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Authority md 883078

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# GUERRILLA ROSTERS

## GRLA RECOGNITION PROGRAM IN THE PHILIPPINES

GRLA -22

DECLASSIFIED  
Authority nnd 883078

G2-FLEAA

Philippine Request for Copies of Guerrilla Unit  
Records

TAGO

G-2, FLO  
2E 549

14 April 55  
Lt Col St Onge/74182/per

The inclosed correspondence is forwarded for information upon which to base a reply.

FOR THE ASSISTANT CHIEF OF STAFF, G-2:

1 Incl  
Cy of ltr fr Phil. AF/A  
dtd 12 Apr 55 (in dup)

JOHN A. NORRIS, JR.  
~~ROY W. GOLE, JR.~~  
Colonel, GS  
Chief, Foreign Liaison Office

6  
091713

AGAZ (14 Apr 55)

TO Asst Chief of Staff, G-2 FROM TAG  
ATTN: Chief, Fgn Ln Ofc

DATE 2 MAY 1955 COMMENT NR 2  
Mr Belnap/71984

1. Copies of the approved guerrilla rosters relating to the guerrilla recognition program in the Philippines, are in the possession of the Chief of Staff, Armed Forces of the Philippines and the U. S. Veterans Administration Regional Office, Manila.
2. The guerrilla recognition program terminated on 30 June 1948. Since that date great pressure has been exerted on the United States by the government of the Philippines and by Filipinos to reopen and extend the program. However, no authority exists to alter, amend or modify previous decisions and determinations pertaining to that program.
3. The basic communication refers to guerrilla rosters which were either acted upon unfavorably or were revoked for various reasons. All of this material is considered classified and should not be released. If such information were released many individuals would use it in an attempt to support requests for reconsideration, reinvestigation and extension of guerrilla recognition. This office strongly opposes the release of the data requested.

(4 copies)

1 Incl  
n/c



JOHN A. KLEIN  
JOHN A. KLEIN  
Major General, USA  
The Adjutant General

EBB  
JAM

FILE IN MPRC

Mr. R. D. ...

April 12, 1955

April 12, 1955

Mr. .../71984

File Recognition Program

The Foreign Liaison Officer  
Office of the Assistant Chief of Staff, G-2  
Department of the Army  
The Pentagon  
Washington 25, D. C.

Sir:

Attached hereto is a proposed draft of document which has been criticized from numerous  
Number 2.

For reference and record purposes, the Philippine  
Veterans Board of the Philippine Government desires to  
have certain records on the different guerrilla units  
in the Philippines. It is believed that the records  
desired are being maintained at the Military Personnel  
Records Center at St. Louis, Missouri.

It will be highly appreciated if through your  
good offices, certified true copies of the following there-  
could be furnished this office for transmittal to the  
Philippines:

- (1) Rosters and their supplements (living and deceased) of the various guerrilla units as submitted to the defunct Guerrilla Affairs Division, PHILBYCOM, U. S. Army on or before June 30, 1948:
  - (a) For recognition but were not recognized;
  - (b) of units previously recognized but whose recognitions were later on revoked;
  - (c) of units recognized but later on reconstructed or revised deleting names previously appearing in original rosters;
- (2) Unacted and disapproved individual requests for recognition (living and deceased);
- (3) Historical and accomplishment records of guerrilla units described in (a), (b), and (c) above.

Thanking you for this and past favors, I remain,

Sincerely yours,

*[Signature]*  
CARLOS S. ALBERT  
Captain, PN, AFP  
Armed Forces Attache



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Authority and 883078

1 NAME OR TITLE Mr. R. B. Belnap	INITIALS	CIRCULATE
ORGANIZATION AND LOCATION Admin Ser Div, TAGO	DATE	COORDINATION
2		FILE
		INFORMATION
3		NECESSARY ACTION
		NOTE AND RETURN
4		SEE ME
		SIGNATURE

DATE:

COMMENT NR. 2  
Mr. Belnap/71984

Guerrilla Recognition Program

and they are "Classified"

REMARKS Attached hereto is a recommended draft of Comment Number 2.

The request refers to guerrilla rosters that were either not favorably acted on or those revoked for various reasons. All of this particular material is considered classified.

Release of this information would place in the hands of many individuals data on which they in turn would use in an attempt to support a request for reconsideration, reinvestigation and extension of guerrilla recognition.

Without regard to the classified nature and the adverse effect of it's release, the records are of such voluminous quantity that the clerical time spent in research and reproduction necessary to compile copies of desired documents would be of considerable magnitude and expense. Such copies of the requested material as may result would be of no value to either individuals

has been criticized from numerous

sources of information relating

to a controversy with adverse

effects on the Army. It is there-

Major General, USA  
General

FROM NAME OR TITLE Mr. Alexander T. Iorio, Jr.	DATE 22 Apr 55
ORGANIZATION AND LOCATION MPCRC, RPRB, TAGO	TELEPHONE 690

DD FORM 1 FEB 50 95

Replaces DA AGO Form 895, 1 Apr 48, and AFHQ Form 12, 10 Nov 47, which may be used.

16-48487-4 GPO

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Authority and 883078

1 NAME OR TITLE		INITIALS	CIRCULATE
Mr. R. B. Belnap			
ORGANIZATION AND LOCATION		DATE	COORDINATION
Admin Ser Div, TAGO			
2			FILE
			INFORMATION
3			NECESSARY ACTION
			NOTE AND RETURN
4			SEE ME
			SIGNATURE

REMARKS

involved or to interested Philippine Government Agencies, in regard to service claims with the United States Government.

Copies of the approved rosters are in the possession of the Chief of Staff, Armed Forces of the Philippines and the U. S. Veterans Administration Regional Office, Manila. These rosters are the only rosters authorized to be used in connection with recognized guerrilla service.

FROM NAME OR TITLE	DATE
Mr. Alexander T. Iorio, Jr.	22 Apr 55
ORGANIZATION AND LOCATION	TELEPHONE
MPRC, RPRB, TAGO	690

DD FORM 95 1 FEB 50 Replaces DA AGO Form 895, 1 Apr 48, and AFHQ Form 12, 10 Nov 47, which may be used. 16-48487-4 GPO

DATE: COMMENT NR. 2  
Mr. Belnap/71984

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and they are "Classified"

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sure of information relating  
controversy with adverse  
of the Army. It is there-

IN, Major General, USA  
t General

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Authority and 883078

D R A F T

TO: Asst Chief of Staff, G-2 FROM: The Adjutant General DATE:  
ATTN: Chief, Fgn Ln 0

COMMENT NR. 2  
Mr. Belnap/71984

1. The request refers to files relating to the Guerrilla Recognition Program in the Philippines, concerning activities of World War II and they are "Classified" information.

2. The Guerrilla Recognition Program has periodically been critized from numerous sources and controversial issues have developed. Disclosure of information relating to these records would contribute to additional points of controversy with adverse effect on American prestige, specifically the Department of the Army. It is therefore recommended that the request be denied.

JOHN A. KLEIN, Major General, USA  
The Adjutant General

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71  
9 Apr 42  
1 Jul

FOR OFFICIAL USE ONLY  
25 Jan 43

Mr. U. S. McCall:

DESCRIPTION OF TERMS FOR TYPE OF SERVICE PERFORMED

I think it is important at this time while you are giving information to Mr. Tague's Committee.

2. A. USAFFE - This term is administratively applied, for classification identity, to those members of the Philippine Army who were inducted for service with the Armed Forces of the United States in the Philippines. (United States Army Forces in the Far East). Such service commenced on or before the surrender of these forces on 6 May 1942.

B. USAFFE GUERRILLAS - This term applies to those USAFFE members who were recognized by the United States Army as manifested on Initial Reconstructed Rosters, Casualty Rosters of recognized Guerrilla Units, or in letters of individual casualty recognition or non-casualty recognition. These individuals did have military service with the Armed Forces of the United States on or before 6 May 1942 and subsequent thereto had service in the guerrilla forces.

C. RECOGNIZED CIVILIAN GUERRILLAS - This term applies to personnel recognized by the United States Army as manifested on Initial Reconstructed Rosters or Casualty Rosters of recognized guerrilla units, or in letters of individual casualty recognition or non-casualty recognition. These individuals did not have military service with the Armed Forces of the United States prior to 7 May 1942 but only subsequent service in the guerrilla forces.

D. CURRENT ENLISTEES - This term applies to those individuals who being neither a USAFFE nor a Recognized Civilian Guerrilla entered into a valid enlistment in the Commonwealth Army on or after the liberation of the Philippines from the enemy in 1945 but prior to 1 July 1946.

5. What I am worried about is that we sit here and say a person's name must be on the approved Guerrilla Affairs Division rosters in order to be certified as a recognized guerrilla. The law took care of the VA 1947 decision but not us.

6. Please look this over and if you say everything is okay, then I'm satisfied. I don't want to sit down here and keep you in the dark.

Thanks,

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GHQ  
SWPA

Title 38 - P1 45-46  
P9 8-9  
Imagine DAV - Phil. Army Success  
30 Apr 57



Mr. O. D. McCool:

1. This concerns the question "Who is a recognized guerrilla?" I think it is important at this time while you are giving information to Mr. Teague's Committee.

2. Let's start at the beginning:

a. Please note page 5 and 6 of Administrators Decision VA No. 746 (copy attached). It is one of their definitions of "active service" for VA benefits.

b. The original law on Philippine Army for U. S. benefits was Public Law 79-301 (60 Stat 14). This was amended by Public Law 80-241 and by Public Law 84-881 (70 Stat 857) (70 Stat 862). Then came Public Law 85-56 (71 Stat 83) with a slight change and which repealed Public Law 79-301.

*Print.* c. Title 38 US Code (Public Law 85-857) House Committee Report Nr. 240 Veterans Benefits is a codification of all laws in the field of Veterans Affairs coming within the jurisdiction of the Committee on Veterans Affairs. Under this Title 38, it shows Public Law 85-56 is repealed (except for portions not related to this subject).

3. It appears that Title 38 is now the law. Note the wording "including among such military forces organized guerrilla forces under commanders appointed, designated or subsequently recognized by the Commander in Chief, etc". This law does not say --Those persons granted recognition by the Commander in Chief or the Department of Army. (Attached are the copies of appropriate pages from Title 38.) Please note they even give a definition of the term "Commonwealth Army Veteran".

4. Also attached is a copy of a Filipino magazine someone sent us. Please note the story beginning on page 5.

5. What I am worried about is that we sit here and say a person's name must be on the approved Guerrilla Affairs Division rosters in order to be certified as a recognized guerrilla. The law took care of the VA 1947 decision but not us.

6. Please look this over and if you say everything is okay, then I'm satisfied. I don't want to sit down here and keep you in the dark.

Thanks,

*Adm Dec VA No 746*

*PL 85-56*

*Title 38 - pg 45-46  
pg 8-9*

*Fil Magazine DAV - PHILIANS "Success"  
30 Apr 59.*

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SECURITY INFORMATION

Elements of Proof Required to Establish USAFFE Status:

If veteran was a member of the USAFFE, you must submit evidence to support induction and service.

Such evidence should consist of the original copy of any military record you may have in your possession which proves or tends to prove that the veteran was in the active military service of the Philippine Army or Philippine Constabulary in 1941-42. This may be one (or more) of the following or similar documents:

- Troop rosters dated 1941 or 1942.
- General or Special Orders dated 1941 or 1942 showing assignment, transfer, promotion, demotion, etc.
- Record of enlistment in 1941 or 1942.
- Certificate of induction into the USAFFE.
- Receipt for Soldier's Deposit in 1941 or 1942.
- Diploma or certificate of completion of Pre-War military training.
- Orders calling reservist to active duty in 1941 or 1942.
- Original service records, medical records, etc. in 1941 or 1942.
- Guarantor's receipt for released Prisoner of War.

Do not send photostats or true copies of documents. Do not send the Decree of Final Distribution of Arrears in Pay.

In addition to the above, submit evidence in the form of affidavits from persons who served in the army with the veteran.

Such affidavits may consist of the following:

Affidavits in triplicate of at least two members of the USAFFE who belonged to the same unit, not larger than a regiment, as the deceased and who have personal knowledge of the military service of the deceased in the USAFFE. The affidavits must state the deceased's rank and organization, the date and place of his induction into the USAFFE, the name of the inducting officer and the military activities of the veteran from the date of induction until the date veteran was last seen by the affiants.

Each affiant must state his own USAFFE rank and organization, his Army Serial Number and date of his induction into the USAFFE. Affidavits of persons who do not furnish this information will not be

~~SECRET~~

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Each affiant must state his own USAFFE rank and organization, his Army Serial Number and date of his induction into the USAFFE. Affidavits of persons who do not furnish this information will not be considered.

In each case, the affidavits must be based on the affiant's personal knowledge (i.e., the affiant must have been a personal witness to the facts attested to). The affiants must also explain clearly how they came to have knowledge of the facts attested to.

It is important that these affidavits be subscribed and sworn to before a duly appointed or authorized oath administering officer. Any affidavit not properly signed and sworn will be considered invalid.

Do not send another affidavit signed by a person who had already executed an affidavit which you have previously submitted to RPD or AGRD in support of subject's alleged military service.



~~SECRET~~  
SECURITY INFORMATION

11633

11633

The Ambassador of the Philippines presents his compliments to His Excellency the Acting Secretary of State and has the honor to inform him of the receipt of the rosters containing the names of persons granted recognition by the United States Army for their guerrilla activities in the Philippines during World War II which were shipped to his Mission by registered mail by the Adjutant General, Department of the Army, St. Louis 14, Missouri.

The Ambassador of the Philippines wishes to thank His Excellency for his assistance in this matter and further requests him to extend the same expression of thanks to the Adjutant General, Department of the Army.

February 29, 1960.

C O P Y

AGAZ

Philippine Claims Handled by JAGO

TJAG

TAG, Admin Svc Div

4 August 1953

ATTN: Claims Ln Office  
LtCol Taylor  
Room 3E 336

Lt Col Shaw/73926

1. Reference Memorandum to Claims Liaison Office from Personnel Claims Branch, 10 July 1953, subject: "AUS Status of Philippine Army and Philippine Scouts Units." Reference memorandum had attached as Inclosure 1, a copy of letter from Claims Division to Military Personnel Records Center, 10 June 1953, same subject, which requested the AUS status of 24 Philippine Army and Philippine Scout units and information from the records of 98 claimants.

2. Military Personnel Records Center has a large backlog involving Philippine records and better service can be given on inquiries involving AUS status (only) by having them processed in Organization and Directory Section of this office. Inquiries involving individuals must continue to be processed by Recovered Personnel Records Section, Military Personnel Records Center.

3. It is requested that status and personnel requests be submitted separately as follows:

a. Address status requests involving Philippine units to TAG, ATTN: Operations Branch, Washington 25, D. C.

b. Address personnel requests involving Philippine unit personnel to Commanding Officer, Military Personnel Records Center, ATTN: RPRS, 4300 Goodfellow Boulevard, St. Louis 20, Missouri.

FOR THE ADJUTANT GENERAL:

(Stamped)

(Intelligence Officer)  
ALTON D. SHAW, Lt. Col, AGC

Ex O, Admin Svc Div, AGO

(Typed)

BRUCE EASLEY, JR., Colonel, AGC

Chief, Admin Svc Div, TAGO

INFORMATION COPIES:

Chief, Operations Br, TAGO  
CO, MPRC, St. Louis, Mo.

July - 31 - 52

Dear Sir:

I have the honor to inform you that the Guerrillas of Sta. Fe Brigade under the over all command of self styled Col. Libonao that was attached to self styled Brigo Pacuan of Caloocan, I know that they are not really genuine and I was one of their member victimized by this racketeer, Libunao is an employee of MRR Co. and he had been doing this foolishness for long time and he is not supposed to be recognized, if it is true he must be dropped for his recognition because they are not a resistance movement against the Japanese during the dark days. I know this people who they are, I am an Intelligence Officer of the Democracy always with in my heart. So stop payment for this unit like Flas under Manuel Galicia, Brig. Gen., Pacuan, Sayson, Blue Eagle, and Villanueva, and other unit which is fake. There are plenty who went with the spearhead of the liberation forces just like in Pangasinan they sacrifices the bloody fight against the Japanese Army, but the reward of theirs services are still none, they fight for the seek of the Democracy.

(Intelligence Officer)  
F. B. I.

HEADQUARTERS  
ADJUTANT GENERAL RECORDS DEPOSITORY

815 Seventeenth Street, N.W.  
Washington  
Sterling 3576

8133D ARMY UNIT  
APO 928

June 16, 1952

335 North Michigan Boulevard  
Chicago  
Central 1906

AGRD-VA

Commanding Officer, 8133rd Army Unit  
Ernest Schein  
Adjutant General Records Depository  
Attorney at Law  
815 Seventeenth St.  
Washington, D. C.

JUL 2 1952

Dear Sir:

Dear Mr. Schein:

I have been asked to represent the members of the unit of guerrillas during the Philippine action of World War II known as the "Santa Fe Brigade, Unit No. 2". This organization was under the leadership of Brig. General Leopoldo C. Lacson. In reply to your letters dated 18 June 1952 referring to the status of the "Santa Fe Brigade, Unit No. 2" and the "Chinese Volunteers Independent Infantry", alleged guerrilla units that operated in the Philippine Islands during WW II, I wish to inform you that the guerrilla recognition program was conducted by the Recovered Personnel Division of the Philippines-Ryukyus Command and was concluded on 30 June 1948. Subsequent to that date, no Department of the Army agency has the authority to review, alter or recognize any guerrilla units.

From the records available in this office, the "Santa Fe Brigade" was not favorably considered for recognition and there is no record of the "Chinese Volunteers Independent Infantry".

It is regretted that a more favorable reply cannot be made.

Sincerely yours,

ALBERT A. LINDQUIST  
Colonel, AGC  
Commanding

W A JOHNSON  
Captain, AGC

P.S. Please appear to my office in Washington.

A TRUE COPY:

*Guerrilla Affairs Division*

Copy for Chief, Vets Branch

ERNEST SCHEIN  
ATTORNEY AT LAW

815 Seventeenth Street, N.W.  
Washington  
Sterling 3576

June 18, 1952

333 North Michigan Boulevard  
Chicago  
Central 1966

Commanding Officer, 8133rd Army Unit  
Adjutant General Records Depository  
APO 928, c/o Postmaster  
San Francisco, California

Dear Sir:

I have been asked to represent the members of the unit of guerrillas during the Philippine action of World War II known as the "Santa Fe Brigade, Unit No. 2". This organization was under the leadership of Brig. General Leopoldo C. Facuan.

I have conducted a very thorough investigation respecting the claims of the members of this unit for compensation, and am convinced that they are entitled to pay to the same degree as the members of many units which have been paid for their services during the war.

I have further made a canvas of the agencies here which may be interested and involved in the adjudication of the claims of these soldiers. At this time, however, I have been referred to you by the Adjutant General of the Department of the Army for full information according to your records on the status of these volunteers.

Any information which you may give me at the present time will be greatly appreciated and will assist in bringing about a degree of justice in this matter, which thus far has been neglected in the adjudication of Philippine veterans' rights.

Sincerely yours,

es/fl

s/ Ernest Schein  
t/ Ernest Schein

P.S. Please answer to my office in Washington, D.C.

A TRUE COPY:



ERNEST SCHEIN  
ATTORNEY AT LAW

815 Seventeenth Street, N.W.  
Washington  
Sterling 3576

June 18, 1952

333 North Michigan Boulevard  
Chicago  
Central 1966

Commanding Officer, 8133rd Army Unit  
Adjutant General Records Depository  
APO 928, c/o Postmaster  
San Francisco, California

Dear Sir:

I have been asked to represent the members of the unit of guerrillas during the Philippine action of World War II known as the "Chinese Volunteers Independent Infantry". This organization was under the leadership of Colonel Shih I. Sheng.

I have conducted a very thorough investigation respecting the claims of the members of this unit for compensation, and am convinced that they are entitled to pay to the same degree as the members of many units which have been paid for their services during the war.

I have further made a canvas of the agencies here which may be interested and involved in the adjudication of the claims of these soldiers. At this time, however, I have been referred to you by the Adjutant General of the Department of the Army for full information according to your records on the status of these volunteers.

Any information which you may give me at the present time will be greatly appreciated and will assist in bringing about a degree of justice in this matter, which thus far has been neglected in the adjudication of Philippine veterans' rights.

Sincerely yours,

s/ Ernest Schein  
t/ Ernest Schein

es/fl

P.S. Please answer to my office in Washington, D.C.

A TRUE COPY:

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Authority nn d 883078

ERNEST SCHEIN  
ATTORNEY AT LAW

AGDP-R

815 SEVENTEENTH STREET, N.W.  
WASHINGTON  
STERLING 3000

12 March 1953  
327 WASHINGTON BOULEVARD  
CHICAGO  
CENTRAL 1000

February 10, 1953

Mr. Ernest Schein  
Attorney at Law  
815 Seventeenth Street, N.W.  
Washington, D. C. General Records Depository  
8133D Army Unit  
APO 928, c/o Postmaster  
San Francisco, California

Dear Mr. Schein:

Your letters dated 9 and 10 February 1953 referring to the alleged guerrilla units, "Santa Fe Brigade" and the "Chinese Volunteers in the Philippines" have been forwarded from the Philippines as the Adjutant General Records Depository has been discontinued, and all records of that unit were transferred to this office.

In my letter I limited myself to the Santa Fe Brigade because the unit, "Chinese Volunteers in the Philippines", to which you now refer, is a recognized unit. The period of recognition is very limited, and requests for revision of the recognition period were not favorably considered. The "Santa Fe Brigade" was not initially recognized, and all requests for recognition received prior to the discontinuance of the recognition program were not favorably considered. The Guerrilla Affairs Division of Headquarters, Philippines-Ryukyus Command conducted the recognition program, the authority for which expired 30 June 1948. I might add that the arrears in pay program was concluded on 31 December 1949. No authority exists for this or any other office to alter the findings of the Guerrilla Affairs Division, or to reopen the program for review. This provision applies equally to the determinations for arrears in pay. I enclose this photostatic copy herewith together with a copy of a letter dated 31 May 1945 signed by Captain Sincerely yours,  
recognizing the unit as an authorized element of USAFFE.

Under the circumstances I request in this particular also that you again consult your files and reconsider the action reported to me in your prior

H. H. NEWMAN  
Colonel, AGC  
Chief of Branch

Sincerely yours,  
  
Ernest Schein

es/fl  
Enclosures

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ERNEST SCHEIN  
ATTORNEY AT LAW

815 SEVENTEENTH STREET, N.W.  
WASHINGTON  
STERLING 3576

February 10, 1953

333 NORTH MICHIGAN BOULEVARD  
CHICAGO  
CENTRAL 1966

Colonel Albert A. Lindquist  
Hdqrs., Adjutant General Records Depository  
8133D Army Unit  
APO 928, c/o Postmaster  
San Francisco, California

Dear Colonel Lindquist:


I wrote you under date of February 9, 1953 relative to the Santa Fe Brigade which you advised was not favorably considered for recognition as a guerrilla unit operating in the Philippines during the recent war.

