 1945.
- Insular Force of the U.S. Navy.
- Special Philippine Scouts who enlisted between October 6, 1945 and June 30, 1947.
- Guerilla with service prior to July 1, 1946.

**What Type of Monetary Benefits Are Available?**

Service-connected disability compensation, non service-connected pension, and a clothing allowance are the three benefits available to Filipino veterans.

**Compensation** is a monthly payment to a veteran disabled by an injury or a disease incurred or aggravated on active service. You must have been discharged under *other than dishonorable* conditions to be eligible, and must currently suffer from disabling symptoms to receive compensation.

**Pension** is a benefit paid to wartime veterans with limited income, and who are permanently and totally disabled or age 65 or older.

**Clothing allowance** is an annual payment to a veteran, if he/she has a service-connected disability or condition that requires the veteran to wear or use a prosthetic or orthopedic device that wears out or tears clothing. The clothing allowance may also be paid if physician-prescribed medication for a service-connected skin condition causes irreparable damage to clothing.

The following table details which benefits are available based on the type of service performed. Benefits are payable at a rate of \$.50 (half rate) or \$1.00 (full rate) for each dollar authorized. Unless otherwise noted, payment is made at the full rate.

<i>Veteran Benefits</i>			
Type of Service	Compensation	Pension	Clothing Allowance
Armed Forces of the U.S.	Yes	Yes	Yes
Regular Philippine Scouts and Insular Force of the U.S. Navy	Yes	Yes	Yes
Special Philippine Scouts	Yes <i>Full rate payments for U.S. residents; half rate payments for non-U.S. residents</i>	No	Yes
Commonwealth Army of the Philippines	Yes <i>Full rate payments for U.S. residents; half rate payments for non-U.S. residents</i>	No	Yes – Half Rate
Guerilla	Yes <i>Full rate payments for U.S. residents; half rate payments for non-U.S. residents</i>	No	Yes – Half Rate

**What Type of Health Care Benefits Are Available?**

VA provides hospital, nursing home, and outpatient medical care to certain Filipino veterans in the same manner such care is provided to U.S. veterans. Regular Philippine Scouts are eligible for health care benefits based on their status as U.S. veterans. Commonwealth Army, Special Philippine Scouts, and Guerilla veterans are eligible for health care benefits in the U.S. on the same basis as U.S. veterans if they reside in the U.S. and are citizens or are lawfully admitted for permanent residence.

**For More Information, Call Toll-Free 1-800-827-1000  
or Visit Our Web Site at <http://www.va.gov>.**

## Benefits for Survivors of Filipino Veterans

### Survivors of Which Filipino Veterans Are Eligible for Benefits?

Survivors of Filipino veterans who had service in one of the following military forces may establish eligibility to VA benefits:

- Armed Forces of the United States.
- Commonwealth Army of the Philippines with service from July 26, 1941 through June 30, 1946 while the Commonwealth Army was in the Armed Forces of the United States.
- Regular Philippine Scouts who enlisted prior to October 6, 1945.
- Insular Force of the U.S. Navy.
- Special Philippine Scouts who enlisted between October 6, 1945 and June 30, 1947.
- Guerilla with service prior to July 1, 1946.

### What Type of Benefits Are Available?

Dependency and Indemnity Compensation, Death Pension, Burial Allowance, and Burial Flag are four benefits available to survivors of certain Filipino veterans.

**Dependency and Indemnity Compensation (DIC)** is a monthly benefit payable to eligible surviving spouses, children, and parents if the veteran died in service or died due to a sickness or injury that incurred in service.

**Death Pension** is a benefit paid to eligible dependents, of deceased wartime veterans, who have limited income.

**Burial Allowance** is a partial reimbursement of an eligible veteran's burial and funeral costs. Eligibility to the burial allowance includes eligibility to the plot-internment allowance. Additional burial benefits available include internment in a national cemetery, a government provided headstone or marker, and a Presidential Memorial Certificate.

**Burial Flag** is a U.S. flag that is provided, at no cost, to drape the casket or accompany the urn of a deceased veteran who served honorably in the U. S. Armed Forces. The flag is given to the next-of-kin after the service.

The following table details which benefits are available based on the type of service the veteran performed. Benefits are payable at a rate of \$.50 (half rate) or \$1.00 (full rate) for each dollar authorized. Unless otherwise noted, payment is made at the full rate.

