

110TH CONGRESS  
2D SESSION

# H. R. 6897

To authorize the Secretary of Veterans Affairs to make certain payments to eligible persons who served in the Philippines during World War II.

---

## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 15, 2008

Mr. FILNER introduced the following bill; which was referred to the Committee on Veterans' Affairs

---

## A BILL

To authorize the Secretary of Veterans Affairs to make certain payments to eligible persons who served in the Philippines during World War II.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Filipino Veterans Eq-  
5       uity Act of 2008”.

6       **SEC. 2. FINDINGS.**

7       Congress makes the following findings:

8               (1) The Philippine islands became a United  
9       States possession in 1898 when they were ceded  
10       from Spain following the Spanish-American War.

1           (2) During World War II, Filipinos served in a  
2 variety of units, some of which came under the di-  
3 rect control of the United States Armed Forces.

4           (3) The regular Philippine Scouts, the new  
5 Philippine Scouts, the Guerilla Services, and more  
6 than 100,000 members of the Philippine Common-  
7 wealth Army were called into the service of the  
8 United States Armed Forces of the Far East on  
9 July 26, 1941, by an executive order of President  
10 Franklin D. Roosevelt.

11           (4) Even after hostilities had ceased, wartime  
12 service of the new Philippine Scouts continued as a  
13 matter of law until the end of 1946, and the force  
14 gradually disbanded and was disestablished in 1950.

15           (5) Filipino veterans who were granted benefits  
16 prior to the enactment of the so-called Rescissions  
17 Acts of 1946 (Public Laws 79-301 and 79-391)  
18 currently receive full benefits under laws adminis-  
19 tered by the Secretary of Veterans Affairs, but  
20 under section 107 of title 38, United States Code,  
21 the service of certain other Filipino veterans is  
22 deemed not to be active service for purposes of such  
23 laws.

24           (6) These other Filipino veterans only receive  
25 certain benefits under title 38, United States Code,

1 and, depending on where they legally reside, are paid  
2 such benefit amounts at reduced rates.

3 (7) The benefits such veterans receive include  
4 service-connected compensation benefits paid under  
5 chapter 11 of title 38, United States Code, depend-  
6 ency indemnity compensation survivor benefits paid  
7 under chapter 13 of title 38, United States Code,  
8 and burial benefits under chapters 23 and 24 of title  
9 38, United States Code, and such benefits are paid  
10 to beneficiaries at the rate of \$0.50 per dollar au-  
11 thorized, unless they lawfully reside in the United  
12 States.

13 (8) Dependents' educational assistance under  
14 chapter 35 of title 38, United States Code, is also  
15 payable for the dependents of such veterans at the  
16 rate of \$0.50 per dollar authorized, regardless of the  
17 veterans' residency.

18 **SEC. 3. PAYMENTS TO ELIGIBLE PERSONS WHO SERVED IN**

19 **THE PHILIPPINES DURING WORLD WAR II.**

20 (a) COMPENSATION FUND.—

21 (1) IN GENERAL.—There is in the general fund  
22 of the Treasury a fund to be known as the “Filipino  
23 Veterans Equity Compensation Fund” (in this sec-  
24 tion referred to as the “compensation fund”).

1           (2) AVAILABILITY OF FUNDS.—Subject to the  
2           availability of appropriations for such purpose,  
3           amounts in the fund shall be available to the Sec-  
4           retary of Veterans Affairs without fiscal year limita-  
5           tion to make payments to eligible persons in accord-  
6           ance with this section.

7           (b) PAYMENTS.—During the one-year period begin-  
8           ning on the date of the enactment of this Act, the Sec-  
9           retary shall make a payment to an eligible person who,  
10          during such period, submits to the Secretary an applica-  
11          tion containing such information and assurances as the  
12          Secretary may require.

13          (c) ELIGIBLE PERSONS.—An eligible person is any  
14          person who served—

15                (1) before July 1, 1946, in the organized mili-  
16                tary forces of the Government of the Commonwealth  
17                of the Philippines, while such forces were in the  
18                service of the Armed Forces of the United States  
19                pursuant to the military order of the President  
20                dated July 26, 1941, including among such military  
21                forces organized guerrilla forces under commanders  
22                appointed, designated, or subsequently recognized by  
23                the Commander in Chief, Southwest Pacific Area, or  
24                other competent authority in the Army of the United  
25                States; or

1           (2) in the Philippine Scouts under section 14 of  
2           the Armed Forces Voluntary Recruitment Act of  
3           1945 (59 Stat. 538).

4           (d) PAYMENT AMOUNTS.—Each payment under this  
5           section shall be—

6           (1) in the case of an eligible person who is not  
7           a citizen of the United States, in the amount of  
8           \$9,000; and

9           (2) in the case of an eligible person who is a  
10          citizen of the United States, in the amount of  
11          \$15,000.

12          (e) LIMITATION.—The Secretary may not make more  
13          than one payment under this section for each person de-  
14          scribed in subsection (f).

15          (f) ELIGIBILITY OF INDIVIDUALS LIVING OUTSIDE  
16          THE UNITED STATES ENTITLED TO CERTAIN SOCIAL SE-  
17          CURITY BENEFITS.—Receipt of a payment under this sec-  
18          tion shall not affect the eligibility of an individual residing  
19          outside the United States to receive benefits under title  
20          VIII of the Social Security Act (42 U.S.C. 1001 et seq.)  
21          or the amount of such benefits.

22          (g) REPORTS.—The Secretary shall include, in docu-  
23          ments submitted to Congress by the Secretary in support  
24          of the President's budget for each fiscal year in which pay-  
25          ments are made from the compensation fund under this

1 section, detailed information on the operation of the com-  
2 pensation fund, including the number of applicants, the  
3 number of eligible persons receiving benefits, the amounts  
4 paid out of the compensation fund, and the administration  
5 of the compensation fund.

6 (h) REGULATIONS.—Not later than 90 days after the  
7 date of the enactment of this Act, the Secretary shall pre-  
8 scribe regulations to carry out this section.

9 (i) AUTHORIZATION OF APPROPRIATION.—There is  
10 authorized to be appropriated to the compensation fund  
11 \$198,000,000, to remain available until expended, to make  
12 payments under this section.

○