In my letter I limited myself to the Santa Fe Brigade because you intimated that there was a record of this unit from which unfavorable action resulted. I urged that since the matter was of record before 30 June 1948, it is possible, according to information given to me in Washington, to obtain a review and reconsideration at this time.

By coincidence almost immediately after posting my letter, I received from Manila further information concerning the unit which I called "Chinese Volunteers Independent Infantry". Apparently this was called in your records "Chinese Volunteers in the Philippines". My correspondent has sent me a photostatic copy of a communication from Headquarters 6th Army dated 16 May 1945 effecting the recognition of this unit. I enclose this photostatic copy herewith together with a copy of a letter dated 31 May 1945 signed by Captain Brooke Stoddard specifically recognizing the unit as an authorized element of USAFFE.

Under the circumstances I request in this particular also that you again consult your files and reconsider the action reported to me in your prior correspondence.

Respectfully yours,

  
Ernest Schein

es/fl  
Enclosures

HEADQUARTERS SIXTH ARMY  
Office of the Assistant Chief of Staff, G-2  
Special Intelligence Sub-Section  
APO 442

16 May 1945

370.64-B

SUBJECT : Recognition of Guerrilla Units.

TO : Commanding Officer  
Rizal Guerrilla Group  
c/o Headquarters, 43rd Infantry Division  
APO 43

1. The following guerrilla units are recognized by the Commander-in-Chief, Southwest Pacific Area, as authorized elements of the United States Army Forces in the Far East, effective as of the date specified after each unit listed ;

Yay Regiment, Marking's Fil-Americans	
Hq 2d Bn	13 Mar 45
Hq 3rd Bn	13 Mar 45
Cos D, H, M	13 Mar 45

✓ Chinese Volunteers in the Philippines	
✓ Hq, Provisional Battalion	14 Mar 45
✓ Co B, Provisional Battalion	14 Mar 45

2. Under the provisions of Executive Order No. 21, by the President of the Commonwealth of the Philippines, dated 28 October, 1944, the status of members of these units is that of officers and enlisted men of the Philippine Army.

3. When there is no further immediate need for the employment of these units in combat, arrangements will be made for their transportation to one of the following points for organization and equipment by Philippine Army agencies :

Camp Calasiao, Pangasinan  
Camp Olivas, Pampanga  
Camp Murphy, Rizal

/s/W.W. STUART  
P/t/W.W. STUART  
Captain, CAC  
Asst AC of S, G-2

HEADQUARTERS  
RIZAL GUERRILLA GROUP  
ATTACHED TO 43RD DIVISION  
00000000

31 May 45

SUBJECT: RECOGNITION OF GUERRILLA UNITS

TO : CO, CHINESE PROV. BN.,

1. The following unit under your command has been recognized as authorized elements of the USAFFE by the SIXTH ARMY, letter AG 384 A-2, Supplements 2 & 3:

- a. Chinese Prov. BN Co. "A"
- b. HQ, Chinese Prov. BN
- c. Chinese Prov. BN Co. "B"

For the Commanding General

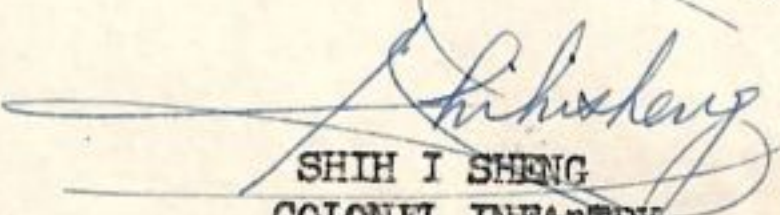
Sgnd.  
BROOKE STODDARD  
CAPTAIN, CAV. AUS  
Commanding

Distribution:

- 1 - G-1 43rd Div.
- 1 - CO, Chinese Prov. BN
- 1 - file

The above is the true copy proper signed by authorized person;

Certified correct by

  
SHIH I SHENG  
COLONEL INFANTRY  
ASN No. 42960

DECLASSIFIED

Authority und 883078

ERNEST SCHEIN  
ATTORNEY AT LAW

815 SEVENTEENTH STREET, N.W.  
WASHINGTON  
STERLING 3576

333 NORTH MICHIGAN BOULEVARD  
CHICAGO  
CENTRAL 1966

February 9, 1953

Colonel Albert A. Lindquist  
Headquarters, Adjutant General Records Depository  
8133D Army Unit  
APO 928, c/o Postmaster  
San Francisco, California

Dear Colonel Lindquist:

Under date of July 2, 1952 you addressed a letter to me in reply to several inquiries which I made concerning the status of the "Santa Fe Brigade, Unit No. 2" and the "Chinese Volunteers Independent Infantry". You informed me that the program for guerrilla recognition was concluded on 30 June 1948 and that subsequent to that date no Department of the Army agency would have the authority to review, alter or recognize any guerrilla units.

Further, you advised me that although there is no record of the "Chinese Volunteers Independent Infantry", the records available in your office show that the "Santa Fe Brigade" was not favorably considered for recognition.

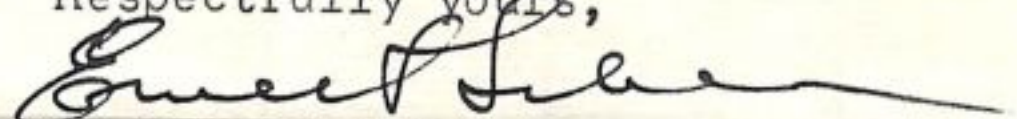
As to the latter unit, I have made additional inquiries both factually with the groups in the Philippines whom I represent and procedurally in the Department of the Army.

In connection with the first, I have a statement, a copy of which I send you, executed by General L. G. Pacuan, indicating not only that the unit was entitled to recognition, but that it was actually recognized by the U.S. Army. In the matter of procedure, although it may be, which I admit only for the sake of argument, that where there is no record of request for recognition and there remains no agency for the determination of status, I am advised that where status was considered and recognition rejected, the matter may be reviewed. Since your notification of July 2, 1952 was the first word that we have had that the "Santa Fe Brigade" was not favorably considered for recognition, I believe that the case is one for meritorious consideration at this time.

After careful thought and preparation, I am addressing this communication first to you so that it may be coursed through channels before I take it up with higher authority.

I appreciate your interest and your position in this matter and I ask that you please further consider my duty as a lawyer to exhaust all possible remedies in behalf of a group of veterans who appear to me to be deserving of more equitable treatment than has thus far been accorded them.

Respectfully yours,



office, and in the AGRD thru the help of Walter

SANTA FE BRIGADE, FAIT, UNIT 2, L.G. PACUAN  
UNDER COL. HUGH STRAUGHN, O-2515, U.S. ARMY  
(Recognized by the U. S. Army)

No. 116 Lactao St. San Juan, Rizal

SUBJECT: Additional Information and Manifestation for the  
Immediate Release of the Payment of the Santa Fe  
Brigade, Unit No. 2

TO: ATTY. ERNEST SCHEIN  
WASHINGTON, D. C.  
Thru ATTY. FRANK BRADY  
MANILA, PHILIPPINES

1. In connection with my present petition for arrears in pay of my guerrilla organization, Sta Fe Brigade, Unit No. 2, I am duty bound to appreciate highly your ability in digging all the records in the Adjutant General Records Depository in St. Louis, Missouri, and other departments concerned for our claims.

2. In addition to your manifestation, I wish to inform you that in 1950, I offered my unit to participate in the Korean conflict under the banner of the United Nations Forces to fight against communism. I contacted Col. Reeves, Vice-commander of the USAV. second in command to Gen. Howard Turner, Chief of the Clark Field Airbase, and Col. Gustav Neuberg, Chief of the Guerrilla Affairs Division. However, these requests were not given favorable action due to the fact that the Philippine Army had already contributed solidiers for that war.

3. When Col. Gunn offered this unit for the Airline Assembly and Repair Plan to tackle the job for the fifteen nations, we willingly accepted on condition that as soon as we receive our pay.

4. In 1952 I contacted Gen. Ralph Lovett, Commanding Officer of the U.S. Veterans Administration, requesting him to show and help me in the alocation for the payment of this unit. Gen. Lovett answered me that he was only incharged for the benefits of war widows and veterans. However, he requested me to remain two copies of my request.

5. In 1949 I contacted Col. David Turner, Adjutant General of the AGRD in the Philippines. Upon showing him my certification, he admitted that his signature which appear in my certification was authentic and that my unit was recognized. He showed me the book and I saw that my organization, Sta Fe Brigade, Unit 2, was the only one recognized among the four units.

6. I have verified the status of my organization in the Guerrilla Affairs Division in Clark Field Airbase, Philippines, thru the help of Lt. Col. Gustav Neuberg, Chief of that office, and in the AGRD thru the help of warrant officer David R. Turner at that time Adjutant General.

7. Beside contacting all the officers stated above, all documents pertaining to my unit that had been forwarded to you thru Atty. Frank Brady, were received by me thru an officer

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Authority wnd 883078

- 2 -

of the AGRD by the name of Copolman, under Chief investigator, Major Greene.

8. For these reasons, I do hope, that these supplementary manifestations would collaborate with your previous manifestations before the department of the army and the U. S. Court of Claims.

Attached herewith are my previous letters to different American officers in the Philippines under U. S. Army as inclosure for your information and guidance.

13 January 1953

Respectfully,

s/ LEOPOLDO G. PACUAN  
Brigadier General  
Overall Commander



Hq, 8133rd Army Unit, AGRD, AGRD-E 400.312, Subj: Request for Rooter

D/M 413.8 (27 Mar 52)

1st Ind

HEADQUARTERS, PHILIPPINES COMMAND (AIR FORCE) AND THIRTEENTH AIR FORCE,  
APO 74, 17 APR 1952

TO: Commanding Officer, Adjutant General Records Depository, 8133rd  
Army Unit, APO 928

1. Subject request for Rooter is not favorably considered at this  
time for the following reasons:

- a. No Rooters are available within Depot stock.
- b. The time involved, pending USAF approval before procurement  
could be effected, would exceed the present life expectancy of the instal-  
lation.

BY COMMAND OF MAJOR GENERAL MOORE:

1 Incl  
n/c

/s/t/ THOMAS A. COYLE  
2d Lt, USAF  
Asst Adj General

COPY

HEADQUARTERS  
8133RD ARMY UNIT  
ADJUTANT GENERAL RECORDS DEPOSITORY  
APO 928

AGRD-E 400.312

27 March 1952

SUBJECT: Request for Rooter

TO: Commanding General  
Philippines Command(AF) and Thirteenth Air Force  
Clark Air Force Base  
APO 74  
ATTN: Deputy for Materiel

Request approval of the attached Requisition No. PAC 203, ENG 52-711, for a rooter to be utilized at this installation for the operation of the sanitary fill. Increasing difficulty is being encountered in cutting the sanitary fill to the minimum required depth. The utilization of the rooter will save ear and maintenance costs on the D-7 Bulldozer presently on hand, authorized, and in use, and will provide a more effective and usable sanitary fill.

FOR THE COMMANDING OFFICER:

1 Incl  
a/s

/s/t/ S. G. COOK  
Capt AGC  
Adjutant

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Authority hnd 883078

HEADQUARTERS  
ADJUTANT GENERAL RECORDS DEPOSITORY  
8133RD ARMY UNIT  
APO 928

7 APR 1952  
APR 2, 1952

AGRD-R 201 - CASTILLO, Eugenio M. C.

SUBJECT: Transmittal of Correspondence

TO : Commanding General  
Philippines Command (Air Force) and  
13th Air Force, Clark Air Force Base  
APO 74

1. Reference is made to letters this headquarters dated 21 March 1952 and 2 April 1952, file AGRD-R 201 - CASTILLO, Eugenio M. C., subject: Transmittal of Correspondence.
2. Enclosed is letter dated 13 March 1952 from Mr. Seymour H. Glazer, Third Secretary, American Embassy, Manila.

FOR THE COMMANDING OFFICER:

1 Incl  
Ltr dtd 13 Mar 52

/s/t/ S. G. COOK  
Capt AGC  
Adjutant

1 Incl  
Draft of letter

/s/ CLAYTON L. THOMPSON  
Colonel  
Commanding

ORIGINAL COPY OF 201 OF CASTILLO, Eugenio M. C.

ORIGINAL COPY OF 201 OF CASTILLO, Eugenio M. C.



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Authority hnd 883078

HEADQUARTERS  
ADJUTANT GENERAL RECORDS DEPOSITORY  
8133RD ARMY UNIT  
APO 928

AGRD-R 201 - CASTILLO, Eugenio M. C.

APR 2, 1952

SUBJECT: Transmittal of Correspondence

TO : Commanding General  
Philippines Command (Air Force) and  
13th Air Force, Clark Air Force Base  
APO 74

1. With further reference to our letter dated 21 March 1952, same subject as above, and per telephone conversation this date with Lt. Col. Ned P. King, Adjutant General, Philippines Command (Air Force) and 13th Air Force, attached hereto is draft of a suggested reply to the American Embassy in answer to their inquiry with reference to Eugenio M. C. Castillo.

2. Note: One of the enclosures to Mr. Castillo's letter is a record of minutes of an alleged meeting held by the "Guerrilla Payment Commission" at Camp John Hay February 27, 1952 at 9:50 P. M. It is believed important to determine whether or not such a meeting was in fact held at a U. S. military installation. As time goes on, and personnel presently on duty in the Philippines are rotated to the Z. I., the existence of such a document, if fraudulent of intent, could presumably be used as the basis for future action, if not determined fraudulent at this time.

1 Incl  
Draft of letter

/s/t/ ALBERT A. LINDQUIST  
Colonel AGC  
Commanding

ORIGINAL COPY OF 201 OF CASTILLO, Eugenio M. C.

ORIGINAL COPY OF 201 OF CASTILLO, Eugenio M. C.



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Authority hnd 883078



HEADQUARTERS  
8133RD ARMY UNIT  
ADJUTANT GENERAL RECORDS DEPOSITORY  
APO 928

AGRD-R

MAR 21, 1952

The Honorable Raymond A. Spruance  
American Ambassador  
American Embassy  
Manila, Philippines  
(Attention: Mr. Seymour H. Glazer  
Third Secretary of Embassy)

Dear Mr. Glazer:

Your letter dated 13 March 1952, referring to letter from Mr. Eugenio M. C. Castillo dated 1 March 1952 with its enclosure, has been referred to the Commanding General, Philippines Command (Air Force) and Thirteenth Air Force, Clark Air Force Base, APO 74 this date for appropriate action.

Sincerely yours,

/s/t/ ALBERT A. LINDQUIST  
Colonel AGC  
Commanding

ORIGINAL COPY OF 201 OF CASTILLO, Eugenio M. C.

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Authority hnd 883078



RETURN THIS RECEIPT IMMEDIATELY TO:  
Commanding Officer  
8133d Army Unit (AGRD)  
APO 928

POSTAL  
REGISTRY NO. \_\_\_\_\_  
4215

Date 5 January 1952

Serial No. }  
File No. } 2d Ind AGRD re: Info on Claims for Vet Benefits  
or Subject } with: twenty-two (22) inclosure(s)

ADDRESSEE:  
Commanding General  
PHILCOM (AF) & 13th Air Force  
APO 74

two (2) indorsement(s)  
Receipt for communication(s) described above is hereby  
acknowledged by:  
*[Signature]*  
(Signature of officer) (Rank and organization)  
KENNETH ZIEGLER  
CWO USAF  
8 JAN 1952  
(Date received)

637 W.D., A.G.O. Form 996-1 December 1944  
(This form supersedes W.D., A.G.O. Form 996, 16 July 1943,  
which may be used until present stocks are exhausted)

CLASSIFIED DOCUMENT RECEIPT GEN. 3999-FEC P&PC-7/50-160M



R E S T R I C T E D

REPUBLIC OF THE PHILIPPINES  
ARMY HEADQUARTERS  
Manila

15 July 1946

GENERAL ORDERS )  
NUMBER 445 )

DP, LT COL EUGENIO CASTILLO (ASN Unknown) PA (Guerrilla), 21st Inf Regt, MMD, ECLGA, is hereby discharged from the Army without honor effective this date.

BY ORDER OF THE SECRETARY OF NATIONAL DEFENSE:

OFFICIAL:

R. JALANDONI  
Major General, PA  
Chief of Staff

/s/t/ LUIS FLORENTIN  
Colonel, AGS  
The Adjutant General

DISTRIBUTION

"A" "L" "X" "G" "F"

CERTIFIED TRUE COPY OF PHOTOSTAT COPY:

/s/t/ J. F. MILLER  
1st Lt AGC

ORIGINAL COPY OF 201 OF CASTILLO, Eugenio M. C.



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Authority nn d 883078

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Authority nn d 883078

COMMONWEALTH OF THE PHILIPPINES  
ARMY HEADQUARTERS  
APO 501

25 January 1946

SUBJECT: Revocation of Recognition of Lt Col Eugenio Castillo  
TO : Commanding General, AFWESPAC  
APO 707

1. After a thorough investigation conducted by the Office of the Inspector General, it was found out that Lt Col Eugenio Castillo (Guerrilla) supposed to be the Commanding Officer, 21st Inf Regt, ECLGA, has committed the following anomalies during his administration of the said regiment:

a. That he had commandeered and had still in his possession motor vehicles confiscated from civilians, and are being used by him for his own private business.

b. That he had issued induction papers to Japanese puppet officials to make it appear that the said puppet officials were members or supporters of the resistance movement.

c. That at present he possesses several firearms without proper authority.

d. That he had confiscated and illegally commandeered personal property of several civilians and appropriated them for his own personal benefit.

e. That he had engaged in the buy and sell of war materials during the Japanese occupation.

f. That he ceased to be the Commanding Officer of the 21st Inf Regt, ECLGA, on or about 8 May 1945, when he was relieved by one Col Buenaventura for the reason that he had committed anomalies.

g. That he had received the sum of about P300,000.00 in Japanese currency as donation for the guerrilla cause from several city residents without rendering proper accounting.

h. That he had refused to have himself processed despite the directive from The Adjutant General, PA, apparently to avoid becoming a person subject to military law, so that he may not be held liable for the anomalies he had committed





BASIS: Ltr to CG AFWESPAC APO 707, Subj: Revocation of recognition of Lt Col Eugenio Castillo

during his incumbency as Commanding Officer of the 21st Inf Regt, ECLGA.

2. In view of the above, request that the name of Lt Col Eugenio Castillo as appearing in the recognized roster of the 21st Inf Regt, ECLGA, be revoked.

/s/t/ R. JALANDONI  
Major General, PA  
Chief of Staff

CERTIFIED TRUE COPY OF PHOTOSTAT COPY:

/s/t/ J. F. MILLER  
1st Lt AGC

ORIGINAL COPY OF 201 OF CASTILLO, Eugenio M. C.



~~CONFIDENTIAL~~

BASIC: Ltr fr Chief of Staff, PA subject: Revocation of Recognition of Lt Col Eugenio Castillo, dtd 25 January 1946

GSCP 091 PI 1st Ind  
UNITED STATES ARMY FORCES WESTERN PACIFIC, APO 707 21 JUN 1946

TO: Chief of Staff, Philippine Army, APO 75

1. Basic letter has been reviewed and circumstances cited investigated by this headquarters.

2. In view of evidence of serious anomalies found by the Inspector General, Philippine Army and the recommendation of the Chief of Staff, Philippine Army it is directed that Recognition of Eugenio Castillo as a Lt. Col, Philippine Army, be revoked and his name deleted from the recognized roster of the 21st Infantry Regiment, ECLGA.

BY COMMAND OF LIEUTENANT GENERAL STYER:

/s/t/ THOMAS J. BROWN  
CWO USA  
Asst. Adj. General

CERTIFIED TRUE COPY OF PHOTOSTAT COPY:

/s/t/ J. F. MILLER  
1st Lt AGC

ORIGINAL COPY OF 201 OF CASTILLO, Eugenio M. C.



DECLASSIFIED

Authority hnd 883078

~~CONFIDENTIAL~~  
SECURITY INFORMATION

The Honorable Raymond A. Spruance  
American Ambassador  
American Embassy  
Manila, P. I.

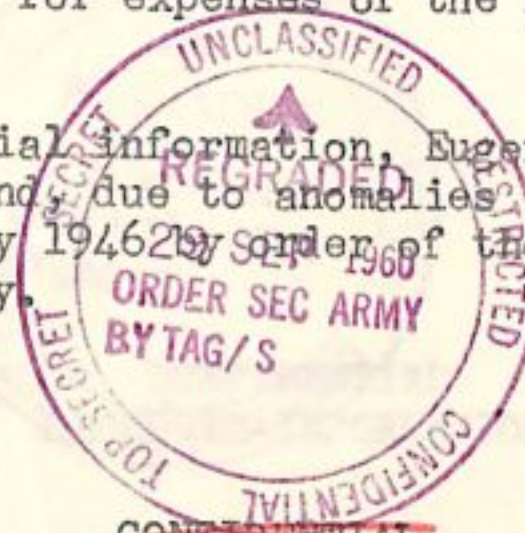
Dear Mr. Ambassador:

Your letter dated 13 March 1952, addressed to the Adjutant General Records Depository, Palma Hall, Manila, reference Eugenio M. C. Castillo, has been forwarded to this headquarters for reply. Official records on file disclose the following:

- a. Eugenio M. C. Castillo is not a recognized Guerrilla.
- b. Verification of the official rosters of the 21st Infantry Regiment, Manila Military District, East Central Luzon Guerrilla Area revealed that the name of Eugenio M. C. Castillo does not appear thereon. Records further disclose that the revised recognition formerly extended to that organization was revoked by the Guerrilla Affairs Division on 17 June 1948. Individuals claiming service therewith were not entitled to arrears in pay.
- c. The extension of official recognition to individuals or organizations claiming guerrilla status was a function of the Guerrilla Affairs Division. Its deactivation on 30 June 1948 terminated the guerrilla recognition program. Subsequent to that date, no agency within this command has the authority to alter, amend or modify previous decisions of the Guerrilla Affairs Division on matters pertaining to guerrilla recognition.
- d. The arrears in pay program terminated with the deactivation of the Adjustment Division on 31 December 1949. Subsequent to that date, the authority of this headquarters to determine or redetermine claims for arrears in pay and the authority to disburse United States Army funds appropriated for expenses of the Philippine Army ceased to exist.