Survivor Benefits				
Type of Service	DIC	Death Pension	Burial Allowance	Burial Flag
Armed Forces of the U.S.	Yes	Yes	Yes	Yes
Regular Philippine Scouts and Insular Force of the U.S. Navy	Yes	Yes	Yes	Yes
Special Philippine Scouts	Yes <i>Full rate payments for U.S. residents; half rate payments for non-U.S. residents</i>	No	Yes	No
Commonwealth Army of the Philippines	Yes <i>Full rate payments for U.S. residents; half rate payments for non-U.S. residents</i>	No	Yes <i>Full rate payments for U.S. residents; half rate payments for non-U.S. residents</i>	Yes
Guerilla	Yes	No	Yes	Yes

**Note:** Surviving children are eligible for Dependents' Educational Assistance. Payments are made at the half rate. Surviving spouses are not eligible for this benefit.

**For More Information, Call Toll-Free 1-800-827-1000  
or Visit Our Web Site at <http://www.va.gov>.**



## Burial Flags Furnished by VA

VA will furnish a U.S. burial flag for memorialization of:

1. Veterans who served during wartime or after Jan. 31, 1955.
2. Veterans who were entitled to retired pay for service in the reserves, or would have been entitled if over age 60.
3. Members or former members of the Selected Reserve who served their initial obligation, or were discharged for a disability incurred or aggravated in line of duty, or died while a member of the Selected Reserve.

## Reimbursement of Burial Expenses

VA will pay a burial allowance up to \$2,000 if the veteran's death is service-connected. In such cases, the person who bore the veteran's burial expenses may claim reimbursement from VA.

In some cases, VA will pay the cost of transporting the remains of a service-connected veteran to the nearest national cemetery with available gravesites. There is no time limit for filing reimbursement claims in service-connected death cases.

**Burial Allowance:** VA will pay a \$300 burial and funeral allowance for veterans who, at time of death, were entitled to receive pension or compensation or would have been entitled if they weren't receiving military retirement pay. Eligibility also may be established when death occurs in a VA facility, a VA-contracted nursing home or a state veterans nursing home. In non service-connected death cases, claims must be filed within two years after burial or cremation.

**Plot Allowance:** VA will pay a \$300 plot allowance when a veteran is buried in a cemetery not under U.S. government jurisdiction if: the veteran was discharged from active duty because of disability incurred or aggravated in the line of duty; the veteran was receiving compensation or pension or would have been if they weren't receiving military retired pay; or they died in a VA facility.

The \$300 plot allowance may be paid to the state for the cost of a plot or interment in a state-owned cemetery reserved solely for veteran burials if the veteran is buried without charge. Burial ex-

penses paid by the deceased's employer or a state agency will not be reimbursed.

## Military Funeral Honors Provided by DOD Upon Request at Veterans' Funerals

Upon request, DOD will provide military funeral honors consisting of folding and presentation of the United States flag and the playing of "Taps." A funeral honors detail consists of two or more uniformed members of the armed forces, with at least one member from the deceased's branch of service.

Family members should inform their funeral directors if they want military funeral honors. DOD maintains a toll-free number (1-877-MIL-HONR) for use by funeral directors only to request honors. VA can help arrange honors for burials at VA national cemeteries. Veterans' service organizations or volunteer groups may help provide honors. For more information, visit <http://www.militaryfuneralhonors.osd.mil/>.

## Veterans Cemeteries Administered by Other Agencies

**Arlington National Cemetery:** Administered by the Department of the Army. Eligibility is more restrictive than at VA national cemeteries. For information, call (703) 607-8000, write Superintendent, Arlington National Cemetery, Arlington, VA 22211, or visit <http://www.arlington-cemetery.org/>.

**State Veterans Cemeteries:** Sixty-three state veterans cemeteries offer burial options for veterans and their families. These cemeteries have similar eligibility requirements but usually require some residence. Some services, particularly for family members, may require a fee. Contact the state cemetery or state veterans affairs office for information. To locate a state veterans cemetery, visit <http://www.cem.va.gov/cem/scg/lsvc.asp>.

**Department of the Interior:** Administers two active national cemeteries: Andersonville National Cemetery in Georgia and Andrew Johnson National Cemetery in Tennessee. Eligibility is similar to VA cemeteries.

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*Kanani Kaaiawahia Bulawan*

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**To: Rep. R. Cabanilla, Chair  
Rep. K. Awana, Vice-Chair  
Committee on International Affairs**

**Fr: Kanani Kaaiawahia Bulawan,  
Dependant of a Filipino Immigrant and a Private Citizen**

**Re: Hearing Date: March 24, 2008  
Time of Hearing: 9:30am  
Place of Hearing: Rm 329**

**Full Support of HCR109 & HR 91:  
To enact the Filipino American Veterans Equity Act of 2007**

Cumusta and Aloha Chair, Vice-Chair and members of the committee:

I'm Kanani Kaaiawahia Bulawan, a child of Filipino immigrant who came here to Hawaii in 1922 as a plantation worker and also a child of a Hawaiian mother.

I'm in support of this resolution requesting the US President and the State of Hawaii to enact the Filipino-American Veteran's Equity Act of 2007 or a form of recognition to the Filipinos who sacrifice their lives to making the freedom in the world as we know it today. Fortunately for my father, he was already in Hawaii at the time of war in which the great speech of Gen. McArthur was stated "I shall return". In the myth of this statement, it would be true on all levels that he did return and the Filipinos are given equal status as that of Americans during that period of time in history.

Thank you for allowing me this time to submit my testimony and **request your favor to support this measure.** For more information I can be contacted at 696-1654.

Mabuhay and Mahalo,

March 24, 2007

TESTIMONY  
HCR 109/HR91  
Committee on International Affairs

Good morning, my name is Erwin Gabrillo. This is a written testimony in support for HCR 109/HR91 relating to the American Veterans Equity Act of 2007 for our Filipino veterans who served our Nation during WWII. As a son of a Filipino Veteran, I urge you to pass this resolution.

Mahalo,

Erwin Gabrillo  
1626 Akahi St.  
Honolulu, HI 96819

## **TESTIMONY IN SUPPORT OF HCR109 & HR91**

I am in strong support of HCR109 & HR91, to urge U.S. Congress to enact the Veterans Equity Act of 2007. We should recognize the Filipino Veterans who defended our Country during World War II.

Our Filipino soldiers and scouts helped turn the war in favor of the United States and together with U.S. Forces protected our military striking ability in the Pacific during World War II.

The people of Hawaii would love to honor our outstanding Filipino Veterans, many of whom are in their 80's or 90's. Thus, it's important that we pass the Veterans Equity Act of 2007 to justly provide these veterans their due benefits.

I ask that you pass these resolutions to recognize and honor a part of U.S. Military History, our Filipino Veterans.

Edgar Fernandez  
Private Citizen & Resident of Hawaii



**TESTIMONY IN SUPPORT OF HCR109 & HR91**

I support HCR109 & HR91, to enact the Veterans Equity Act of 2007. We should recognize the Filipino Veterans who defended our Country during World War II.

After the attack on Pearl Harbor, over 200,000 Filipino Soldiers were called to serve for the U.S. Military.

Our Filipino soldiers and scouts helped turn the war in favor of the United States and together with U.S. Forces protected our military striking ability in the Pacific during World War II.

The people of Hawaii would love to honor our outstanding Filipino Veterans, many of whom are in their 80's or 90's. Thus, it's important that we pass the Veterans Equity Act of 2007 to justly provide these veterans their due benefits.

I ask that you pass these resolutions to recognize and honor a part of U.S. Military History, our Filipino Veterans.

Josephine Besario  
Resident of Hawaii

TESTIMONY OF FAUSTINO LAMORENA, JR. IN SUPPORT OF HCR 109/HR 91,  
REQUESTING CONGRESS AND THE PRESIDENT OF THE UNITED STATES TO  
ENACT THE FILIPINO AMERICAN VETERANS EQUITY ACT OF 2007 OR  
SIMILAR LEGISLATION PROVIDING VETERAN BENEFITS TO THE FILIPINO  
VETERANS WHO SERVED OUR NATION IN WORLD WAR II.

Madam Chair and Members of the Committee, my name is Faustino Lamorena, Jr., and I am testifying in support of HCR 109 and HR 91. My father was a Filipino World War II veteran and until his demise, he was not able to reap the fruits of his sacrifices in fighting side by side with the American soldiers in fighting the Japanese. Many have died during the war for fighting freedom from the occupying Japanese forces and may the ones that are still alive who are still waiting and hoping that their efforts will soon be rewarded. Enacting the Filipino American Veterans Equity Act of 2007 or any similar legislation is the answer to their quest to be rewarded what they deserved.

Thank you and we urge you to please pass this resolutions.

Faustino Lamorena, Jr.  
Resident of Hawaii