For your confidential information, Eugenio M. C. Castillo was relieved from his command, due to anomalies committed, and discharged without honor on 15 July 1946 by order of the Secretary of National Defense, Philippine Army.

~~CONFIDENTIAL~~  
SECURITY INFORMATION



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Authority hnd 883078

~~CONFIDENTIAL~~  
SECURITY INFORMATION

CG (13 Mar 52)  
The Honorable Raymond A. Spruance

This headquarters has no knowledge of the "Guerrilla Payment Commission" nor does it have any knowledge of the existence of such a "Commission" or of the alleged members of the Commission whose names are mentioned in the enclosures to Mr. Castillo's communication.

It is suggested that your reply to Mr Castillo be held to a minimum and that you refer only to the fact that information received by you indicates that his names does not appear on any official guerrilla rosters and that therefore no favorable action can be taken in his case.

Sincerely,

/s/t/ E. MOORE  
Major General, USAF  
Commanding

ORIGINAL COPY of 201 OF CASTILLO, Eugenio M. C.



/s/t/ LARRY J. BARTON  
Major, USAF

ORIGINAL COPY OF 201 OF CASTILLO, Eugenio M. C.

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SECURITY INFORMATION

HEADQUARTERS  
PHILIPPINES COMMAND (AIR FORCE) AND THIRTEENTH AIR FORCE  
APO 74

JAGF-

3 April 1952

SUBJECT: Verification of Meeting

TO: Commanding Officer  
Camp John Hay, 6202d Recreation Center  
APO 74

1. This headquarters is in receipt of a copy of minutes of a meeting allegedly held at Camp John Hay on 27 February 1952 at "9:50 PM." by the "Guerrilla Payment Commission."

2. It is requested that you advise this headquarters whether your records reflect that this meeting was in fact held at the place and time alleged.

BY COMMAND OF MAJOR GENERAL MOORE:

s/ Ned P. King Jr  
t/ NED P. KING JR  
Lt Colonel, USAF  
Adjutant General

JHHQ

1st Ind

HEADQUARTERS, 6202d RECREATION SQUADRON, CAMP JOHN HAY, APO 74, 4 Apr 52

TO: Commanding General, PhilCom (AF) & Thirteenth AF, Clark AFB, APO 74

1. No information regarding a meeting of the "Guerrilla Payment Commission" available at this headquarters.

2. In so far as can be determined, there was no such meeting held at the time specified or at any other time at this installation.

FOR THE COMMANDING OFFICER:

A CERTIFIED TRUE COPY

/s/t/ LEON J. HARTON  
Major, USAF

ORIGINAL COPY OF 201 OF CASTILLO, Eugenio M. C.

s/ W. L. Mitchell Jr  
t/ WM L MITCHELL JR  
Capt, USAF  
Adjutant



Hq, 8133d Army Unit, Adjutant General Records Depository, APO 928,  
Subj: Transmittal of Correspondence.

AGRD-R 201-CASTILLO, Eugenio M. C. (21 Mar 52) 1st Ind

HEADQUARTERS, PHILIPPINES COMMAND (AF) & THIRTEENTH AIR FORCE, APO 74.

15 APR 1952

TO: Commanding Officer, 8133d Army Unit, Adjutant General Records  
Depository, APO 928.

1. A letter to the United States Embassy has been forwarded concerning the request of Eugenio M. C. Castillo for recognition as a Guerrilla, a copy of which is attached.

2. Attached as additional inclosure is a certified true copy of correspondence between this headquarters and Headquarters, 6202d Recreational Squadron concerning the alleged meeting of the Guerrilla Payment Commission alleged to have been held at that headquarters.

3. In the future it is desired that in matters of this nature your headquarters prepare the answer to the Embassy and forward to this headquarters for the signature of the Commanding General.

BY COMMAND OF MAJOR GENERAL MOORE:

6 Incls:

1 to 4 n/c

Added 2 Incls:

5. Ltr to U.S. Embassy

6. Ltr to CO, Camp John  
Hay, 6202d Rec Center,  
APO 74 w/1 Ind. (dup)

/s/t/ NED P. KING, JR.  
Lt Colonel, USAF  
Adjutant General

ORIGINAL COPY OF 201 of CASTILLO, EUGENIO M. C.



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Authority nn d 883078

CONFIDENTIAL

HEADQUARTERS  
8133RD ARMY UNIT  
ADJUTANT GENERAL RECORDS DEPOSITORY  
APO 928

MAR 21, 1952

AGRD-R 201 - CASTILLO, Eugenio M. C.

SUBJECT: Transmittal of Correspondence

TO : Commanding General  
Philippines Command (Air Force) and  
13th Air Force, Clark Air Force Base  
APO 74

1. The enclosed correspondence was forwarded to this headquarters by the American Embassy, Manila.

2. In view of the broad implications involved, i.e. attempt by individuals unknown to this office to reopen the guerrilla recognition program, correspondence is being reforwarded for decision regarding action to be taken.

3. This is in accordance with verbal directive of Commanding General, Philippines Command (Air Force) and 13th Air Force to the undersigned to refer matters other than routine to higher authority for decision.

4. This headquarters has no knowledge of the "Guerrilla Payment Commission" mentioned in the attached papers, nor does it have any knowledge of the existence of such a "Commission" or of the names of the alleged members of the Commission whose names are mentioned in the attached correspondence.

5. Official records on file disclose that Eugenio M. C. Castillo is not a recognized guerrilla. Verification of the official rosters of the 21st Infantry Regiment, Manila Military District, East Central Luzon Guerrilla Area revealed that his names does not appear thereon. Records further disclose that the revised recognition formerly extended to that organization was revoked by the Guerrilla Affairs Division on 17 June 1948. Individuals claiming service therewith were not entitled to arrears in pay.

6. The extension of official recognition to individuals or organizations claiming guerrilla status was a function of the Guerrilla Affairs Division. Its deactivation on 30 June 1948 terminated the guerrilla recognition program. Subsequent to that date, no agency within this command has the authority to alter, amend or modify previous decisions of the Guerrilla Affairs Division on matters pertaining to guerrilla recognition.

7. Further, the arrears in pay program terminated with the deactivation of the Adjustment Division on 31 December 1949. Subsequent to that

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Authority hnd 883078

THE FOREIGN SERVICE  
OF THE  
UNITED STATES OF AMERICA

Address official communications to

American Embassy  
Manila, March 13, 1952

Dear Colonel Rinaldi:

The Embassy has received the communication forwarded under this cover from one Eugenio Castillo, who appears to make certain claims concerning alleged guerrilla service.

Would you please check the veracity of this claim, and let us know what the appropriate action in this matter should be?

Thanks once again for your assistance in handling these claims.

Sincerely yours,

/s/t/ SEYMOUR H. GLAZER  
Third Secretary of Embassy

Enclosure:

Letter from Mr. Castillo,  
dated March 1, 1952 with  
its enclosure.

Lt Col. Eugene Rinaldi,  
AGRD, Palma Hall,  
Manila.

ORIGINAL COPY OF 201 OF CASTILLO, Eugenio M. C.



AGRD-R 201 - CASTILLO, Eugenio M. C. (1 Mar 52)  
SUBJECT: Transmittal of Correspondence

date, the authority of this headquarters to determine or redetermine claims for arrears in pay and the authority to disburse United States Army funds appropriated for expenses of the Philippine Army ceased to exist.

8. Attached are copies of documents pertaining to Eugenio M. C. Castillo.

9. The American Embassy has been informed of this referral.

4 Incls

1. Ltr dtd 1 Mar 52  
w/1 Incl
2. Cpy ltr dtd 25 Jan 46 (dup)
3. Cpy 1st Ind dtd 21 Jun 46 (dup)
4. Cpy GO #445 (dup)

/s/t/ ALBERT A. LINDQUIST  
Colonel AGC  
Commanding

ORIGINAL COPY OF 201 OF CASTILLO, EUGENIO M. C.



2

4. This inquiries was made due to meetings of the above-mentioned members of " Guerrilla Payment Commission" in Tagaytay City last Feb 25, 1952 and Camp-John Hay, Baguio City last Feb 27, 1952, copies of the result of both meeting hereto attached for your information sir. Your proper action and realization regarding this benevolent act US-Government, sure extend much help for the Peace and Order Campaign in our country.

/s/t/ EUGENIO M. C. CASTILLO  
Ex-Veteran of 1st & 2nd World Wars,  
Ex-Delegate, Dept of Interior  
Over-All Commander, Bar-Vet-Legion.

ORIGINAL COPY OF 201 OF CASTILLO, Eugenio M. C.

" GHQ, BARKER'S VETERANS LEGION, PHILIPPINES "  
" HEADQUARTERS "  
21st Infantry Regiment, MMD, ECLGA.,  
- ULGAF -  
1940-DAPITAN, Q. CITY  
\*\*\*\*\*\$\$\$\$\*\*\*\*\*

March 1st, 1952

SUBJECT : INFORMATION and INCLOSURE, Request for

TO : HON. AMBASSADOR, RAYMOND A. SPRUANCE,  
U. S. Embassy, Dewey Boulevard Street,  
Manila, Philippines.

1. The undersigned C. O. and Organizer of the 21st Infantry Regt., Manila Military District (MMD), East Central Luzon Guerrilla Area (ECLGA), Usaffe Luzon Guerrilla Army Forces (ULGAF) and Guerrilla Army Forces Commonwealth of the Philippines ( GFCP ), respectfully request an information and inclosure with the " GUERRILLA PAYMENT COMMISSION " under Brig-General, Hamilton; Col., Taylor; Inspector-General, Col., Basehart; Col., Wayman White; Mrs. E. M. Hamilton and Major-General, Philipps If the above mentioned Guerrilla Unit is not yet in their roster for payment.

2. That, the above mentioned guerrilla unit with its Special attached unit in the 21st Infantry Regiment, MMD, ECLGA, ULGAF, GFCP., were all recognized from 1945 to 1947 with set back of its recognition 15 May '42, but, were not all properly paid for what they deserved, in view of the fact that, more than 1/2 of its members in the Regiment were fighting the enemies under General, Yamasita (Japs) at Paniqui-Mountains, Kiangnan and Mankayan, of Mountain-Province and Cagayan-Valley with the 3rd Bn, 1st Inf USA., and 63rd Inf USA., both of the Sixth Division, USA., Apo-6, until enemy-General, Yamsita and his men surrendered 26th August, 1945 while the rest of the Regiment were fighting in Corregidor-Island, with Lt. Col, J. Vancycle; As Security Guard w/507 AAA-Gun Bn., at Dewey Boulevard under Col, Henson, USA; As Security Guard w/the 7th Fleet Sea Frontier, USN, under Cdr Oday, USN; and Security Guard W/the MVDP, Sub-Depot No. 3, USA, under Major, M. Stewart, USA; And another 1-1/2 Co, were extending Security guard duty w/the " MAM " Medium Automotive Maintenance Co., Apo-74 USA., under 1st Lt., Augustine D. Edward 3461st., Ord MAM., who were released 14 January, 1946 and were all processed but, not paid at all for the services rendered 15 May, 1942 to 14th January, 1946 including the undersigned C. O. who was processed last 20th, May, 1946 and all were released und S. O. No. 124, dtd May 20, 1946 by the Hq 4th Repl Bn, (PA) APO-75, Commonwealth of the Philippines.

3. That, this Guerrilla Unit in question after " Sensing the foul play of the Brutal enemy Japs with the attemp of trapping, enslaving and destroying Peace-loving Nations the World Over, the 21st Inf Regt, MMD, ECLGA, ULGAF, GFCP, Barker-Ramsey's Guerrilla Unit, was formed in 1942 under the Over-all Command of Col., Claude A. Thorpe, all of the 26th Cav, USA, (PS) with determination to oppose, to sacrifice, to kill and get killed, were all plighted to languish, to die horrible deaths, and worst, to let their national pride and honor crushed under the Japanese heel! and from 3rd February, 1945 when the US-Liberating Forces entered Manila after landing January 9, 1945 at Lingayen, Pangasinan and Nasugbu, Batangas, the guerrilla unit in question fought side by side with the 1st Cavalry under Gen. Mudge, USA, in northern Manila and with the 11th Airborne, Div., under Gen. Joseph W. Swing and 1st Lt. Frank L. Barben, USA. in Southern Manila and continued up to 20 May '46.

4. This inquiries was made due to meetings of the above-mentioned members of " Guerrilla Payment Commission" in Tagaytay City last Feb 25, 1952 and Camp-John Hay, Baguio City last Feb 27, 1952, copies of the result of both meeting hereto attached for your information sir. Your proper action and realization regarding this benevolent act US-Government, sure extend much help for the Peace and Order Campaign in our country.

/s/t/ EUGENIO M. C. CASTILLO  
Ex-Veteran of 1st & 2nd World Wars,  
Ex-Delegate, Dept of Interior  
Over-All Commander, Bar-Vet-Legion.

Tagaytay City, February 25, 1952  
Time: 7:30 A.M.

The conference started at 7:46 A.M. with twelve (12) members of the Guerrilla Payment Commission present including Mrs. E. M. Hamilton, Mr. Alvenson Jr. and Mr. Lincoln as representative of the Central Bank of New York.

There are too many suggestions concerning the Guerrilla Payments, one of which is gathered by the Inspector-General, Col. Easehart says: - Due to the fact that almost 90% of the Recognized Guerrilla Units had not met their obligations or had not filed the necessary affidavits of all their Officers, then I am suggesting that we postpone the Guerrilla Payments, until after this Unit Commanders concern will file their Affidavits or else meet the necessary obligations for the same.

Opposing greatly this suggestions is Brig-General Hamilton and Col. Taylor.  
REASONS FOR THE OBJECTIONS: -

Brig-General Hamilton: - Remember my friends and colleagues, that the time given or cited in the MEMO ORDER OF THE WAR DEPT, is only until 22 March 1952, wherein to terminate all kinds of Guerrilla Payments, therefore, as member of the Commission on Payments, I greatly object this suggestion on the ground that time given to us to do our duties is too short, that is warranting our prompt decision to this matter. As a matter of fact the Chairman Major-General Philipps had already given all the Unit Commanders an even chances and if my friends will, stop for a while and read the latest MEMO, of our Chairman, then, my friends will find out that not only an extension had been given, but also a warning to all Unit Commanders to be busy enough instead of lying idle and wait for somebody to put into their mouth that piece of bread which is slated for their breakfast.

Curring short my objection, I am giving my opinion to this matter to the chairman to decide.

Col. Taylor: - My friends and co-Officers, and co-members of this Commission, I am calling your most kind attention, to the solemn truth, that we are here to decide once and for all the long delayed payments and if we are going to give further extensions, then we will not be able to abide with the War Depts Order to complete the said payments on or before the 22nd of March, 1952.

One thing more, my co-members, it has been the Policy of our democratic government in general to give citations and awards to those people or organizations who had rendered satisfactory and meritorious services to mankind, and why shall we deprived these Regiments who had met their obligations or these Regiments who had done their duties in turn? Why shall we deprived them of their benefits? Why shall we keep on waiting for those stubborn Units? Why shall we give them an even chances to the expense of these hard tailer? Is there any reason behind this suggestion or is there any favoritism now existing in this Commission?

My friends, favoritism is one fault which a democratic country must avoid, if we want to stand united forever.

Mrs. E. M. Hamilton: - My dear fellows, being the owner and representative of my own Bank, I think, I have a full right to air my side in this Occasion. Please hear me clearly to avoid any repetition, or further misunderstanding. You all know quitely, that I have on my shoulder, a business or rather a task or a human obligation which needs my most timely consideration, to the Filipino people. My task has been long performed with the help of you people as most of you are members, of this organization, but due to the War Department's Order to act first as FINANCIER on this Guerrilla payments, then I had made it possible to layoff my business for a while. Remember that in

this thousand, who are praying day and night and longing for immediate materialization of this Company.

Frankly speaking, gentlemen, this is not a suggestion but a rule or else a law, that I am going to follow, that in case the Guerrilla payments will again be delayed or else you will not be able to begin the said payments between the seventh (7th) and the tenth (10) of next month, I am withdrawing my responsibilities to you people and fully mind my people, who are patiently waiting for their long laid benefits or in other words, I will withdraw my responsibilities as FINANCIER of your Commission and go on with my business.

Right now there are two (2) ships coming as per this Cablegram in my hands. One on the 18th of March and one on the 28th of the same month, now my good friends, if I am going to waste my time with you and this long change on extension, then, how can I carry on with this business of mine? Please think for a moment if I am right or wrong.

After and exchange of minds from all members, for at least one and a half hour, then stands:-  
Major-General Philipps: -

In my capacity as Chairman of this said Guerrilla Payment Commission, I am very sorry to tell you that I am very firm on my stand, and will stand still, until somebody who is more capable of this duties may be deemed wisely to relieve me, that is if the U.S. War Department will say so. Therefore, my co-Officers, there is no arguments at all, for I am not ready to receive or I will not honor any sort of suggestion. Why? I don't like to hurt your feelings, my friends, but my duty as Chairman of this Guerrilla Payment Commission, compels me to do so.

My MEMORANDUM ORDER states, and no bit of changes or any kinds of amendments will be attached to it. Five days my friends is a long extension and I think, I have no reasons at all to issue another extension retracting my previous Order. Let us see to it that all Units who did not respond to our call be reprimanded or be punished accordingly, then let those who did abide, be benefited as they deserve so.

Meanwhile, I will personally see to it, that all Unit Commanders are duty notified of a meeting on the 27th instant at Camp John Hay at exactly 9:00 P.M. or 2100 Hours, wherein I will personally declare the Units that are entitled to payments and also those Units who will be reprimanded.

Meeting adjourned: ----- 10:02 A. M.

/s/ E. M. C. Castillo  
Col. Inf (G) PA  
ASN-048972  
Overall Comdr  
BARVFI

ORIGINAL COPY OF 201 OF CASTILLO,



Camp John Hay  
February 27, 1952  
Time: 9:50 P.M.

The meeting started at exactly 9:50 P.M., with all members of the Guerrilla Payment Commission present, so will all the Unit Commanders.

About four or five Unit Commanders, did request the Chairman of the Guerrilla Payment Commission, to pay their accounts. In answer to this request Major-General Philipps rose and in high or loud voice and said that, I am very sorry, as the deadline for the payments of the said account was last February 23, 1952. And stated further that the Army or else the U. S. Army is not a kind of a plaything, which every Unit Commander can toy around or disregard its Order. No Sirs, if the U.S. Army orders something, it strictly means something.

After that hot words from the Chairmen, being a good sport, gave this matter to the Commission to decide whether or not to accept the late payments:

A long and heated debate ensued, for a while, they kept silent with the request of Mrs. Hamilton, to put this matter into a secret votation.

A votation last for half an hour, because these times they met a deadlock 7 to 7 that is seven in favor and seven not in favor.

By this time Mrs. Hamilton, stood up and aired her second suggestion:

MRS. E. M. HAMILTON: - My dear fellows, I am on the neutral side of your discussion but seeing that for half an hour, you have not done any step to terminate once and for all this simple problem, I stood up, that is if you would not mind to give a short explanation or rather a bit suggestion (Everybody answered approving the interference of Mrs. Hamilton and also hear her suggestions and explanation.)

My friends (Mrs. Hamilton continued in a low voice) the Guerrilla Payment Commission as far as I know, all of you members of the Guerrilla Payment Commission were sent here by your good government or rather the United States Government, in order to give satisfaction to these who voluntarily give up everything and even neglect their own families to fight side by side with you, so that the whole may recognize the true meaning of DEMOCRACY. Is it not my good friends? Also as far as I am concerned, these payment that you are going to make did not come direct from the Treasury of the United States, and in fact or the truth, is that this money are contributions of settlers of the United States regardless of its race or nationality, am I right? Of course I am right, because, showing, the receipt of my Total Contribution to this affair is clearly calling for a Total Sum of FIVE MILLION DOLLARS, this is from myself alone not including the contribution of my five (5) different Banks in the United States.

Now, my good friends if this statement of mine is acceptable as true and correct, why are you going to deprived these people of their rights to receive their payments and in exchange of their human and noble services rendered during the guerrilla days? This is in case these are real guerrillas and not false.

My suggestion is this my good friends, that if this Unit Commanders had done wrong, then punish them, but not deprived them in anyway of their long awaited payments or rather cut short their payments. This case is unlike labor contracts, these people are or were in anyway willing to give up their life for the triumph of Democracy.

Lastly my friends, step for a while and think, recall from your memory the hardship of these people in the battle grounds during these unforgettable days, I am calling your

s/ E. M. C. Castillo  
Col. Inf (G) PA.  
ASN-048972  
Overall Comdr  
BARVFI

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most kind attention to this matter and serve them justly regardless of this contempt.

At exactly 12:00 mid-nite, the members of the Guerrilla Payment Commission retired to take their mid-nite lunch.

At exactly 5 minutes to 1:00 o'clock, they resumed the meeting.

In this occasion Col. White, stand up to read the agreement pertaining to the case of those unpaid units.

COL. WYMAN WHITE: - It has been agreed by the Commission concerns to give a chance, a single chance to those unpaid units to pay their account now, on condition that they will only be paid sixteen (16) months and nine (9) months respectively, not like those other who had met their obligations on the deadline date. And if these Unit Commanders are willing and will abide by this agreement then come forward and pay your accounts to Brig-General Hamilton, so that we can formally declare the units who are entitled to payments between the 7th and the 10th of March, 1952, or the following month.

All the Five Units who had requested for reconsideration paid their full account, as their was no other choice but pay, so that they may be placed on the Schedule of payments.

After the payments had been done, then the members of the Guerrilla Payment Commission, resed for a while.

Then at exactly 2:30 A.M., Major-General Philipps, stood up and formally declared the seven (7) Units paid, that they are entitled to payments and will be given their respective directives and Instructions as soon as they finish all the necessary papers.

The schedule of Payments was secretly passed to each and every Unit Commander, as to Dates, Place and Time.

The other Five (5) Unpaid Units were declared to the Second Batch, if they will try hard to meet their obligations on or before the end of this current month.

A meeting of all Unit Commanders, who are scheduled for payments will be held here on the 3rd day of next month (March) to thress out plans of payments and the securities of all Regimental Commanders will be at stake, so all you seven (7) Unit Commanders are obliged to come.

BY ORDER:

MAJOR GENERAL PHILIPPS

(STRICTLY CONFIDENTIAL PLEASE)

/s/ E. M. C. Castillo  
Col. Inf (G) PA  
ASN-048972  
Overall Comdr  
BARVFI

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ORIGINAL COPY OF 201 OF CASTILLO, Eugenio M. C.



Name of Subject	Nature of Claim	Date & Type of Last VA Cert.	No. of Re- clamas (Dates)	Man hrs. expended in this study (by Vets Branch)			
				Adjud. (Min)	Review (Min)	Admin (Min)	Total (Min)
1. AVILA, Clemente L. XC - 6 394 683	Civ. Guerrilla	7 Aug 51 Negative	1 (30 Oct 51)	45'	22'	10'	78'
2. CALLUENG, Emilio XC - 6 341 394	USAFFE	19 Sep 51 Negative	None	105'	75'	40'	220'
3. AYANGCO, Cipriano XC - 6 386 363	Civ. Guerrilla	7 Mar 51 Negative	None	50'	28'	12'	90'
4. AGANON, Genaro XC - 16 601 207	USAFFE	4 Sep 51 Negative	None	135'	30'	40'	205'
5. ABDALA, Amado I. XC - 6 281 976	USAFFE	29 Nov 51 Negative	1 (28 Dec 51)	150'	50'	55'	255'
6. PANGAN, Pedro C. XC - 6 181 151	USAFFE	16 Apr 51 Positive	3 Reclamas on Arrears in Pay	30'	50'	33'	113'
7. ARCALES, Mariano D. XC - 16 596 342	USAFFE	26 Jun 50 Negative	None	130'	40'	25'	195'
8. AGUSTIN, Elinio P XC - 6 307 473	USAFFE	16 Jan 51 Negative	None	90'	55'	72'	217'
9. ACOSTA, Robin R. XC - 6 243 025	USAFFE	13 Mar 51 Negative	1 (11 Jul 51)	200'	185'	95'	480'
10. DE AQUINO, Mariano XC - 6 189 343	USAFFE	10 Jun 51 Negative	1 (28 Dec 51)	190'	165'	80'	435'
11. SANTIAGO, Mariano M. XC - 6 243 486	USAFFE	6 Oct 50 Negative	None	135'	80'	75'	290'
12. REGIS, Leoncio A. XC - 16 598 564	USAFFE	14 Aug 50 Negative	2 (20 Apr 51 & 12 Jun 51)	185'	80'	35'	300'
13. GUINTO, Francisco B. XC - 12 152 927	Civ. Guerrilla	21 Jul 50 Negative	2 (5 Mar 51 & 19 Jul 51)	25'	35'	15'	75'
14. AGUSTIN, Gregorio M. XC - 6 325 351	USAFFE	12 Dec 50 Negative	2 (19 Jun 51 & 29 Dec 51)	120'	95'	40'	255'

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Name of Subject	Nature of Claim	Date & Type of Last VA Cert.	No. of Re- clamas (Dates)	Man hrs. expended in this study (by Vets Branch)			
				Adjud. (Min)	Review (Min)	Admin (Min)	Total (Min)
15. ARPON, Lorenzo L. XC - 6 389 994	USAFFE	12 Dec 50 Negative	None	150'	60'	40'	250'
16. AMADEO, Pedro V. XC - 6 371 394	USAFFE	30 Apr 51 Negative	None	130'	70'	25'	225'
17. ARREGLADO, Rufo M. XC - 6 246 176	USAFFE	29 Dec 51 Positive	1 (29 Dec 51)	287'	25'	60'	372'
18. ANOD, Ildefonso E. XC - 6 311 829	USAFFE	29 Dec 51 Positive	1 (29 Dec 51)	150'	30'	10'	190'
19. ASAJAR, Celestino XC - 6 310 309	USAFFE	28 Dec 51 Positive	None	60'	40'	10'	150'
20. AGONNOY, Jose A. XC - 6 375 504	USAFFE-Guer.	12 Dec 50 Neg-USAFFE Pos-Guer	3 (16 May 51 11 Jul 51 10 Aug 51)	180'	85'	50'	315'
21. CARBALLO, Gregorio L. XC - 6 391 171	USAFFE	16 Feb 51 Negative	2 (16 Aug 51 3 Oct 51)	260'	240'	80'	580'
22. MONTEFOLKA, Emiliano XC - 16 602 436	USAFFE	7 Jul 50 Negative	1 (22 Oct 51)	190'	80'	50'	320'
23. BACARO, Salvador O. MRO - 2148	USAFFE-Guer.	20 Feb 50 Negative	1 (20 Apr 51)	135'	130'	50'	315'
24. ALSADO, Antonio XC - 6 323 278	USAFFE	29 Mar 51 Negative	None	165'	185'	40'	390'
25. POLINES, Serafin XC - 6 390 383	USAFFE	11 Apr 51 Negative	None	250'	60'	50'	360'



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SECURITY INFORMATION

AGCM-M

3d Ind

Subject: Evidence and allied supporting papers of Individuals and Organizations denied guerrilla recognition.

AGO, Dept of the Army, Washington 25, D. C., 5 April 1950

TO: Commander-in-Chief, Far East Command, APO 500, c/o Postmaster San Francisco, California

It is desired that the Headquarters National Defense Forces, Republic of the Philippines, be informed as follows:

a. That documents submitted to the U. S. Army in connection with claims for guerrilla recognition and for arrears in pay are the property of the United States Government and cannot be returned.

b. That documents submitted in connection with claims for guerrilla recognition have been transferred to the Records Administration Center, AGO, St. Louis, Missouri, and are not available for access by official representatives of the Republic of the Philippines or by claimants or their authorized representatives.

c. That access to documents in the custody of the AG Records Depository submitted in connection with claims for arrears in pay can be afforded only to official representatives of the Republic of the Philippines.

BY ORDER OF THE SECRETARY OF THE ARMY:

7 Incls:  
n/c

s/t/ C. Z. SHUGART  
Adjutant General



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SECURITY INFORMATION

HEADQUARTERS  
PHILIPPINES COMMAND (AIR FORCE) AND THIRTEENTH AIR FORCE  
APO 74

1 June 1950

The Honorable Myron M. Cowen  
American Ambassador  
Embassy of the United States  
Manila, Philippines

Sir:

Reference is made to letter, Headquarters, Philippines Command, U. S. Army, Subject: "Evidence and Allied Supporting Papers of Individuals and Organizations Denied Guerrilla Recognition, file GSX, addressed to Chief of Staff, Armed Forces of the Philippines, under date of 12 October 1949 (copy inclosed), which was in reply to undated letter, same subject from the Chief of Staff, Armed Forces of the Philippines (copy inclosed).

The general question of release to requesting Philippine agencies and individuals of records now in the custody of the Adjutant General Records Depository and other U. S. Government agencies has been under study by the Commanding General, Far East Command, and The Adjutant General, Department of the Army, Washington, D. C.

The decision of the Department of the Army in this matter was received this week and is therefore transmitted as follows:

- a. That documents submitted to the U. S. Army in connection with claims for guerrilla recognition and for arrears in pay are the property of the United States and cannot be returned.
- b. That documents submitted in connection with claims for guerrilla recognition have been transferred to the Records Administration Center, AGO, St. Louis, Missouri, and are not available or accessible to official representatives of the Republic of the Philippines or to claimants or their authorized representatives.
- c. That requests for access to documents in the custody of the Adjutant General Records Depository by official representatives of the Republic of the Philippines and in connection with claims for arrears in pay only will be honored in so far as possible.

I am quite certain that all of us appreciate the necessity for the retention by the U. S. Government of all documentary evidence received in connection with claims, in order that adjudicative action thereon might be properly supported and made of record.

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Letter to Ambassador Cowen, Embassy of the United States, 1 June 1950

Your transmittal of the above information to proper authorities in the Philippine Government will be appreciated.

2 Incls:  
a/s

H. M. TURNER  
Major General, USAF  
Commanding



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SECURITY INFORMATION

American Embassy,  
Manila, Philippines, June 9, 1950

My dear General Turner:

With reference to your letter of June 1, 1950, regarding the release to requesting Philippine agencies and individuals of the records now in the custody of the Adjutant General Records Depository and other United States Government agencies, there is enclosed for your information a copy of note No. 0544 addressed by the Embassy to the Philippine Department of Foreign Affairs on May 25, 1950. The subject note sets forth the position of the United States Government as stated by the Department of State and is in reply to an earlier request made by the Philippine Government for certain data concerning unrecognized guerrillas. I believe that this note is a clear statement of the attitude of our Government on this subject and does not need any further clarification.

Sincerely yours,

Enclosure:

Note 0544.

Myron M. Cowen  
Ambassador

Major General Howard M. Turner  
Commanding General, 13th Air Force,  
Clark Air Force Base  
APO 74



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SECURITY INFORMATION

No. 0544

The Embassy of the United States of America presents its compliments to the Department of Foreign Affairs of the Republic of the Philippines and has the honor to refer to the Department of Foreign Affairs' note No. 32341 of December 15, 1949 requesting that the Philippine Government be furnished with certain data concerning unrecognized guerrillas who are seeking recognition in the Philippines.

The Embassy desires to invite the attention of the Department of Foreign Affairs to the fact that exhaustive investigations were made and meticulous care exercised in the awarding of official recognition to deserving Filipinos. To allay any suspicion on arbitrary decisions, two separate and distinct investigations were made on all individuals alleging guerrilla service. All individuals not favorably considered for official recognition were permitted a reclaim and in many instances, more than two investigations were made, depending upon the pertinent evidence. A period of over three years was devoted to this program; this period was of adequate duration to enable the submission of claims and cogent evidence by all deserving personnel.

In view of the extensive work completed by United States agencies in examining recognition claims, the United States Government does not acknowledge that there remain any unrecognized deserving claimant guerrillas, and considers the guerrilla recognition program finally and completely closed. Accordingly, it is felt that the furnishing of the records in question would serve no useful purpose. Therefore the Embassy regrets that it cannot comply with the aforesaid request of the Department of Foreign Affairs.

American Embassy,

Manila, May 25, 1950

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SECURITY INFORMATION

C O P Y

PREPARATION, USE AND SIGNIFICANCE OF  
INDIVIDUAL AND ORGANIZATION GUERRILLA ROSTERS

I. BACKGROUND

1. Prior to the actual return of the U.S. Army Liberation Forces in the Philippines, certain bona-fide guerrilla organizations were in direct contact with GHQ-SWPA via radio and through sub-marine courier. The main mission assigned these organizations was the procurement of intelligence data and transmission of same to GHQ, SWPA. However, although uncalled for, guerrilla commanders prepared unit rosters and submitted these to GHQ, SWPA via submarine. It may be stated in passing, that in most instances, these rosters were accurate as to strengths and names of personnel. Among these units that submitted rosters were the HUNTERS ROTC, Marking's MFAT, Bulacan Military Area, under Col. Santos USAFIP ML, USAFFE LGAP, and Anderson's. In the process of recognition during and after the liberation, these rosters were never made available to the recognizing agency. A great deal of ill-feeling on the part of bona-fide guerrillas could have been eliminated had these rosters been made available in the process of recognition.

2. Upon the landing of the U.S. Army Liberation Forces in the Philippines, some army organizations utilized the services of guerrilla units. Under Executive Order No. 21, issued by the President of the Philippines, dated 28 October 1944 (Tab A), these guerrilla units could have no status as units of the Philippine Army unless formally recognized by the Commander in Chief. In the process of guerrilla recognition by attachment, the guerrilla commander submitted rosters of his organization, based on U.S. Army Tables of Organization, to the using U.S. Army unit who in turn transmitted the same to higher headquarters. Higher headquarters, that is, AFPAC, issued letters of recognition. However, large numbers of attached guerrillas and non-attached guerrillas were not recognized in this manner.

II. GUERRILLA AFFAIR DIVISION

1. In the process of the Luzon operations, Sixth Army recovered and utilized the services of some 150 guerrilla units, representing approximately 75,000 officers and men. Under Executive Order No. 21, (Incl 1) issued by the President of the Philippines on 28 October 1944, these guerrilla units could have no status as units of the Philippine Army unless formally recognized by the Commander in Chief. To expedite such recognition the following instructions were issued by Commanding General, Advanced Detachment, USAFFE, to Commanding General, Sixth Army, on 16 February, 1945 (Msg Cen NR UAD X 62592):

"It is desired as rapidly as practicable to induct into the Philippine Army those Guerrilla elements who have been or are being employed or whom you believe it is desirable to employ in support of our combat operations on Luzon. They may be inducted into service as groups or individually as you deem expedient ..."

2. By 1 March, 1945, guerrilla units not under Army control presented a serious problem as indicated in following communications received by Headquarters, USAFFE:

a. In a letter dated 4 March, 1945, to PMG, USAFFE, Lt. Colonel J.C. Velasquez, AUS, of PMG Office, Advance Detachment, USAFFE, recommended immediate action "to re-establish law and order in Central Luzon." Large numbers of armed, inactive, unrecognized guerrillas, his letter stated, were impeding military operations, terrorizing local communities, looting local food stocks and pilfering fire-arms and ammunition. This letter was indorsed by PMG to Commanding General, USAFFE, with recommendations aimed to correct the situation.

b. In a letter dated 26 March, 1945, addressed to the Commander-in-Chief, the Secretary of National Defense stated that on the eve of his departure for the United States, President Osmena expressed deep concern over reports of "Dissatisfaction, misunderstanding and unrest among certain guerrillas" and asked Mr. Cabili to study the guerrilla problem and suggest a solution. The Secretary of National Defense went on to say that he had found that the great majority of guerrillas on Luzon were neither recognized nor serving actively under Army control and that large numbers of such guerrillas were eager to assist in the operations against the Japanese and were reluctant to disband; that they were getting no help from the Army and were able to subsist only on what they could beg. Because of these conditions, the Secretary believed that discontent prevailed "to an alarming degree" and that the situation merited the attention of the Commander-in-Chief.

3. Mission. In view of the guerrilla situation described in paragraph 2, above, the Guerrilla Affairs Section was set up as a separate staff section on or about 10 May 45 with Major George Miller as Chief of Section. It was charged with a four-fold mission, as follows:

a. Review and recommend final action on guerrilla units recommended for recognition by United States Army units to which they were attached.

b. Locate and investigate all unrecognized guerrilla units and recommend for recognition, all units deemed worthy of such recognition.

c. Arrange for the processing into the Philippine Army of all guerrilla units so recognized.

d. Disarm and disband all guerrilla units not found to be worthy of recognition.

4. Operations: Guerrilla Affairs operations involved two (2) types of unrecognized guerrilla units; those attached to United States Army units and those not under military control.

a. Units under Army Control. The records of one hundred fifty (150) such units, involving approximately 75,000 officers and men, were

reviewed and approved for recognition. Prior to recognition the following was required:

(1) United States Army using units submitted the following: roster of membership, date of attachment, duties assigned, manner of performance, and recommendation for recognition.

(2) The Guerrilla unit brought its T/O, as nearly as possible, into conformity with T/O of a similar comparable United States Army unit. Exceptions were permitted when overage concerned enlisted men or company grade officers and unit had performed its duties in a creditable manner.

(3) Evidence that unit had been attached to using United States Army unit prior to 1 July 1945, although exceptions were allowed when it was established that services rendered subsequent to 1 July, 1945, were of sufficient value to warrant recognition.

b. Units not attached to United States Army Units. One hundred three (103) such organizations, with a claimed strength of 320,500 officers and men, were investigated as of 20 October, 1945, with the following results:

<u>No. of Units</u>	<u>Strength</u>	<u>Action Taken</u>
20	25,000	Have been recognized.
10	11,900	Had been recommended for recognition. (awaiting final action by higher authority)
29	87,000	Were being investigated by Section. (20 October, 1945)
30	126,000	Had been refused recognition. (unable to meet recognition requirements)
14	52,600	Had been recommended unfavorably. What was the higher authority?
<u>103</u>	<u>302,500</u>	

Paragraph 4 (b), shows a tabulation of Units with strength that were acted upon up to 20 October 1945.

Below are tabulations from 30 June 1946.

As of 30 June 1946.

<u>No. of Units</u>	<u>Strength</u>	<u>Action Taken</u>
187	388,384	Not Favorably Considered
216	241,958	Recognized
165	131,460	Current Invest.
385	261,100	Pending Invest.
<u>Total- 953</u>	<u>1,022,902</u>	



Individual Recog.	407	NFC
	81	Recognized
	999	Pending
Total	1,487	

Casualties	4	Recognized
	804	Pending
Total	808	

		Strength
Units	953	1,022,902
Indiv		1,487
Casualties		808
Grand Total		1,025,197

Requirements for recognition of a guerrilla unit, not attached to a United States Army Unit were as follows: (Generally known as General MacArthur's Five Points)

(1) The unit must actually have been maintained in the field in opposition to the enemy, during the enemy occupation and its activities during its existence must have contributed materially to the eventual defeat of the enemy.

(2) The unit must have had a definite organization and maintained adequate records of its members, (names, ranks, dates of enlistment or joining, dates of promotions, etc.). Rank of members must not be excessive for the actual size of the command maintained in the field; in general, they must be proportionate to United States Army or to pre-war Philippine Army Tables of Organization. No officers will be recognized in the rank of general officer.

(3) Action of the unit must have been such as to indicate adequate control by its leaders. Dispersal of personnel to other units, preying on the civil population, attacks on other guerrilla units, indicate lack of such control. The sphere of operations and unit strength claimed by the unit must be commensurate with the nature of terrain, limitations of communications facilities, and degree of anti-resistance activity of the Japanese in the area during the period concerned.

(4) The unit must be able to show continuity of activity of its organization since the date of formation without materially changing its geographic location. Units which dissolved due to pressure by the Japanese military cannot be considered to have been true military units.

(5) Members of a unit must have devoted their entire efforts, while in the unit, to military activity in the field, to the exclusion of normal civilian pursuits and family obligations. Persons who lived at home, supporting their families by means of farming or other civilian pursuits, and who assisted guerrilla units on a part-time basis are not considered as guerrillas entitled to recognition and pay.

The plan followed in recognizing guerrilla units not under United States Army Control, consisted of four (4) steps, as follows:

(1) Research Period. During this period, time was devoted to gathering all possible information on guerrilla units, leaders, past activities, political or military affiliations, formation, and location. This information was obtained from sources other than the guerrilla units concerned.

(2) Contact period. During this period contact was made between teams of the section and guerrilla unit commanders. An initial questionnaire was filled out by guerrilla unit commanders as a basis for the investigation by contact teams.

(3) Screening period. During this period, units which the section decided were worthy of recognition, were instructed to screen, (Reduce their strength to conform to U.S. Army or Pre-War Philippine Army T/O) and reorganize their respective units. Guerrilla units were then formed into a semblance of standard T/O & E units, particularly as to grades and numbers of officers. It was intended that the guerrilla commanders made these alterations, but it was found that guidance was needed by contact teams. When reorganized and his roster completed, a letter requesting recognition was written by guerrilla commander to Commanding General USAFFE and subsequently to HQ AFPAC, AFWESPAC and PHILRYCOM.

(4) Processing period. After written orders of recognition had been published by Commanding General, USAFFE, guerrilla unit was moved to a designated garrison area for processing and equipping. Processing was accomplished by personnel from the nearest Replacement Battalion (PA). Those civilian volunteers desiring to return to civil life when processed, were directed to comply with procedure of relief from active duty or discharge of active service with Philippine Army.

c. The guerrilla situation on Luzon presented a far different picture from that of any other island for two reasons: pressure of Japanese occupation was extremely heavy (estimated 200,000 Japs on Luzon in 1944), and communications with the headquarters of General MacArthur were extremely poor. As a result, at the time of liberation there were an estimated four hundred guerrilla units on Luzon, varying in size from 50 to 20,000 members each. As of 20 October, 1945, there were approximately 170 guerrilla units recognized - 42% of the total number in existence. From time to time during the period of Japanese occupation, many resistance units were dissolved due to loss of leaders through sickness, capture or death. Members of such units often joined other guerrilla groups presenting a rather confused picture when United States forces arrived on the scene. Such confusion in guerrilla units' genealogy made the problem of recognition particularly difficult because of circumstances beyond the control of either United States Forces or the guerrillas themselves. All guerrilla organizations which made representations to Headquarters, AFPAC, AFWESPAC, and PHILRYCOM were accorded a hearing and have been investigated.

d. The demobilization of unrecognized guerrilla unit was accomplished by authority of the President of the Philippines, who on 26 September, 1945, published Executive Order No. 68 (Incl 2) which directed all unrecognized guerrilla units to disband, turn in their arms and records, and return to their homes and engage in normal civilian pursuits.

CASUALTY RECOGNITION:

5. GENERAL: The following policy was established as a guide for deciding the majority of claims submitted for casualty recognition. Cases not covered herein were judged on their own merit. Individuals included on casualty rosters are in addition to troop recognitions.

6. DEFINITIONS: For the purpose of this discussion the following definitions will apply:

a. Casualty Status.

- (1) An individual guerrilla, serving either as a member of a recognized or non-recognized guerrilla organization, is considered to be in a casualty status if he has been (1) killed in action, or (2) has incurred a wound, injury, or disease in line of duty as a direct result of his military activity against the Japanese, or (3) has died as a direct result of such wound, injury, or disease.
- (2) A civilian killed or injured by direct or indirect enemy or friendly action, who is not eligible under Par 6 a (1) above, is not eligible for recognition as a guerrilla casualty.

b. Recognition Limits. - - In deciding all cases, it was understood that individuals would not be recognized nor receive any pay and allowances beyond 30 June 1946.

c. Line of Duty Status. - - In general, disease, injury, or death was considered as received in line of duty if incurred or aggravated as a direct or indirect result of direct or indirect military activities against the Japanese. These conditions must have existed between the limiting dates of 7 May 1942 and 30 June 1946.

d. Time Lost. - - All time lost under AR 35-1440 and AW 107 will be deducted from the accrued pay of the recognized individual.

7. REQUIREMENTS: To gain recognition as a guerrilla casualty the following general requirements must have been met:

a. Individual should be a member of a recognized guerrilla unit, except that casualty recognition may be tendered when there is firmly established a satisfactory record of actual resistance against the Japanese as a bona fide member of an existing, though unrecognized, unit.

b. Individual must have entered into a casualty status between the initial date of his induction and the date he ceased to be a member of unit, whether separated by resignation, demobilization, death, or by turnover on 30 June 1946, whichever is earlier.

c. Individual must have incurred the disease, injury, wound or death in line of duty between the dates mentioned in Par 6 c above. Whenever line of duty status is established satisfactorily, it may be presumed, unless evidence to the contrary appears, that the disabling disease or illness was incurred or aggravated by military service.

d. Individual claiming a disabling disease or illness after his separation from military service will be presumed to have incurred such disease or illness after separation. He will not be considered for casualty recognition unless it is proved that the disease or illness was incurred or aggravated in line of duty during the period of military service.

e. Individual who was recognized, processed, and paid up to the terminal date of his unit, but who had entered a casualty status in a military hospital prior to the terminal date and was still hospitalized after the terminal date, will be carried on full-pay status until he is discharged from the hospital, or until 30 June 1946, whichever is earlier.

f. In cases where continuous casualty reports and rosters have been maintained in the units, individuals included on casualty rosters submitted simultaneously with an approved roster may be recognized upon presentation of satisfactory confirmatory evidence.

g. An individual submitting a casualty claim as a member of a recognized unit, but who was not included in the official recognized roster nor on an accompanying casualty roster, must prove his claim satisfactorily. Proof must include:

- (1) Membership in the unit,
- (2) Line of duty status,
- (3) Nature of illness or injury,

h. Claimants from recognized or non-recognized unit who were admitted as guerrillas to a United States or Philippine Army hospital, and the records thereof carry them admitted as in line of duty, may be recognized. Investigation must preclude evidence of fraud or deceit to gain admittance to the hospital or that they were civilian non-combatants.

#### 8. LIVING-CASUALTY RECOGNITION IN RECOGNIZED UNITS:

a. General. - - An individual included in a recognized roster, but who had not yet been processed because of his casualty status, was processed without further investigation. In the event such an individual was still in any army hospital, he was carried in a full-pay status until such time as he was discharged from the hospital, or until 30 June 1946, whichever is earlier.

b. With Terminal Dates. - - When a member of a recognized terminal-date unit entered into a casualty status during the period of recognition of the unit, his period of recognition was made to extend from the initial date for his unit, or his induction date, whichever is appropriate, to the date of his discharge from the hospital, or to 30 June 1946, whichever was the earlier.

c. Without Terminal Dates.

- (1) When an individual who belonged to a recognized unit entered into a casualty status before the initial date of recognition of the unit, his individual period of recognition may start on the date he entered casualty status and extend to his date of discharge from the service or the hospital, or 30 June 1946, whichever is the earlier. His period of recognition referred to in this paragraph did not apply to any other recognized member of the unit to which subject individual belongs.
- (2) Where an individual claimed to have been a member of a recognized unit and entered into a casualty status during the period of recognition of the unit, and whose request for individual recognition as a guerrilla casualty and insertion in the unit roster has been favorably considered, the period of recognition extended from the date of the unit's recognition, or his induction date, whichever is appropriate, to the date he was discharged from the hospital, or 30 June 1946, whichever is the earlier.

9. LIVING-CASUALTY RECOGNITION IN NON-RECOGNIZED UNITS:

a. A living casualty not a member of a recognized unit had to prove that he became a casualty as a direct result of his guerrilla operations against the enemy.

b. When an individual claiming membership in an unrecognized unit was favorably considered and he was confined in an army hospital, his period of recognition extended from the date he entered a casualty status to the date he was discharged from the hospital, or 30 June 1946, whichever is earlier.

c. When an individual claiming membership in an unrecognized unit was favorably considered and he was not in an army hospital nor requiring further hospitalization, his period of recognition was appropriately determined after consideration of all facts.

10. DECEASED-CASUALTY RECOGNITION OF RECOGNIZED UNITS:

a. In the case of a deceased person on a casualty roster submitted at the same time as the recognized unit roster, his period of recognition extended from either the date of recognition of the unit or from his induction date, as appropriate, to the date of death, or 30 June 1946, whichever is earlier.

b. When the deceased, as a member of a recognized unit, entered a casualty status before the initial date of recognition of the unit, his recognition will be for the date he became a casualty only.

c. When the deceased, as a member of a recognized unit, died during the period of recognition of his unit, his period of recognition extended from the initial date of recognition of the unit, or from his induction date, whichever is appropriate to date of death.

11. DECEASED CASUALTY RECOGNITION IN RECOGNIZED UNITS WITH TERMINAL DATES:

a. When the deceased, a member of a terminal-date recognized unit, died during the period of recognition of the unit, his initial date of recognition was the initial date of recognition of his unit or his date of induction whichever is appropriate.

b. When the deceased died before the period of recognition of his terminal-date unit, his initial recognition was for the date of casualty only.

12. GUERRILLA ROSTERS:

a. The various types of guerrilla rosters compiled from the liberation period to the deactivation of GAD are as follows:

- (1) Original Troop Rosters ✓
- (2) Supplemental Troop Rosters ✓
- (3) Casualty Rosters ✓
- (4) Terminal date Guerrilla Rosters ✓
- (5) Revised Troop Rosters —
- (6) Reconstructed Troop Rosters —
- (7) Reconstructed Revised Rosters —
- (8) Individual letter of non-casualty Recognition —
- (9) Individual letter of casualty Recognition. —

b. Original Troop Rosters

(1) Rosters prepared by guerrilla commanders of those individuals attached to the American liberating forces.

(2) Rosters prepared by guerrilla commander and presented to Hq, AFVESPAC, Hq, USAFFE, Hq, AFPAC and Hq, PHILRYCOM for recognition. Many of these rosters were subsequently approved by the before mentioned headquarters. These rosters were then categorized as original rosters of units that previously had never been recognized.

c. Supplementary Rosters

These rosters consisted of individuals of a unit that had previously been recognized but of which not all deserving members were included on the original recognized roster. Many large units have numerous supplementary rosters. All such supplemental recognitions must have a letter of recognition to give credence to the authenticity of the roster.

d. Terminal Date Guerrilla Rosters

These rosters usually consisted of members of a unit that were recognized for services during the liberation only. This type of unit in most instances did not exist during the occupation period. Examples: Fil-American Cavite Guerrilla Forces (Castaneda Unit), 300th Infantry Guerrilla Bn., Soriano's 1st Independent Guerrillas. Some units of the larger over-all commands are TDG units. Examples: Squadron 227 IGAF, elements of David's III Army Corps, elements of Marking's Fil-Americans, etc. Service of terminal date units normally ends before, but not later than 26 September 1945, the date Executive Order 68 was issued by President Osmeña. (See attached Exec Order No. 68).

e. Revised Troop Roster

(1) On or about mid - 1946, the Guerrilla Affairs Division initiated a program to revise the dates of recognition of all units that were deemed worthy of recognition during the occupation period. This program entailed a thorough review and investigation of all recognized large over-all commands as well as recognized independent units. In most instances guerrilla commands had been recognized for their services during the liberation period only; therefore, revision of dates was referred to as the setting back (From 1944 or 1945 to 1942) of the present recognition dates of a specific organization. The general policy adhered to was, that large over-all commands when initially organized consisted of a small group of individuals and as certain periods of time elapsed the unit expanded until the liberation period, at which time the organization was at its maximum strength. Therefore, many individuals listed on the original rosters of recognition of a unit were not included on the revised roster. Give example. This is established by the fact that not all individuals recognized were deemed worthy to be included on the revised roster. An individual listed on the revised roster but not on the original roster is not considered recognized. Many instances have arisen where individuals were included on the revised roster, but do not appear on the original roster. In this event, Guerrilla Affairs Division deleted the individuals from the revised roster whenever same was discovered.

(2) Two types of revision rosters were prepared. One type consisted of one roster which indicated a man's period of service. Another type was a set of rosters for every six months from date of revision to date of initial recognition.

No revision rosters were prepared for units in the Visayas and Mindanao. Revision of an individual's period of service was based on his 201 file in RPD and archive records of his unit.

III. RECONSTRUCTION OF ROSTERS

1. Upon the completion of the revision of dates program on or about 31 Dec 47, Guerrilla Affairs Division under took the task of reconstructing and compiling complete and accurate authenticated rosters of all recognized troop and revision rosters existing at the time, for

distribution to various agencies concerned with Philippine Army personnel such as the Headquarters National Defense Forces, Recovered Personnel Division and the Veterans Administration. These reconstituted rosters are the sole recognized rosters and thus constitute the only permanent record of recognized guerrillas. This pertains to troop roster generally as very few casualty rosters were reconstructed.

2. The reconstruction of rosters was deemed a vital necessity inasmuch as many original rosters were in deplorable condition, that is, they were either incomplete, illegible, incorrect in strength, altered without authority, not on file, existence of two rosters of totally different personnel for one recognized unit each totalling the authorized strength, or duplication of names on rosters.

3. Recognized or allegedly recognized rosters were checked against letters of recognition for strength. Names deleted from the rosters without authority were restored while names added without authority were deleted. Names deleted and substituted were restored and substituted names deleted. If a name was illegible, it was either deleted entirely or the name guessed at. The latter is the main cause of existing discrepancies of names on rosters. Units with no recognized rosters were reconstructed from pay vouchers on file at Headquarters National Defense Forces, 201 files and archives at the Recovered Personnel Division and/or Headquarters National Defense Forces and unit files at the Guerrilla Affairs Division.

4. Initial rosters were either compiled alphabetically by unit without regard to rank or were prepared alphabetically and numbered serially throughout the command with rank, unit designation and date or period of recognition opposite each individual's name.

#### IV. UTILIZATION OF ROSTERS

1. Since the rosters prepared by Guerrilla Affairs Division constitute the sole recognized rosters, only individuals whose names appear on these rosters are entitled either to current pay or arrears in pay.

2. An individual, with no USAFFE status, whose name appears on a guerrilla roster is considered to have been a member of the Philippine Army serving the Armed Forces of the United States which entitles him to pay and veterans benefits.

3. In cases of individuals with USAFFE status and whose names appear on a recognized guerrilla roster, same may be placed in a missing status for period of service with the guerrilla unit. In the event he is carried on the roster in a higher grade than his USAFFE grade, he is adjudicated in this higher grade. In the event the grade as shown on the guerrilla roster is lower, the individual is adjudicated in his USAFFE grade.

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V. ANOMALIES

1. It is to be borne in mind that the preparation of rosters in the process of recognition of a unit was the sole responsibility of the unit commander. Guerrilla Affairs Division simply approved same. As a result of this, certain anomalies existed in the inclusion of names in these rosters. Certain guerrilla commanders used this privilege in the furtherance of their political ambition while others to enrich themselves. This, of course, does not hold true of all guerrilla commanders.

2. As a result of the above, certain bona-fide guerrillas have never been recognized, their names having been substituted by people who could afford to have their names included therein.

3. Another form of anomaly that existed was the inclusion of a group of individuals on an initial troop roster. Upon revision of the unit, these same people were supposed to have been carried on the revision roster. However, the unit commander included a new set of individuals on these rosters to increase the recognized strength of the unit. The latter are in the status of unrecognized guerrillas.

13. DEFINITION OF TERMS:

The following terms used by the Guerrilla Affairs Division are defined below:

a. American Liberation. Period 20 October 1944, the landing on the Island of Leyte, to 2 September 1945, the cessation of hostilities.

b. Attachment of Attached Units. Guerrilla units which were attached to U.S. Army units active in the liberation and which performed services for or with those units.

c. Attachment Papers. Certifications of services, commendations and recommendations given by U.S. Army units to guerrilla units.

d. Bolo, Spearman, Fighting Blade Units. Voluntary organizations who aided guerrillas on a part-time basis as laborers and ammunition carriers but who were not active military guerrilla units.

e. Casualty. An individual guerrilla, serving as a member of a recognized or non-recognized guerrilla organization, is considered to be a casualty if he has been (a) killed in action, or (b) incurred a wound, injury, or disease in line of duty or (c) died as a direct result of such wound, injury, or disease.

f. Combat Unit. A guerrilla unit formed for the purpose of combat

g. Complaint Letter. A letter complaining of the activities of an individual guerrilla or unit.

h. Contact or Investigating Team. Usually one American or Philippine Army investigating officer and one enlisted man organized to investigate activities of a unit or individual for recognition.

- i. FC. Abbreviation for "favorably considered" which indicates acceptance for recognition.
- j. Guerrilla. Any person who participated in the resistance movement against the Japanese.
- k. Home or Volunteer Guards. A voluntary organization formed only for part-time civilian defense.
- l. Independent Unit. A unit that existed and operated independently of the large overall commands.
- m. Individual. Any person applying personally for recognition.
- n. Intelligence Unit. A guerrilla unit formed only for the purpose of intelligence and counter-intelligence operations.
- o. Initial Investigation. The first investigation of a unit or individual.
- p. Initial Date. The commencement date on which a unit or individual is recognized.
- q. Investigating Officer. A commissioned officer designated to investigate guerrilla claims, either alone or in a team.
- r. Island Command. A guerrilla organization covering all or part of any island or group of islands under the overall command of one officer.
- s. Island Commander. The commanding officer of an Island Command.
- t. Japanese Occupation. The period from 7 May 1942 to 19 October 1944.
- u. NFC. Abbreviation for "not favorably considered" which indicates refused recognition.
- v. Overall Command. A guerrilla organization covering the major portion of one province or a group of provinces under the command of one officer.
- w. Overall Commander. The commanding officer of an Overall Command.
- x. Paltiks. Home made firearms.
- y. Points (Five). A set of general requirements used as the basis for determination of guerrilla recognition.
- z. Propaganda Unit. A guerrilla unit formed only for the purpose of issuing and distributing propaganda and counter-propaganda.

aa. Recognized Leader. The leader of a recognized guerrilla unit.

ab. Recognition. Term indicating that a unit, a part of a unit, or an individual has been given the status of membership in the Philippine Army and in the service of the Armed Forces of the United States.

ac. Revision of Dates. The official alteration of the initial or terminal dates of recognition.

ad. Sabotage and Demolition Unit. A guerrilla unit formed only for the purpose of sabotage and demolition operations.

ae. Screening. Directed reduction of a large number of guerrillas to a lesser number conforming to United States Army or Philippine Army Tables of Organization.

af. Supplementary Roster. An additional roster of a guerrilla unit listing personnel omitted from an original.

ag. Terminal Date. Limiting or final date, set to determine the period of recognition.

ah. Terminal-Date Recognition. The recognition of a unit or an individual for a period between an initial and a terminating date. Pay and allowances are granted only between the limiting dates of recognition.

ai. Unit. A designated guerrilla organization consisting of more than one person. Such a unit may or may not follow a US or PA Table of Organization.

aj. Unlimited or Non-Terminal-Date Recognition. Recognition of a unit, an individual, or a casualty with an initial date of recognition and final date determined by the actual date of discharge from the Philippine Army, or by 30 June 1946, where applicable.

ak. USAFFE (United States Army Forces in the Far East). Refers to personnel who were members of the United States Army Forces prior to the surrender.

al. USAFIP NL (United States Army Forces in the Philippines). A guerrilla command in the Philippines, organized by order of General MacArthur, as a part of the Army of the United States. This organization came into being after the surrender. The main command was ultimately located in Northern Luzon, under Colonel Russel W. Volckmann.

am. Using Unit. An American Army unit to which a guerrilla unit or individual was officially or unofficially attached.

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an. Using Unit Recognition. Recognition of a guerrilla unit or individual granted by proper authority on recommendation of a using unit in the field. During the liberation, the authority to recommend recognition in the field was delegated to all American divisions and combat teams.

ao. 1945 or 1946 Guerrillas. Units or individuals who did not participate in the resistance movement during the occupation and the liberation but who advanced claims in an effort (1) to conceal collaboration activities (2) to share in the money and benefits accorded recognized guerrillas. Genuine guerrillas refer to 1945 and 1946 guerrillas as "fake" or "phoney" guerrillas.

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An Act granting the Plywood Industries, Inc., a franchise to construct, maintain and operate a point-to-point radio station in the Philippines,

has considered the same and has the honor to report it back to the Senate with the following recommendation:

That it be approved with the following amendment—

On page 3, between lines 13 and 14, insert a new section as Section 4-A which shall read as follows:

"SEC. 4-A. THIS FRANCHISE IS MADE UPON THE EXPRESS CONDITION THAT THE GRANTEE SHALL CONTRIBUTE TO THE PUBLIC WELFARE, SHALL ASSIST IN THE FUNCTIONS OF PUBLIC INFORMATION AND EDUCATION, SHALL CONFORM TO THE ETHICS OF HONEST ENTERPRISE, AND SHALL NOT USE ITS STATIONS FOR THE DISSEMINATION OF DELIBERATELY FALSE INFORMATION OR WILFULL MISREPRESENTATION, OR TO THE DETRIMENT OF THE PUBLIC HEALTH, OR TO INCITE, ENCOURAGE OR ASSIST IN SUBVERSIVE OR TREASONABLE ACTS."

Respectfully submitted,

(Sgd.) PEDRO R. SABIDO

Chairman

Committee on Banks, Corporations and Franchises

The Honorable  
The PRESIDENT OF THE SENATE  
Manila

El PRESIDENTE. Al calendario de asuntos ordinarios.

El SECRETARIO:

(Informe Número 1504)

MR. PRESIDENT:

The Committee on Civil Service to which was referred Senate Bill No. 664, 3rd C. R. P., introduced by Senator Zulueta, entitled:

An Act further amending section twelve of Commonwealth Act Numbered One hundred eighty-six, as amended, by prescribing two other modes of retirement and for other purposes,

has considered the same and has the honor to report it back to the Senate with the following recommendation:

That it be approved without amendment.

Respectfully submitted,

(Sgd.) JOSÉ C. ZULUETA

Chairman

Committee on Civil Service

The Honorable  
The PRESIDENT OF THE SENATE  
Manila

El PRESIDENTE. Al calendario de asuntos ordinarios.

El SECRETARIO:

PROYECTO DE LEY EN PRIMERA LECTURA

Del Senador Cea (S. No. 665, 3.<sup>er</sup> C. R. F.), titulado:

An Act to amend certain items in Republic Act Numbered Fourteen hundred eleven regarding public works projects for the Province of Camarines Sur.

El PRESIDENTE. Al Comité de Obras Públicas y Comunicaciones.

SEGUNDA LECTURA Y CONSIDERACIÓN

DEL S. NO. 547

Senator PRIMICIAS. Mr. President, I ask for the consideration of Senate Bill No. 547.

The PRESIDENT. Consideration of Senate Bill No. 547 is now in order. The Secretary will please read the bill.

The SECRETARY:

"AN ACT CREATING A COMMISSION TO DISPOSE OF ALL UNSETTLED CLAIMS OF FILIPINO VETERANS

WHEREAS, Executive Order No. 21 of President Osmeña, dated October 28, 1944, declared all persons who were actually serving in military forces in the Philippines under a commander who has been appointed, designated or recognized by the Commander-in-Chief, Southwest Pacific Area to be entitled to all the rights and privileges of members of recognized guerrilla organizations;

WHEREAS, the said Executive Order was subsequently embodied in Circular No. 100 of the USAFFE headquarters dated November 17, 1944, and its provisions partly implemented by the United States Government;

WHEREAS, there are still a great number of Filipino veterans who, during the last war, actively served in military forces in the Philippines under a commander duly appointed, designated or recognized by the Commander-in-Chief of the Southwest Pacific Area but who have not been extended the rights and privileges by members of recognized guerrilla organizations; and

WHEREAS, in fairness and in justice to Filipino veterans who have been denied the benefits due them, Now, therefore,

*Be it enacted by the Senate and House of Representatives of the Philippines in Congress assembled:*

SECTION 1. There is hereby created a Commission to process, determine and dispose of all unsettled claims of Filipino veterans.

SEC. 2. The Commission herein created shall be under the Office of the President and shall be composed of one Chairman and two Members to be appointed by the President with the approval of the Commission on Appointments. The Chairman shall receive an annual compensation of twelve thousand pesos and each Member, ten thousand pesos. The Commission shall have the following powers and duties:

1. To appoint its own personnel and fix their compensation;
2. To prescribe rules and regulations to carry into effect the provisions of this Act; and
3. With the approval of the President, it may establish a branch office in Washington, D. C. or send representatives to the United States to work for benefits to Filipino veterans.

SEC. 3. Any person who shall file, in whole or in part, a false claim, or certify to such claim knowing the same to be false, shall be imprisoned for a period of from six to twelve years.

SEC. 4. All claims of veterans shall be disposed of by the Commission within the period of one year from the date of the approval of this Act.

SEC. 5. The sum of one hundred thousand pesos is hereby authorized to be appropriated out of any funds in the Na-

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tional Treasury not otherwise appropriated to carry out the provisions of this Act.

SEC. 6. This Act shall take effect upon its approval.

Senator PRIMICIAS. Mr. President, the distinguished Chairman of the Committee on Civil Service, the gentleman from Iloilo, Senator Zulueta, will sponsor the bill.

The PRESIDENT. The gentleman from Iloilo has the floor.

PONENCIA DEL SEN. ZULUETA

Senator ZULUETA. Mr. President and distinguished Colleagues:

The bill now before us, I believe, hardly needs a sponsorship speech. Any legislative measure that would right a wrong, that would do justice to a considerable portion of our citizenry who fought for freedom and democracy, does not need a sponsor.

Such, Mr. President, is Senate Bill No. 547 which seeks to recognize and reward those of our countrymen who fought as valiantly and as heroically as their comrades-in-arms during the last war but whose services have not been appreciated. No member of this august chamber I daresay, Mr. President, can, in conscience, be opposed to such a piece of legislation.

But I must beg your forbearance, Mr. President and distinguished colleagues, for I desire to note down a few observations.

The public hearings conducted on this bill, Mr. President, revealed that a number of guerrilla units and/or individuals who actually fought the enemy were not extended U. S. recognition and even those who were already recognized, the United States Army authorities withdrew official recognition and were therefore deprived of their arrears in pay and other benefits under the laws administered by the United States Veterans Administration. Revocation of recognition was affected expressly by letters of revocation of previous orders of recognition and, impliedly, by arbitrarily cancelling names appearing in already recognized rosters of guerrilla troops,<sup>1</sup> as well as in the rosters of guerrilla casualties.<sup>2</sup> Not satisfied with revocation of recognition, the American military authorities also altered arbitrarily the recognition dates by shortening the period of entitlement to arrears in pay of those who remained in the recognized rosters. For example, Mr. President, a guerrilla unit may

be previously recognized as of June 1942, but the recognition date was arbitrarily changed to say, May, 1944, so that arrears in pay would begin to accrue to the individual members from May 1944 instead of June 1942. These guerrillas whose recognition was arbitrarily revoked, as well as, guerrillas who deserved to be recognized, are now deprived, under our own laws and under the laws of the United States of whatever rights, privileges or benefits that may otherwise be entitled to.

At this juncture, Mr. President, I can well end my sponsorship speech and ask for unanimous approval of the measure now under consideration by merely asking you to take a good look at the gallery. Here are the widows and the orphans; here are those who still bear with them the scars and the brutal marks of violence. No language can be more eloquent than the sight of a destitute widow and a helpless and hungry orphans; and no argument, Mr. President, can be more convincing than to have before you the melancholy picture of a disabled veteran.

The immediate purpose of this bill, Mr. President and distinguished colleagues, is to correct, to a certain extent, these anomalous situations in the interest not only of simple justice but also in the furtherance of our national aspirations to insure the future security, freedom and happiness of our people. Although acts of patriotism are expected to be rendered spontaneously without any promise of reward whatsoever, I do say, Mr. President, that it is the solemn duty of governments to create the proper atmosphere and incentives for the citizenry to be always loyal and dependable, ever ready to give the full measure of devotion in the defense of the State and for those principles men fight and die for. I say, Mr. President, that the security, the happiness and the welfare of our country and people rest squarely and only on the individual loyalties of our citizens. If injustices are tolerated and allowed to prevail, if those who fought the Japanese invaders at a great sacrifice not only to themselves but also their loved ones are left out in the cold, ignored and unrewarded, we cannot expect our people in the future to again rally to the defense of this country with their fortunes and with their lives. Already we see discouraging signs. Our reservists seem no longer eager to receive their respective mobilization assignments. Twenty-year old boys are showing reluctance in registering for military training. Cases of evasion from ROTC training are mounting. Widows, not without reason, are heard telling their growing sons never to become

<sup>1</sup> Memorandum for record, Subject: Status of civilian guerrillas whose recognition had been revoked, signed by Major John W. Page, AGD, Director, Service and Certification Division

<sup>2</sup> Ibid.

soldiers again, for did their fathers not die in the hands of a cruel enemy during the dark days of the Occupation but were considered not to have died in line of duty by the Department of the Army of the United States and are therefore not entitled to benefits from the laws administered by the U. S. Veterans Administration? This situation is, indeed, serious, and it requires, Mr. President, the full and immediate attention of our authorities at the highest level. The remedy must be applied now for tomorrow might be too late.

Distinguished colleagues: It is not my purpose to exaggerate or to dramatize. But with your indulgence, permit me to recall the typical war stories which, while not perhaps borne by the records, will drive home my point. President Quezon, because of lack of arms and to spare the cream of Filipino future leaders, ordered the disbandment of all ROTC cadets all over the Philippines. One such college student who saw victory even in the grim actuality of defeat, instead of going home, took the long and perilous road to Bataan to join his comrades-in-arms. The commanding officer making his rounds one evening, surprise this same boy with a dim and flickering candlelight in an isolated foxhole. Asked what he was doing, without saying a word he handed to the officer a letter from his mother who asked him to come home to his loved ones as it was the order to disband all ROTC cadets.

But in the same letter was a hurriedly written note, in the penmanship of his father telling him that while he, the father, would not want his son to die, to come home even after the order of disbandment would be an ignominy more painful than death. The boy heeded his father and in the bloody carnage that was Bataan he became one of those heroic souls who now lie buried in a nameless grave. The war ended, and like many other kinds of war heroes, the boy's father asked the United States Veterans Administration for whatever benefits he may be entitled to. His claim was denied because he could not prove USAFFE services for his son. In so many words which was equivalent to calling the father a liar, the United States Veterans Administration authorities turned down the claim as the boy's name was not among those certified or included in the USAFFE rosters of troops on Bataan.

Here is another tale of contrast which is perhaps more pathetic. A twenty-year old lad was charged with having violated the provisions of the National Defense Act in that he refused to report for military training. Asked to explain, the boy reasoned out that it was his father who forbade him to reg-

ister. When the father was called upon to give his side, he was bitter and defiant. He had a soldier-son before the war, he said, who fought and died for his country but whose services were not recognized both by the Philippine Government and by the United States of America. I always taught my children love of God and love of country, he shouted accusingly, but because of the insults heaped upon me on account of the death of my eldest son who was in the service of the USAFFE during World War II, I have sworn never to let any of my other sons join the colors again, I would rather kill my second son with my own hands so that I can at least give his helpless remains a decent burial than see him become a soldier and let his carcass rot in some neglected hillside.

For a better understanding of our predicament, let me briefly recall a bit of recent history. During World War II, Mr. President, we placed unconditionally at the complete disposal of the United States of America all our human and material resources for the successful prosecution of the war. We did not, even for a moment inquire into what rights, status and privileges our USAFFE boys would receive from the United States. Neither did we even bother to know how the widows and the orphans and disabled would be taken care of by the United States in the service of which they were primarily called and drafted. In short, Mr. President, we trusted explicitly in the much-vaunted reputation for fair play, square deal and love of justice and equality of the American people. When our boys were still resisting on Bataan, Corregidor and elsewhere, nothing was too good for them and unsolicited promises were solemnly made of straight arrears in pay at Federal rates, full benefits under the GI Bill of Rights,<sup>1</sup> pensions and insurance payment benefits on the dollar basis for widows and orphans. Even President Roosevelt himself promised to reimburse the cost of the last carabao lost during the war.<sup>1</sup> Almost fifteen years had elapsed, Mr. President, but still all those promises remain promises and whatever limited benefits we were able to wrest from the United States Government seemed to have been grudgingly given to our veterans with strings and legal conditions attached. Permit me, Mr. President, to go into some of the details so that this august body and the whole Filipino nation, including the American people and government, can

<sup>1</sup> See text of the GI Bill of Rights.

<sup>1</sup> Filipinos heard this pledge of President Roosevelt which was disseminated by the propaganda media of the U.S. Army and over hidden radio receiving sets during the Occupation.

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judge and correctly assess this so-called special relations we have with our former mother country, the United States. It is significant to consider that the USAFFE veterans and Filipino guerrillas constitute a special group most loyal to the United States as they had nobly fought for the American flag during the most trying days of Bataan and the Japanese Occupation of the Philippines. America's treatment of this group of Filipinos may, therefore, be considered as a correct yardstick with which her true intentions towards this country and people in general can be safely gauged.

Pursuant to the authority vested in the U. S. Constitution and especially the authority contained in the Philippines Independence Act of March 24, 1934, on July 26, 1941, former President Roosevelt issued a Military Order<sup>1</sup> calling and ordering into the service of the United States for the duration of the emergency, all organized forces of the former Commonwealth Government. The President of the United States is the Commander-in-Chief of the U. S. Federal troops and when the former Philippine Army was ordered into the service of the United States, for all intents and legal purposes, the Philippine Army was in the Federal service of America, because in the international sense, the former Philippine Commonwealth Government was not a free and independent state. It was territory of the United States and legally it could not assume the prerogatives and attributes of a free and sovereign state such as declaring war or ending the war and concluding peace treaties. When America declared war on Japan, the Philippines could lawfully be attacked by Japan as an American territory. The former Philippine Army as inducted into the USAFFE did not, consequently, have a separate and distinct personality from the Armed Forces of the United States during World War II. In the international sense<sup>2</sup> the inducted forces of the former Commonwealth Army was part and parcel of the Federal Armed Forces of the United States, and the members thereof entitled to all the rights, protection and privileges that U. S. laws accord to all her fighting men. These rights and status were accorded to Porto Ricans and Hawaiians,<sup>3</sup> but the same rights and status were denied the Filipinos who fought more and suffered the most. Contrary to international law and even the American Constitution, the United States Government after the war took the position that the former USAFFE and the guerrillas were not part and parcel of the Armed Forces of the United States, but were only in the service thereof as they continued to be a Common-

wealth Army irrespective of the clear terms of the Military Order of President Roosevelt. The only reason behind that, Mr. President, was to avoid payments of Federal pay rates to the Filipinos. Thus, the U. S. Department of Defense allowed the payment of only P18 a month to a Filipino private while fighting on Bataan, Corregidor and elsewhere for the American flag. Eighteen pesos a month, Mr. President, is not even a day's wage of a common laborer in the mining fields of Pennsylvania or a waiter in some low class American hotels. Even this P18 a month, Mr. President, was denied the soldier from the moment he was released, under duress, from a Prisoner of War Concentration Camp by virtue of AFWESPAC Staff Memorandum No. 14, denying pay after release, although under the rules of land warfare,<sup>4</sup> a soldier continued to be in the status of a prisoner of war released on parole and entitled to arrears in pay until formally discharged from the service. The implementation of this AFWESPAC Staff Memorandum No. 14 which was calculated to save American dollars made more than 32,000 of the former members of the

<sup>1</sup> See page 31, *The Case of the Filipino Veteran*, a brochure published by the Senate Committee on Veterans and Military Pensions.

<sup>2</sup> Read Statement of Pres. Truman on the Rescission Law, *The Case of the Filipino Veteran*, p. 19.

<sup>3</sup> Puerto Rico and Hawaii, like the Philippines then were territories of the United States. Porto Ricans and Hawaiians in the service of the U.S. military or naval forces were therefore considered component parts thereof. Under the Rescission Act, however, Filipinos were singled out and were therefore deprived of benefits accorded American GI's.

<sup>4</sup> For a more detailed discussion, see *The Case of the Filipino Veteran*, pp. 38-42. See also the Order of General MacArthur dated 8 December 1944, page 42.

<sup>5</sup> On March 10, 1942, the USAFFE headquarters issued in a Circular the unnumbered Executive Order of Pres. Quezon raising the salaries of Philippine Army officers to equal that of the U.S. Army and those of Filipino enlisted men to equal those of the Philippine Scouts. On Nov. 17, 1944, the USAFFE headquarters issued Circular No. 100 approving Pres. Osmeña's Executive Orders Nos. 21 and 22, both dated Oct. 26, 1944, the latter raising the salaries of the enlisted men of the Philippine Army to the same scale as that of the U.S. Army. By virtue of Executive Order No. 9011 of President Roosevelt, approval by General MacArthur of the Executive Orders of Presidents Quezon and Osmeña binds the United States as General MacArthur was given express authority by the U.S. Congress. See also the letter of Pres. Osmeña, dated Nov. 2, 1945, addressed to Acting U. S. Secretary of War Kenneth C. Royall.

<sup>6</sup> See, *The Case of the Filipino Veteran*, pp. 36-37.

<sup>7</sup> Laws and Customs of War on Land of the Hague Convention No. IV, see also *The Case of the Filipino Veteran*, p. 38; also U.S. War Department Document No. 10011, p. 39.

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USAFFE as "PAY BACKS" instead of being entitled to arrears in pay after going through the ordeals of war. The United States Veterans Administration had also taken advantage of the provisions of AFWESPAC Staff Memorandum No. 14 by declaring that former USAFFE's who died after release from Prisoner of War Concentration Camps were no longer in the active service and their widows and orphans no longer entitled to benefits of pensions and insurance payments. Many of the former USAFFE's died in the hands of the Japanese Kempetai while on parole during the Japanese occupation. Is the supreme sacrifice in the hands of a cruel enemy not enough, Mr. President, to prove line of duty status? A prisoner of war released on parole and re-arrested by the Japanese Military Police for underground activities and subsequently killed, for all legal purposes, died in the service of the United States. One of the most pathetic sights one could possibly see during the early days of our liberation was that of a destitute widow of a USAFFE soldier trying to convince U. S. Army authorities that her husband must have died in line of duty, or was probably guerrilla because the Japanese simply picked him from their home in the middle of the night and that was the last time she saw him alive. She needed his back pay to feed her hungry children but no back pay was forthcoming under the provisions of AFWESPAC Staff Memorandum No. 14. The United States Veterans Administration would not approved payment of pension benefits because her husband's death, although in the hands of the enemy, was considered to be on a non-casualty status because he was on parole from the Japanese, and from the moment he was placed on parole, the U.S. Department of the Army considered him no longer in their service and therefore not entitled to further pay from the United States. How could this widow proved that he was a guerrilla when the secret of his underground activities perished with him? This situation prevails to this day, Mr. President. Can you therefore, blame the widows if they are now bitter and resentful? Can you blame these guerrillas who come before us now to seek justice and redress because justice was denied them?

The records show, Mr. President, that the Congress of the United States appropriated a total amount of P994,626,600<sup>2</sup> in various appropriation laws entitled, "Expenses, Army of the Philippines." The last appropriation being in the amount of \$200,000,000 under Public Law 301, 79th Congress, dated February 18, 1946. Not one centavo was spent from this last appropriation of \$200,000,000 because only P570,868,000 was actually transferred and paid to the Philippine Government from the

total available appropriation amounting to P994,626,000, leaving the sum of P423,758,600 untouched, which amount would, otherwise, have been spent if deserving guerrillas were recognized and had AFWESPAC Staff Memorandum No. 14 not been promulgated and erroneously implemented.

The appropriations authorized by the Congress of the United States provide that the same is only available for payment to the Philippine Government.<sup>3</sup> After the total sum of P570,868,000 was actually transferred and paid to the Philippine Government, a portion of this amount, roughly P70 million, was made the subject of a loan agreement between Mr. Rómulo and Mr. Snyder, with interest at the rate of 2½ per cent per annum. Because of this Rómulo-Snyder Agreement, distinguished colleagues, the Philippine Government was made to borrow its own money which was already in the nature of a trust fund intended solely to pay veteran's claims. My information, Mr. President, is that in a Diplomatic Note sent to us by the Department of State, the U. S. Government is actually claiming the return of the sum of almost P75-million under the terms of the so-called Rómulo-Snyder Agreement. It is also my information, Mr. President, that the interest alone for a period of ten years will aggregate, in round figures, to approximately P15-million. This unfortunate Agreement represents, therefore, almost P90-million or \$45 million dollars money belonging to our veterans and to our Government. During the last session of Congress, Senators Púyat and Lim introduced a Senate Resolution declaring the Rómulo-Snyder Agreement void *ab initio* as it has contravened specific provisions of Philippine laws and violates the trust character of the USAFFE funds as already transferred and paid to our Government. Furthermore, the Rómulo-Snyder Agreement is void for lack of con-

<sup>1</sup> Inspired by the gallant defense in Bataan and Corregidor, the U.S. Congress passed the Missing Persons' Act in 1942 for the purpose of guaranteeing the pay of soldiers who were captured, besieged or beleaguered by the enemy. It denied arrears in pay only on one ground, that is, "absence from post of duty without authority." Staff Memorandum No. 14, however, enumerated additional grounds and because a number of USAFFE soldiers failed to meet the additional requirements, they found themselves owing money to the U.S.

<sup>2</sup> Read draft prepared by Mr. Quintero and Col. Camins, dated October 27, 1950.

<sup>3</sup> All the six U.S. Appropriation acts entitled, "Expenses, Army of the Philippines," are couched in the same language and making the funds "available for payment to the Government of the Commonwealth of the Philippines, upon its written request, either in advance of or in reimbursement for all or any part of the estimated or actual cost, as authorized by the Commanding General, United States Army Forces in the Far East, of necessary expenses and purposes aforesaid."

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sideration as no new funds were received by our Government as loan.<sup>1</sup> The resolution, Mr. President, is still pending in the Senate Committee on Foreign Relations. As to when the Chairman of the Committee will present the Resolution to this body for discussion is not known to me. I hope, however, that in justice to our veterans, said Resolution will be reported out for immediate consideration on the floor if only because of the far-reaching effect to the financial interest of our country and the financial damage to our veterans whose pending claims cannot now be paid because the money is being returned, with interest, to the United States Government, instead of paying the pending money claims of our veterans.

In a letter to the U. S. Senate, dated October 26, 1945, addressed to the Honorable Carl Hayden, U. S. Senate, General Omar Bradley, the Administrator of Veterans Affairs stated, among other things, that Filipino veterans are entitled to all the benefits of the GI Bill of Rights in like manner and to the same extent as an American G.I. dollar for dollar. Quoted verbatim from the letter of General Bradley referred to above are the following paragraphs:

"The number of Philippine cases is approximately 1.4 per cent of the estimated number who served in World War II. Applying this percentage to the total estimated cost of World War II, the cost of the Philippine cases is estimated at approximately \$3,000,000,000.

If the sum of \$1,206,000,000 is invested at 3 per cent, it will be sufficient to pay \$3,000,000,000 over a period of 75 years at an average of \$40,000,000 per year. Paid in pesos, this would mean a lump-sum appropriation of \$63,000,000.

It is understood also that the War Department is making a study of the actual strength of the Philippine Commonwealth Army in armed forces of the United States and of questions which will arise in relation thereto when the Philippines attain full independence."

Among Americans, however, there are a few who are not fully sympathetic to our cause. Let me illustrate: Because under the GI Bill of Rights Filipino veterans are entitled to claims amounting to \$3-billion, a rider was inserted in Public Law 301, 79th Congress, limiting the rights of the Filipino

veterans to only service-connected disability or death and to contract insurance, the benefits to be computed in the ratio of one Philippine peso to the U.S. dollar. The rider was incorporated in the Rescission Act of 1946,<sup>1</sup> Public Law No. 301, 79th Congress. In practical effect, a \$3-billion liability was reduced by the rider to only \$500,000,000 according to the statement of the Senate Committee which authorized the rider referred to and I quote from the U.S. Congressional Records, H. R. 5603, as follows:

"EFFECT OF RESCISSION BILL AMENDMENT

The first effect of the amendment from the point of view of United States Treasury was to reduce a liability for veterans' benefits from \$3,000,000,000 to \$500,000,000, both of these amounts being based upon estimates made by the Veterans' Administration. This was accomplished by limiting such benefits to pensions on account of service-connected disability or death and by further providing that, when allowed, such pensions shall be paid at the rate of one Philippine peso for each dollar otherwise authorized."

Senator TAÑADA. Mr. President, will the gentleman allow me to ask a few questions?

The PRESIDENT. The sponsor may answer if he pleases.

Senator ZULUETA. Gladly.

Senator TAÑADA. I wish to announce that I am in full agreement with the purpose of this bill, and I am impressed by the brilliant sponsorship speech of the distinguished gentleman from Iloilo. I understand time is of the essence because these poor veterans and widows have been deprived of their rights. For some time, the United States has refused to recognize their rights. Now we are trying to remedy their situation. Can Your Honor inform us, what is the function of the Commission we are trying to create?

Senator ZULUETA. This bill provides for the creation of a committee to screen the claims of the veterans under this bill.

Senator TAÑADA. Does Your Honor have any idea as to the amount of those claims?

Senator ZULUETA. We have no complete idea. Our committee will make a complete list of all these deserving veterans.

Senator TAÑADA. Does Your Honor mean to say that without having an idea of the number of those claims and the value of the same, Your Honor fixed in this bill a period of one year within which those claims will be processed?

Senator ZULUETA. The Commission will take care of that.

Senator TAÑADA. Yes, but according to the bill this Commission shall finish the work only in one year so that, after one year, it cannot function

<sup>1</sup>The first Letter-Agreement was entered into between General George F. Moore, Commanding General Philippine Ryukyus Command, and General Rafael Jalandoni, Chief of Staff, AFP, on June 30, 1948. This Agreement was later modified by the Shea-Castañeda Letter-Agreement. Under our law, contracts entered into by Chiefs of Staffs are not valid unless approved by the Secretary of National Defense. That was the reason why the Romulo-Snyder Agreement was signed in Washington on November 6, 1950. The latter Agreement in effect ratified and confirmed previous Agreements.

<sup>2</sup>See text of the "Rescission Law".

any more. While this bill is with us, I think we should make it as effective as possible.

Senator ZULUETA. Your Honor, we have given careful study to solve this problem. We can extend the year fixed here for the Commission to perform its duties. My only intention is to make the Commission work faster.

Senator TAÑADA. Does the sponsor have any objection if we increase this period of one year to, say, three years?

Senator ZULUETA. I have no objection. The more Your Honor gives guarantee to the approval of this bill and its future enactment, the more agreeable I am.

Senator TAÑADA. I, therefore, announce my intention to present an amendment to change the period of one year to three years.

Senator ZULUETA. I am agreeable.

Senator TAÑADA. Doesn't Your Honor think we can make this bill more effective by deleting the phrase "authorized to be" in the appropriation provision of section 5?

Senator ZULUETA. In the period of amendment, Your Honor can propose the necessary amendments.

Senator TAÑADA. I am asking Your Honor if he will be agreeable to deleting that phrase "authorized to be" so that this section shall read as follows: "SEC. 5. The sum of one hundred thousand pesos is hereby appropriated . . ." This will make the bill more effective.

Senator ZULUETA. Well, Your Honor, I have been listening many times to your contention that an appropriation measure must be initiated by the House of Representatives. So, I was afraid to insert that kind of provision in this bill, but now that Your Honor is the one who proposes the amendment, I will accept it.

Senator TAÑADA. But this bill is different from the bills that I objected to, because the appropriation is purely an incident to the main purpose of the bill, which is the creation of a commission.

Senator ZULUETA. Well, that will make the bill better.

Senator TAÑADA. How about amending this provision appropriating one hundred thousand pesos by increasing the amount, because if this bill contemplates the setting up of an office and sending missioners to Washington, I think one hundred thousand pesos will not be enough, or are we just dangling something before the eyes of the veterans because this is election year?

Senator ZULUETA. Then, I will say, that Your Honor is more "papista" than the pope.

Senator TAÑADA. Your Honor is the pope.

Senator ZULUETA. No, Your Honor is the pope. I was agreeable when Your Honor told that he is going to propose an amendment making three years instead of one year. Naturally, we must increase the appropriation. How much is the amount Your Honor is intending to add?

Senator TAÑADA. I wish Your Honor will inform me how much is the amount involved, because if it will involve millions, it is inadequate to appropriate only one hundred thousand pesos.

Senator ZULUETA. I think one hundred thousand is well enough for one year, but for three years three hundred thousand pesos will be needed.

Senator TAÑADA. Thank you.

Senator DELGADO. Mr. President, will the gentleman yield for a few questions?

The PRESIDENT. The gentleman may yield, if he so desires.

Senator ZULUETA. Willingly.

Senator DELGADO. I wish to state that I was greatly impressed by Your Honor's beautiful sponsorship speech and I wish to add that I am heartily in support of the objective and most of the provisions of the bill.

Senator ZULUETA. I am very glad to hear that.

Senator DELGADO. But, like the gentleman from Quezon, I would like to be practical about this matter. I wouldn't want to feed our veterans and our widows and orphans with merely false hopes, but what I would want is to have cash and service given to them immediately or, if not immediately, in the near future, and to this end I would like to propound a few questions.

Senator ZULUETA. I want to answer first that insinuation.

Senator DELGADO. No insinuation at all, on the contrary, I agree with the purpose of the bill, but I would like to improve it by making it practical, if Your Honor will permit me to indicate this.

Senator ZULUETA. I expect that Your Honor would do so as a former War Damage Commissioner.

Senator DELGADO. In the first place, is the purpose of this bill merely to create a Commission that will try to facilitate the work in Washington,

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D.C. to get more benefits and more money for the veterans and their widows and orphans, or is it also the purpose of this bill, if we fail from getting anything from the United States, to have our own Government and our own finances give the help needed and the justice that these veterans and widows and orphans deserve?

Senator ZULUETA. In the course of my speech, Your Honor will find out that what I am saying here is that if the Government of the United States will not seem to look for the rights of our veterans, our Government will look after them.

Senator DELGADO. If that is the case, I entirely agree with the views of the distinguished gentleman from Quezon, that the time limit should be increased, because one year is too short. As I said, I have some experience in claims, and I know that with the many claims of these veterans, it will be impossible unless we have a very big personnel to process these claims in one year, and I also agree with the idea that P100,000 is barely enough, probably not only for the expenses of the Commission, I hope Your Honor will permit us to assist him in time, in finding out the total amount of the pending claims, deserving claims of the veterans and their widows and orphans. Now, as to what Your Honor stated about what Your Honor did not know what the Committee on Foreign Affairs did on the resolution presented by the distinguished gentleman from Zamboanga del Norte and the gentleman from Pampanga and Manila, I wish to refer Your Honor to the letter of the President of the Senate addressed to the President of the Philippines some time last year yet, in connection with that resolution, and for Your Honor's benefit, since Your Honor said that he did not know of the action that was taken, I wish to state that after the brilliant speech of the distinguished gentleman from Zamboanga del Norte on the floor and the speech made by the gentleman from Pampanga and Manila, that resolution was referred to our Committee and on the following day we held a meeting and the Committee unanimously agreed that the spirit or the contention in that resolution was absolutely correct, but that, inasmuch as there was already a mission and a committee of the Laurel-Langley Mission to the United States precisely negotiating about the annulment of the Rómulo-Snyder agreement and, in addition, trying to get from the United States Government almost a billion dollars for the benefit of the veterans and their widows and orphans, that the Committee unanimously held and it did not

think that we should denounce that agreement unilaterally but rather, we should get the President of the Philippines to instruct the Committee there to go ahead and denounce it bilaterally through negotiations, which for Your Honor's benefit, I would like to read.

Senator ZULUETA. That is not necessary. I am giving Your Honor my sincere apologies, and for all these veterans now present, it is unnecessary to read that resolution as they are satisfied. I take Your Honor's word.

Senator DELGADO. Then, if that is the case, I will ask that this letter be made of record as a part of Your Honor sponsorship speech, to show what has been done and what is the desire of all of us. I am sure that we will support Your Honor in anything that will benefit the veterans, their widows and orphans, but we will go one step farther. We want something practical. We want cash and service for the veterans, their widows and orphans right away and, if not right away, in the near future. I am sure Your Honor will agree with me in that.

Senator ZULUETA. I am going to that.

When the rescission law was presented to President Truman for his signature, President Truman took exemption to the legislative rider contained therein barring and limiting the benefits a Filipino Veteran would be entitled to under the GI bill of rights, in the following language:

"In approving H.R. 5158, I wish to take exception to a legislative rider attached to the transfer of a \$200,000,000 item for the pay of the Army of the Philippines.

The effect of this rider is to bar Philippine Army veterans from all benefits under the GI bill of rights, with the exception of disability and death benefits, which are made payable on the basis of 1 peso for every dollar of eligible benefits. I realize, however, that certain practical difficulties exist in applying the GI bill of rights to the Philippines.

However, the passage and approval of this legislation do not release the United States from its moral obligation to provide for the heroic Philippine veterans who sacrificed so much for the common cause during the war.

Philippine Army veterans are nationals of the United States and will continue in that status until July 4, 1946. They fought, as American nationals, under the American Flag, and under the direction of our military leaders. They fought with gallantry and courage undermost difficult conditions during the recent conflict. Their officers were commissioned by us. Their official organization, the Army of the Philippine Commonwealth, was taken into the armed forces of the United States by Executive Order of the President of the United States on July 26, 1941, that order has never been revoked or amended.

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I consider it a moral obligation of the United States to look after the welfare of Philippine Army veterans.

Senator LIM. Mr. President, will the gentleman yield?

The PRESIDENT. The gentleman may yield, if he so desires.

Senator ZULUETA. With pleasure.

Senator LIM. I notice that President Truman stated there is a moral obligation on the part of the United States to take care of our veterans, their widows and orphans. But all of us who know international law because we are lawyers, know very well that it is not only a mere moral obligation but it is also a legal obligation, and I dare say, in order not to give our veterans, their widows and orphans false hopes, that if our mission in the United States ever fails to fight for our legitimate claims for veterans, their widows and orphans, we should take this matter to the International Court of Justice of the United Nations.

In the case of the Guam laborers, for example, they have been discriminated against right under our very noses because of the failure of the United States of America to give to our laborers the benefits of the United States Fair Labor Standards Act of 1938, that is, at the rate of one dollar an hour which is now increased to one dollar and ten cents an hour, because Guam is an unincorporated territory of the United States. And last year, the Philippine delegation which was headed by your humble servant brought this matter to the attention of the United States delegation to the International Labor Conference at Geneva, and I would like to say that when we told the American delegation that, unless this Guam labor matter is settled through diplomatic channels, the Philippines will submit the matter to the International Labor Conference officially, the American delegation told us not to do so because the communist countries led by Russia were only waiting for a chance to criticize Philippine-American relations. Subsequently thereafter, Mr. Wilkins, the Undersecretary of Labor, asked me to give them time because they would send to America a certain congressman who was then one of the advisers to the American delegation to the International Labor Organization. I am happy to say that, on the very week of the arrival of the American congressman in Washington, the bill which was then pending and sure of approval in the United States Congress excluding Guam and other unincorporated territories from the provisions of the U.S. Fair Labor Standards Act of 1938 was recommitted to the Committee on Labor of the U.S. House of

Representatives. It should seem, therefore, that when we told them that we were going to submit the matter officially before the International Labor Conference, the United States delegation decided that something must be done, and, fortunately, because of that advice, I would not say threat, on the part of the Philippine delegation, that bill was recommitted to the Committee on Labor. And according to news coming from America about one month ago, the Filipino laborers are going to be given the rate of one dollar and ten cents per hour in the naval and military installations in Guam.

So, I dare say that since this is a legal right on the part of Filipino veterans, not a mere moral right as President Truman said—although I am grateful enough for his commenting on that rider in that regard—I think perhaps he just used the word “moral” in order to pacify United States Congressmen and Senators, but since this is a legal right, I dare say let us show them that we mean business, because, as I told the gentleman from Iloilo, I would like to say that, when I said business, I mean we are going to submit the matter to the United Nations to be threshed out reasonably and legally. I would like to state that while I am in favor of this bill, and I do not doubt the sincerity of the gentleman from Iloilo because I have observed his attitude since last year, I have seen him burning with fervor, passion and fire for the interest and welfare of veterans, their widows and orphans, unless we do this, we are going to give our veterans another false hope. I dare say that the Filipino veterans, their widows and orphans are tired of these promises without getting any money, because this bill, if we approve it, would be only for the purpose of studying the claims as to what amount, the total amount in general and the specific amounts, would be due to our guerrillas and other veterans, their widows and orphans who have not received any benefits yet, because we know that the Philippine Government cannot afford to pay these veterans, their widows and orphans and the *guerrilleros*. If, as Your Honor says, about 32,000 of them have been neglected and that now there are about 300,000 new guerrillas we seek to recognize, perhaps including the bolo battalions and the women who served as cooks, first aiders, nurses and as laundry women for our guerrillas, it would amount to millions and millions and billions of pesos which the Philippine Government, let us be frank to our veterans, their widows and orphans, can never afford to pay, even in the next fifty years. So, I dare say

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that the bill is good because the purpose is to establish a commission to study the claims, but it is not good unless we submit formally and legally this matter to America, because it is only the American Government that can afford to pay and it must pay because this is a legal claim.

Your Honor mentioned the Missing Persons Act, whereby against all the provisions of international law on land warfare, the United States Government sought for its own convenience to say that all those prisoners of war who were released from the Japanese concentration camps had reverted to civilian status from the moment they were released. This is against international law because when a prisoner of war is released from a concentration camp, he is not reverted to civilian status while the war is going on. That is very elementary in the international law of land warfare, and yet they sought to do that to the prejudice and in discrimination of our Filipino veterans, their widows and orphans.

Your Honor mentioned also the Rescission Law, regarding the rider, by which we have been short-changed when they say that our Filipino veterans are to be paid at the rate of one peso for every dollar when we know very well that one peso is equivalent to only fifty cents. Your Honor mentioned likewise the deprivation of our veterans of the benefits of the G.I. bill of rights which includes school and educational benefits, hospitalization and other benefits which an American G.I. receives. I think we have been victims of discrimination here and there, and I do say that this Government must bring this matter, if all diplomatic channels fail, to the United Nations for settlement once and for all, because, as I said, it is our legal right to do so and only America should and must pay us. It is not only a mere moral right but it is also a legal right. We must see to it that the Philippine Government show to the United States Government its earnestness and determination to demand that America pay what is due our veterans and guerrillas for services rendered. I have many more things to say as I indicated in my speech last year. But, in order not to deprive the other senators of their precious time, I would like to conclude by saying that I am perfectly in accord with the bill presented by Your Honor, but let us not give false hopes again to our veterans. Let us approve this bill, follow it through and see results. Does not Your Honor think so?

Senator ZULUETA. Yes, I do.

Senator SABIDO. Mr. President, will the gentleman yield?

The PRESIDENT. The gentleman may yield, if he so desires.

Senator ZULUETA. Willingly.

Senator SABIDO. Your Honor, I wish to state at the outset that I am fully in accord with the purposes of the bill, but I would like to point out certain facts which may be of great improvement for the achievement of the purposes of the bill and in order that the truth may appear in the records of the Senate. Before formulating my question, I would like to say that the present administration has made efforts to secure from the United States the recognition of all those who have not been recognized yet so that they may enjoy the same privileges accorded to others.

Senator ZULUETA. Now, Your Honor, I want to make it of record that I never accused our Government of injustices committed against our veterans.

Senator SABIDO. That was far from my purpose in making the statement.

Senator ZULUETA. In fact, during my speech, I have said that President Quezon was the one who initiated the improvement of the salary of our Filipino veterans, and also President Osmeña in his Executive Orders Nos. 21 and 22 approved by General MacArthur.

Senator SABIDO. It appears in this proposed bill that one of the "Whereases" is the following: "Whereas, there are still a great number of Filipino veterans who during the last war actively served in the military forces in the Philippines under a commander duly appointed, designated or recognized by the Commander-in-Chief of the South Pacific Area but who have not been extended the rights and privileges of members of recognized guerrilla organizations . . ." Now my question is this: the RPD was established in the Philippines and operated for almost four years. May I know if all these veterans for whose benefit the service is intended have filed their corresponding claims before the said Division?

Senator ZULUETA. Many of them, or probably all of them.

Senator SABIDO. Probably all of them?

Senator ZULUETA. But Your Honor knows, the Screening Committee working under the influence of many persons, including veterans, accepted many fake veterans and left behind many genuine veterans, and that is the reason why we are reopening this case now.

Senator SABIDO. So, their respective claims, justly or unjustly, have already been acted upon by the RPD.

Senator ZULUETA. Yes, and I think one of the distinguished persons, the chairman of the Screening Committee, was investigated and afterwards he committed suicide.

Senator SABIDO. So, there is, so to speak, a decision rendered by that division on all the claims pertaining to the still unrecognized guerrillas.

Senator ZULUETA. Yes, many of them were maltreated.

Senator SABIDO. Now, doesn't Your Honor think, if we want to achieve our purpose, that our efforts should be first of all directed to destroying that decision rendered by the RPD, and to show the unfairness and injustice committed to our veterans who have been deprived of the privileges to which they are entitled in order that the United States, conscious of our veterans' rights, may review her present attitude? Because, unless we do that, whatever may be done by this Commission might be nullified by the United States by simply saying: "Well, we had our own courts of justice, so to speak, in the Philippines. All these claims were duly processed and they were found unmeritorious." So, we have to destroy that decision first.

Senator ZULUETA. Suppose that Your Honor attacks the decision of the RPD mentioned before but they do not listen to our protest?

Senator SABIDO. Well, I think what we ought to do then will be to formulate a request addressed to the United States praying that all the claims processed and denied be turned over to this Commission so that this Commission, with full consciousness of all the attendant circumstances and facts, may make its own decision.

Senator ZULUETA. All these veterans, as I know, made representations in the United States through the RPD.

Senator SABIDO. Yes, I know that, but we have always met with the difficulty of showing the injustice committed to them, because they alone had the papers concerning the claims presented by the still unrecognized guerrillas.

Senator ZULUETA. No, it is not true. Many of our veterans now have their own papers signed by General MacArthur and by the commanders appointed and designated by General MacArthur.

Senator SABIDO. So much the better if they have the papers. But just the same, whether they have the papers or not, we ought to direct our action against the decision of the RPD and show the injustice committed against them. Otherwise the United States will always adopt this attitude. I am afraid they will say, "All right, I recognized my duty and I acknowledged my duty to recognize

meritorious claims of the guerrillas, but the claims unattended so far have been found unmeritorious," and they will stick to the decision rendered. We have to destroy that.

Senator ZULUETA. I believe that we will be wasting time by presenting our claim to the RPD. I respect Your Honor's opinion, but it is the short way to prove the rights of these veterans.

Senator SABIDO. Your Honor, in formulating my questions, it is not my purpose to insinuate that the claims be presented again to the RPD because that would be useless. My purpose is to provide in this bill that the Commission be furnished with all the documents under the control of the RPD so that the Commission, with full consciousness of the actuations of the RPD, may render its own decision.

Senator ZULUETA. It is a very excellent suggestion and I will accept your amendment.

Senator SABIDO. Now, I understand that when the RPD was closed or when the United States finally decided to deny all further claims, there were already 5,000 claims duly processed and ready for approval, if not yet approved, amounting to around P70,000,000, but said 5,000 claims were unceremoniously denied.

*(En este momento el Sen. Mabánag asume la presidencia por designación de la Mesa.)*

Senator ZULUETA. Yes, I agree with Your Honor. We want this reviewed.

Senator SABIDO. Why not ask for all the documents presented before the RPD?

Senator ZULUETA. The Commission will do that.

Senator SABIDO. I think we ought to do that, otherwise if the RPD decides against and the Commission decides in favor, I am afraid that the United States will be confused in rendering decisions on claims of those who have died.

Senator ZULUETA. Suppose we do that and the RPD refuses to give the records?

Senator SABIDO. If they refuse to turn over the papers we may have then the right to assume that they are hiding something.

Senator ZULUETA. Then Your Honor will propose that amendment?

Senator SABIDO. I am intending to do so, if Your Honor agrees.

Senator ZULUETA. Oh, yes, very gladly. *(Continuing.)* Says President Truman:

I recognize, of course, that the Commonwealth Government and after it, the Government of the Philippine Republic, have obligations to these veterans.

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But, the government of the Philippines is in no position today, nor will it be for a number of years, to support a large-scale program for the care of its veterans.

However, in recognition of the practical difficulties faced in making payments to Philippine Army veterans under the GI bill of rights, I have directed the Secretary of War, the Administrator of Veterans' Affairs, and the United States High Commissioner to the Philippines to prepare for me a plan to be submitted not later than March 25. I expect to request Congress to make such provisions as are necessary to implement the program when it is evolved."

Up to this day Mr. President no definite steps were taken by the government of the United States to repeal the unconstitutional rider as contained in the rescission law and consequently the widows, orphans and our disabled veterans are receiving only 1 peso for every dollar that an American GI is actually receiving under the GI bill of rights.

I can call this rider in the law unconstitutional, Mr. President, because when a USAFFE veteran died on Bataan in 1942 while defending the American flag and American sovereignty in the Philippines, his heirs are entitled to the benefits of the GI bill of rights in like manner and to the same extent as an American GI, dollar for dollar. When in 1946 the privileges were limited by the rider in the Recission Law and were reduced in amount, property already earned was taken from the soldier or his heir without due process of law. It can also be said, Mr. President, that to single out the Filipino Veterans from among the rest of those who served the United States Government during World War II, would make the rider a discriminatory piece of class legislation and, consequently, unconstitutional.

With respect to those veterans who were classified as "Pay Backs" because of the implementation of AFWESPAC, Staff Memorandum No. 14 and consequently did not receive any arrears in pay from the United States Government but instead were determined to owe money to Uncle Sam for insurance premiums and guerrilla notes received which was charged against his salary, I want to call particular attention, Mr. President, to the language used in the Military Order of President Roosevelt expressly calling the members of the former Philippine Army in the service of the United States of America *for the duration of the existing emergency*. The exact language used and I quote are as follows "I hereby call and order into the service of the armed forces of the United States for the period of the existing emergency, and place under the command of a general officer, United States Army, \* \* \* all of the organized

military forces of the Government of the Commonwealth of the Philippines."

The existing emergency was not yet terminated with the fall of the Philippines to the Japanese. Why is it, Mr. President, that the services of the former members of the USAFFE were considered terminated upon their release on parole from Prisoner of War Camps? Why is it that guerrilla notes given the soldier for him to buy his food, travel and other living expenses to enable him to fight were charged against his arrears in pay? The answer is obvious; it was to save American money by limiting the period of entitlement to arrears in pay due these former service men after their release from Prisoners of War concentration camps and also the payment of pensions and insurance benefits to their widows and orphans for subsequent deaths or disabilities after their release from Prisoner of War concentration camps as they were released more dead than alive. Many of these men upon their release irrespective of their poor health, joined active guerrilla units for which they were either killed or disabled by enemy action. Still their widows and orphans are not now receiving pensions and insurance benefit payments from the United States Veterans Administration as they are considered under AFWESPAC Memorandum No. 14 and under United States Veterans Administration regulations, to have died not in line of duty.

More fortunate are those guerrillas under Senator Kangleon because the guerrilla notes received by them were not deducted from their arrears in pay. But the thousands and thousands of guerrillas under Col. Fertig in Mindanao and those under Col. Peralta and Abcede in Panay and Negros suffered deductions and most of them became "pay-backs" because the guerrilla notes were deducted to their full value from their arrears in pay although the government had redeemed the same at a great discount. In their lifetime, the late President Quezon and the late President Roosevelt showed sympathy and concern for the Filipino veterans. Had President Roosevelt lived longer, he could have kept faith with us and with the ideals for which our soldiers fought and died. In his death, we lost a great and good friend.

In approving the bill now before us, Mr. President, we will be showing to the United States that we, too, are willing to assume on our own responsibility of rewarding those who fought for God and for democracy under the American flag hoping that somehow, someday this legal obligation of the



United States will be honored by them. If America seemed to have failed us, she alone, I believe, is not to blame. After the last global holocaust, America found herself the leader of the free world and assigned by destiny to share in the problems of all the continents. If that great and magnanimous country overlooked us, it was because on our part we might not have presented our case more aggressively and more convincingly.

We are now reopening the issue and I am sure that, true to her great and noble traditions, America will see the justice of our cause. Should we still fail—although I am confident that we will not—we can elevate our case to the International Court of Justice or appeal to the unerring verdict of mankind.

Mr. President and distinguished colleagues: Roosevelt is dead, but those great ideals and everything that stands for Americanism did not die with him.

A few years ago, when I was a delegate to the seventh sessions of the United Nations General Assembly, I had occasion to speak before a select American audience to which I addressed the following appeal:

"Philippine-American partnership, during a period of close to fifty years, can well be said to be without parallel in the annals of mankind. Your accomplishments in our country are too many for enumeration. Suffice it to say that we were the recipient of untold benefits from your people and government but, fortunately, we are not ungrateful. Java was under the Dutch rule, but Java did not stand by her mother country in the last global war. British India did not take common cause with England and Indo-China abandoned the French. But my people, the Filipino people, stood by you in your hour of need. In the name of that friendship, therefore, a friendship cemented by blood and common sufferings, permit me to speak to you in behalf of thousands of unrecognized guerrillas who, up to this late hour, have not lost faith in the benevolence, fairness and magnanimity of the American people and government. Shoulder to shoulder with the American GI's these boys fought in the hillsides of Panay, in the foxholes of Bataan and in the tunnels of Corregidor. They fought not for any material consideration but out of devotion to the ideals of Americanism. But when our war-ravished country was liberated from the clutches of the enemy, you extended recognition to guerrillas scattered all over the country but there were others, equally deserving, that were left out. These brave and gallant boys felt that they were discriminated against; it seemed as if their heroic efforts and sufferings were in vain. In bitterness, some of them have taken to the hills to join the so-called dissidents who are now fighting against the government. They may now be enemies of law and order but I cannot believe it true of them that they are communists as they cannot be enemies of democracy for which they fought and suffered for four unbearable years. But as I said, a great majority of them have not lost faith

in America. To you, therefore, I speak in their behalf; I plead for those true friends and soldiers of democracy. The Americans and Filipinos live with common purposes; they rejoice in common blessings; they suffer in common disaster and glory in mutual happiness under a democracy that must not die."

I thank you, Mr. President.

I ask that we pass into the period of amendments.

The ACTING PRESIDENT. We are now in the period of amendments.

Senator TAÑADA. Mr. President, for some amendments.

The ACTING PRESIDENT. The gentleman from Quezon may proceed.

#### ENMIENDAS TAÑADA

Senator TAÑADA. Mr. President, my amendment is simple. On page 2, line 19, delete the words "one year" and in lieu thereof place "three years."

Senator ZULUETA. The Committee accepts the amendment.

The PRESIDENT. If there is no objection, the amendment is approved. (*There was none.*)

Senator TAÑADA. On the same page, line 21, delete the phrase, "one hundred thousand pesos" and in lieu thereof insert "three hundred thousand pesos."

Senator ZULUETA. The Committee accepts the amendment.

The ACTING PRESIDENT. The amendment is approved if there is no objection. (*There was none.*)

Senator TAÑADA. Mr. President, I would like to invite the attention of the sponsor to the fact that there is no provision in this bill regarding the qualifications of the members of the Commission. Generally, we provide for qualifications. What would be the attitude of the sponsor with respect to that?

Senator ZULUETA. In fact, we have in mind the members of the veterans and the Government.

Senator TAÑADA. Generally, when we enact a law concerning labor and management, we include in the composition of the board a representative of labor and a representative of management. Maybe, it would be a good idea if we could provide that one of the members of the Commission should come from the ranks of the veterans.

Senator ZULUETA. I am agreeable to that.

Senator TAÑADA. In view of the fact that this is a more complicated amendment, I would request to reserve the right to present the amendment later after the gentleman from Bulacán is through with his amendment.

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## ENMIENDA KANGLEÓN

Senator KANGLEÓN. Mr. President, I would like to introduce an amendment. On page 1, line 20, after the period (.) insert the following: "ALL RECORDS OF THE DEFUNCT GUERRILLA SCREENING BOARD SHALL BE TURNED OVER TO THE COMMISSION."

Senator ZULUETA. The Committee accepts the amendment.

The PRESIDENT. The amendment is approved if there is no objection. (*There was none.*)

Senator DELGADO. Mr. President, before I propose my amendment, will the gentleman yield?

The ACTING PRESIDENT. The gentleman from Iloilo, may yield if he so desires.

Senator ZULUETA. Gladly.

Senator DELGADO. Does not the gentleman from Iloilo think that as soon as we have an idea of the amount needed from the Philippine Treasury, should our work in the States fail, that the amount needed should be included in the yearly budget for appropriation? My idea is that we should put here at the end of section 5, line 24, that the Commission should render a report within a year from the approval of this Act as to the amount needed to pay the claims of the veterans, their widows and orphans so that they may be included in the annual budget following that report.

Senator ZULUETA. The Committee would accept that as an amendment.

## ENMIENDA DELGADO

Senator DELGADO. In that case, Mr. President, I introduce an amendment which should read this way: Add after the period (.) on line 24, page 2, section 5, the following: "THE COMMISSION SHOULD RENDER A REPORT WITHIN A YEAR FROM THE APPROVAL OF THIS ACT STATING THE AMOUNT NEEDED TO PAY THE CLAIMS OF THE VETERANS AND THEIR WIDOWS AND ORPHANS SO THAT THE NECESSARY AMOUNT MAY BE INCLUDED IN THE ANNUAL APPROPRIATION ACT."

Senator ZULUETA. Will Your Honor accept an amendment to your amendment by inserting the words "IN CASH OR IN CERTIFICATES", so that certificates may be given like the certificates given to other veterans, as when our Government is unable to pay in cash.

Senator DELGADO. What is Your Honor's amendment?

## ENMIENDA DEL COMITÉ A LA ENMIENDA

Senator ZULUETA. Between the words "PAY" and "THE" of Your Honor's amendment, insert the words "IN CASH OR IN CERTIFICATES".

Senator DELGADO. I accept the amendment to the amendment.

The ACTING PRESIDENT. If there is no objection, the amendment as amended is approved. (*There was none.*)

## ENMIENDAS SABIDO

Senator SABIDO. Mr. President, for an amendment. On page 2, before the last "Whereas", I propose that the following "whereases" be inserted:

"WHEREAS, at the time the R.P.D. (Recovered Personnel Division) which was established by the United States in the Philippines for the purpose of processing and deciding upon the merits of claims presented before said organization and directing payment thereof was closed, there were around 5,000 claims involving the amount of P70,000,000 which have already been processed and approved but without any known justified reasons were not paid;

WHEREAS, according to our knowledge and belief many other claims similar to the 5,000 claims referred to in the preceding paragraph were also unjustly denied by the R.P.D.;

The ACTING PRESIDENT. What does the sponsor say?

Senator ZULUETA. Accepted, Mr. President.

The ACTING PRESIDENT. If there is no objection, the amendment is approved. (*There was none.*)

Senator SABIDO. As a consequence of that amendment, the word "and" appearing after the semicolon (;) in the second to the last "Whereas" should be deleted.

The ACTING PRESIDENT. What does the sponsor say?

Senator ZULUETA. Accepted.

The ACTING PRESIDENT. If there is no objection, the amendment is approved. (*There was none.*)

Senator SABIDO. Now, as a consequence of the said "Whereases", if the gentleman from Samar has no objection, I would request that I be allowed to introduce the following amendment: On the same page 2, between lines 14 and 15, insert the following:

"4. Request the government of the United States directly or through the President or the Ambassador of the Philippines to the United States to turn over to the Commission all the papers or certified copies thereof of Filipino veterans whose claims have been filed with the R.P.D but denied."

The ACTING PRESIDENT. What does the sponsor say?

Senator ZULUETA. Accepted.

The ACTING PRESIDENT. If there is no objection, the amendment is approved. (*There was none.*)

Senator SABIDO. As a consequence of the amendment just approved, the word "and" appearing on line 11 of the same page should be deleted, and

the period (.) on line 14 changed to a semi-colon (;), after which semi-colon the word "AND" should be placed.

The ACTING PRESIDENT. What does the sponsor say?

Senator ZULUETA. Accepted.

The ACTING PRESIDENT. If there is no objection, the amendment is approved. (*There was none.*)

Senator ROSALES. Mr. President, will the gentleman from Iloilo yield?

The ACTING PRESIDENT. The gentleman may yield if he so desires.

Senator ZULUETA. Gladly.

Senator ROSALES. Section 1 of this bill defines the purpose or purposes of this bill and the functions of the Commission. It says here: "to process, determine and dispose of all unsettled claims of Filipino veterans." Now, these words "dispose of all unsettled claims", does not the gentleman believe that they might give false hopes to these veterans, in the sense that they might be interpreted that the Commission cannot only process but also pay claims of veterans? Because, Your Honor, if we use the words "dispose of all unsettled claims", disposition of claims includes payment. So that if the gentleman has no objection, I would propose an amendment to clarify this point.

Senator ZULUETA. We can make this clear.

#### ENMIENDAS ROSALES

Senator ROSALES. Mr. President, I propose the following:

On page 2, line 2, delete the phrase "dispose of" and in its place insert the word "ADJUDICATE". In other words, this Section 1 will read as follows:

"SECTION 1. There is hereby created a Commission to process, determine and adjudicate all unsettled claims of Filipino veterans."

#### ENMIENDA DEL COMITÉ A LA ENMIENDA

Senator ZULUETA. Would Your Honor accept this amendment to the amendment? On line 2, page 2, put a comma (,) after the syllables "termine" and add the word "SCREEN", so that it will read "to process, determine, screen and adjudicate, etc."

The ACTING PRESIDENT. What does the gentleman from Samar say?

Senator ROSALES. I accept the amendment to my amendment.

The ACTING PRESIDENT. If there is no objection, the amendment as amended is approved. (*There was none.*)

Senator ROSALES. In No. 3 of section 2, there is a provision that authorizes this Commission to establish a branch office in Washington, D.C., to work for more benefits for Filipino veterans. But among the purposes of this Commission, I do not find enumerated whether this Commission should work for the benefits to veterans. So, on page 2, line 2, after the word veterans, delete the period (.) and add the following: "TO WORK AND MAKE NEGOTIATIONS FOR MORE BENEFITS FOR FILIPINO VETERANS FROM THE GOVERNMENT OF THE UNITED STATES."

#### ENMIENDA DELGADO A LA ENMIENDA

Senator DELGADO. Mr. President, may I offer an amendment to the amendment. After what has been stated by the distinguished gentleman from Samar, delete the period (.) and add the following: "IN CONJUNCTION WITH SUCH OTHER DIPLOMATIC OR OTHER AGENCIES OF THE PHILIPPINE GOVERNMENT WORKING NOW IN FAVOR OF THE VETERANS."

Senator ROSALES. I accept the amendment to my amendment, Mr. President.

The ACTING PRESIDENT. What does the sponsor say?

Senator ZULUETA. I accept the amendment as amended.

The ACTING PRESIDENT. If there is no objection, the amendment as amended is approved. (*There was none.*)

Senator LIM. Mr. President, will the gentleman yield?

The ACTING PRESIDENT. The gentleman may yield, if he so desires.

Senator ZULUETA. Gladly.

Senator LIM. This is just for clarification. After the gentleman from Samar proposed his amendment to eliminate the words "dispose of" because he says it may include payment, it becomes clear now more than ever that the purpose of the bill is not to create a Commission in order that the Philippine Government may pay these claims, but only to fight for these claims in America. Is that not correct, Your Honor?

Senator ZULUETA. I understand that the gentleman from Samar made more ample the dispositions of this bill in favor of veterans.

Senator LIM. The point here is that our veterans will exactly know that the Commission will be created or organized only to screen and adjudicate the claims of veterans and to work for the claims of Filipino veterans in the United States,

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but not for the Philippine Government to pay their claims. Is that not correct?

Senator ZULUETA. This will include both the Government of the United States and the Philippine Government. Afterwards, if we find that our veterans will not be getting any money from the United States, as I said before, if our Government is a decent government, it must recognize the rights of these veterans. And if our Government has no money, it can issue certificates.

Senator LIM. If that is the intention, why are we afraid to retain the words "dispose of"? That has the meaning of eventual payment.

Senator ZULUETA. Well, it is the same. When Your Honor screens and afterwards Your Honor adjudicates, it is the same.

Senator LIM. Well, evidently so, because Your Honor accepted the amendment of the gentleman from Bulacán which virtually gives the meaning that if America refuses to pay, the Philippine Government will be the one to pay these claims. Is that correct?

Senator ZULUETA. Not only whether America refuses to pay these claims, because our Government is duty bound to recognize the rights of the veterans and pay their claims even if they amount to a billion pesos. Our veterans are not after the billion pesos. They are after their rights. And if our Government is a decent government, it must recognize said rights, but for the present we tell them: "We have no money, but we are going to find the money to pay you."

Senator LIM. That is precisely my worry, because it will be again giving our veterans false hopes, because if the idea is only to recognize, we might just as well give awards to these poor veterans and say, "We are grateful to you for your services in the last war, but we cannot pay you, we have no money." The point, Your Honor, is this: I want to eliminate any shadow of suspicion that we are giving our veterans false hopes, although I know that Your Honor, as author of this bill, has not that intention. But we must be careful, because if we are going to put in this bill anything that would show that once we fail to get this money from the United States, the Philippine Government would have to bear the expenses, we would be inconsistent with our stand. Our stand should be that our veterans and guerrillas, for services rendered in the last global war, are entitled as a matter of legal right, because they have been assimilated and inducted into the armed forces of the United States, to the benefits under

the American GI Bill of Rights as the American GI's themselves, and if we are going to insinuate in this bill that if America does not pay our veterans, the Philippines will, it might weaken our stand. I would like to say, let us fight on the basis that we believe that this is a legal right on the part of our veterans, their widows and orphans, because the Philippine Government has no obligation whatsoever in the international sense of the word to pay our veterans, because that war was not waged by the Filipino people or by the Philippine Government; we got involved in that war because it was a war between Japan and America.

Senator ZULUETA. I disagree.

Senator LIM. And let us not give the American people the idea that if they will not pay, we will pay, because that will be another false hope, because it is impossible for the Philippine Government to ever pay these 300,000 veterans and guerrillas. How long will it take the Philippine Government to pay these 300,000 veterans and guerrillas? Maybe 100 years, and by that time these widows and orphans will be dead. My stand is that we must show the American Government that we don't consider it at all the obligation of the Philippine Government to pay the veterans, but that it is the obligation of the American Government to pay them because they fought their war.

Senator ZULUETA. Does Your Honor believe that if the United States refuses to pay the veterans what it owes them, the Government of the Philippines is not duty bound to recognize their right?

Senator LIM. Recognize their right, yes. We would go on our bended knees to these guerrillas and veterans, their widows and orphans, and plead to them to accept our gratitude for fighting for our beloved country. But mere recognition will not give any money to our veterans. Mere recognition, even if accepted by our patriotic guerrillas and veterans, cannot be used for practical purposes. A mere certificate, even if framed in a beautiful gold frame, will not mean anything unless we can give these widows and orphans enough money for subsistence and clothing. My idea is that I don't want to make it appear that we are inconsistent in our stand, that it is the right of the Filipinos to claim from the United States and that it should not be the obligation of the Philippine Government to pay them, because, as I said, once the Filipino soldiers were inducted, by order of President Roosevelt, into the armed forces of the United States, every Filipino soldier was as much

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entitled to the GI Bill of Rights and other money benefits as any other American GI. Otherwise it would be wishful thinking to expect that if we fail to get what is due us from America, the Philippine Government will try its best to pay our veterans.

Senator ZULUETA. I disagree with the gentleman from Zamboanga when he says that our soldiers fought only for the United States of America. They fought also for the ideals of democracy.

Senator LIM. I understand.

Senator ZULUETA. And they fought to defend the territory of the Philippines, and so, our Government is in duty bound to pay these guerrillas, not only the United States.

Senator LIM. If we were to talk of gratitude, if we were to talk of our involvement in a fight for a common ideology, perhaps we will not be entitled to a single centavo, but if we were to talk of money claims for services rendered, it would be a different matter. Precisely, Executive Orders Nos. 21 and 22 which were signed by President Osmeña were prepared personally by General Mac Arthur, and in implementing that, General Mac Arthur issued Circular No. 100 which was broadcast from the moment they arrived in Leyte to all Filipino veterans and guerrillas in the hills and valleys and mountains of the Philippines, announcing that they would be paid the same amount of benefits that the American GI's would receive.

Senator ZULUETA. May I interrupt the gentleman from Zamboanga? What is the objection of the gentleman from Zamboanga to the amendment presented?

Senator LIM. My objection is that it will weaken our stand by putting up an alternative, and the alternative is this: let us fight for the money claims of our veterans and guerrillas before the American Government, but if they refuse to pay, the Philippine Government will pay. That is the alternative, and I say it will weaken our stand.

I also heard Your Honor that if we fail in our effort to get the desired payments from the United States Government, we will bring this matter eventually to the International Court of Justice of the United Nations. Well, I would say that if we put in this bill something which would insinuate to the Americans that if they don't pay, we will pay, that will weaken our stand.

Senator ZULUETA. That is the amendment to the amendment presented by the distinguished gentleman from Bulacán.

Senator LIM. I came to this conclusion when Your Honor, in answer to my question, said that

the Philippine Government should at least recognize the rights of our veterans. Well, we have been recognizing that without the use of any bill. We have recognized their services. The Philippine Government has recognized their services by means of the annual celebrations commemorating Bataan and Corregidor. We have honored and recognized the patriotic services of our fighting men and women.

Senator ZULUETA. They were recognized under the executive order of President Osmeña.

Senator LIM. Precisely.

Senator ZULUETA. So, what is Your Honor's contention now?

Senator LIM. Let us not include in this bill anything that would tend to show the American Government that if our fight for justice is futile in America, the Philippine Government would pay the unsettled claims.

Senator ZULUETA. It is not in the bill.

Senator LIM. But if Your Honor will read the amendment of the gentleman from Bulacán, Your Honor will see plenty regarding that point, and I came to that conclusion from Your Honor's answer to the gentleman from Samar that payment would be included in the words "disposed of".

Senator ZULUETA. So, Your Honor's objection is only to the words "disposed of"?

Senator LIM. Your Honor accepted the amendment of the gentleman from Samar because it would include the payment of claims. However, the amendment of the gentleman from Bulacán, Senator Delgado, would mean that if we fail to get payment of the claims from America our Government will pay. Now, we know very well our Government cannot afford to pay even in one hundred or two hundred years, and I doubt whether it will ever be able to do so.

Senator ZULUETA. As a Filipino, Your Honor is doubting our resources in the future. The gentleman has no confidence in our strength and vigor to be a great nation economically.

Senator LIM. Till how many years in the future?

Senator ZULUETA. I don't care for how many years so long as these veterans' rights are recognized.

Senator LIM. Your Honor's name as a Filipino will be written in letters of gold in the hearts of the Filipino veterans, widows and orphans. But I say it is my desire to help them also to have their rights recognized, but we are weakening our stand before the American people. It is my humble belief that it is not only the United States

who is in duty bound to pay and recognize the rights of our veterans, widows and orphans, but that our Government is also in duty bound to recognize their rights.

Senator ZULUETA. Your Honor, it is easier for us to pay if we start on the premise that since our armed forces had been integrated into the United States armed forces, the United States had to pay the salaries of our soldiers. Is there any inconsistency in asking America to pay and at the same time say that it is also our duty to pay? We cannot separate the one from the other. If we argue like that, it is not inconsistent to say that the duty of the American Government is subsidiary or secondary or solidarily with that of the Philippine Government. If the Senator is a veteran and he is entitled to certain rights and privileges, what will he prefer? Will he not prefer to have two creditors, the United States and the Philippines, or the United States alone?

Senator LIM. I will have a creditor who will be able to pay me rather than have two creditors that cannot pay. The Philippine Government cannot pay this three billion dollars.

Senator ZULUETA. Does Your Honor mean to say that our Government is bankrupt?

Senator LIM. At present we cannot afford to pay these veterans. Let us not be too optimistic lest these veterans may entertain false hopes. I know in my own conscience as one of the humble members of the House of Representatives and now as one of the twenty-four senators in this chamber, that these veterans cannot expect to get anything and the chances are that the veterans would be given false hopes, and believing that money would be coming to them they might begin borrowing and go into debt.

Senator ZULUETA. Then, Your Honor proposes that we go against the United States for this claim?

Senator LIM. I propose that we should have a solid ground, that the United States should pay because our armed forces had been assimilated into the United States Army, and if they do not pay let us bring this before the International Court of Justice. But do not include in the bill that if the United States does not pay, the Philippine Government will pay. If the International Court of Justice does not give us a redress of our grievance, then Your Honor and I should find out what we can do so that our Government can try to ameliorate the situation.

Senator ZULUETA. Suppose the United States tells us: "Well, your Government does not like to

pay and recognize the rights and privileges of these veterans. If you do not recognize the rights and privileges of the veterans, why are you claiming that I recognize their rights?"

Senator LIM. We recognize the rights of the veterans, but the United States is in duty bound to pay their claims.

Senator ZULUETA. The United States will say: "If you are not in duty bound to pay, we are not in duty bound to pay those veterans because they were defending your territory against the Japanese invaders."

Senator LIM. Well, I hope I will not be misunderstood. What I only mean is that we shall weaken our stand if we put an alternative and say that we will pay if the United States does not pay. If we want to be sincere representatives of the people in the Senate, let us not approve bills here which we know very well are impossible of implementation, thus only giving false hopes to the veterans and guerrillas.

Senator RODRIGO. Mr. President, I have two amendments to propose which are very simple. Before I introduce them, I would like to propound questions to the sponsor.

The ACTING PRESIDENT. The gentleman from Iloilo may answer if he pleases.

Senator ZULUETA. Gladly.

Senator RODRIGO. Does not the gentleman think that imprisonment for a period of from six to twelve years is too severe for any person who has filed in whole or in part a false claim?

Senator ZULUETA. If Your Honor will propose that he be hanged, I will accept the amendment.

#### ENMIENDAS RODRIGO

Senator RODRIGO. Mr. President, I will propose the following amendment: On page 2, line 17, delete the words "six to twelve" and in lieu thereof insert "six months and one day to six years".

The ACTING PRESIDENT. What does the sponsor say?

Senator ZULUETA. Mr. President, that amendment is a joke, because nobody will respect the law. They will give false statement about their genuineness. That is very dangerous. We will show the American people that we are screening our veterans here, that all these enlisted men screened are genuine, so that the United States will not say that we are presenting a false list, a fake list of veterans, in order that they will listen to our claims.

## EL SEN. RODRIGO RAZONA SU ENMIENDA

Senator RODRIGO. Mr. President, imprisonment of six to twelve years is a severe penalty than imprisonment imposed upon a person who commits homicide. Twelve years' imprisonment is the penalty imposed upon Luis Taruc, the leader of the Huks. Why should we impose such a heavy penalty on poor guerrilleros most of whom are not well educated and most of whom come from the barrios, for having filed a claim which later on is found to be false? I think prisión correccional is enough deterrent. And let us consider furthermore that these poor people who are filing claims, as the gentleman said, have no assurance that they will be paid. They will only file with the Commission which does not have the power and the resources to pay them. They will file their papers only for processing. I think imprisonment from six to twelve years is too severe.

Senator ZULUETA. Mr. President, will the gentleman yield?

The PRESIDENT. The gentleman may yield, if he so desires.

Senator RODRIGO. Willingly.

Senator ZULUETA. When a man kills a man, the crime is committed individually. When a veteran presents a false claim, he is not only against the veterans, he is against the State, against the people, against the government. He deserves to be hanged, not to be imprisoned for six years. He must not go to the States and say, "I am the real veteran." What happened in the past? Because lists of fakers were permitted by the screening committee, genuine guerrillas were not allowed to present their claims, and were deprived of the right to be paid.

Senator RODRIGO. Well, the gentleman stated in answer to my question that he agreed that 6 to 12 years is too severe.

Senator ZULUETA. No, no, my answer is, if Your Honor will propose an amendment to increase it, I will accept the amendment, because a liar has no right to live among the good people, among the veterans who fought for their country.

Senator RODRIGO. Well, Mr. President, I would like to withdraw that amendment, and instead propose 2 to 6 years, and I submit the amendment.

The ACTING PRESIDENT. What does the sponsor say?

Senator ZULUETA. I submit the amendment to the Senate. I believe that the more serious the penalty, the more right we shall have to demand from the United States the payment to these genuine veterans.

The ACTING PRESIDENT. The amendment is, instead of the word "six" it should be two, that is, 2 to 6 years. Those who are in favor of the amendment will please say *aye*. (*Several senators: Aye.*) Those who are against will please say *nay*. (*Several senators: Nay.*)

Senator RODRIGO. I ask for a division of the House, Mr. President.

The ACTING PRESIDENT. Division. Those who are in favor of the amendment will please stand up. (*Three senators stood up.*) Those who are against will please stand up. (*Four senators stood up.*) The amendment is rejected.

Senator RODRIGO. My last amendment is only a matter of style. On page 2, delete the last *Whereas* and transpose the words "NOW, THEREFORE," to the beginning of the sentence, so that in fairness and justice to the Filipino veterans, it should read: "NOW, THEREFORE, in justice . . ."

Senator ZULUETA. Accepted, Mr. President.

The ACTING PRESIDENT. Is there any objection? (*Silence.*) The Chair hears none. The amendment is approved.

Senator TAÑADA. Mr. President, I would like to ask a question to the gentleman before I introduce my amendment.

The ACTING PRESIDENT. The gentleman may answer if he so desires.

Senator ZULUETA. Willingly.

Senator TAÑADA. Does Your Honor realize that we are creating a Commission without a name? For convenience, I think, we should give a name to the Commission we are creating.

Senator ZULUETA. We may call it the Committee of Veterans.

Senator TAÑADA. No, I think it should be better that we call it a Veterans Claims Commission.

Senator ZULUETA. A good idea.

## ENMIENDA TAÑADA

Senator TAÑADA. Mr. President, I, therefore, propose now the following amendment: On line 3, between the words "be" and "under" insert the following: "KNOWN AS THE VETERANS CLAIMS COMMISSION."

Senator ZULUETA. Accepted.

The ACTING PRESIDENT. Is there any objection? (*Silence.*) The Chair hears none. The amendment is approved.

Senator TAÑADA. Now, my last amendment is the following: Between sections 2 and 3, insert a new section which shall be known as section 3 and which shall read as follows:

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"Sec. 3. QUALIFICATIONS OF MEMBERS OF THE COMMISSION.— The members of the Commission shall at the time of their appointment be citizens of the Philippines, *Provided, however,* That at least one member of the Commission shall be a veteran of the last World War of good standing, and another a member of the Bar who has practiced law for at least five years prior to his appointment, or held during a like period an office in the Philippine Government requiring admission to the practice of law as an indispensable prerequisite."

Senator ZULUETA. Accepted.

The ACTING PRESIDENT. If there is no objection the amendment is approved. (*There was none.*)

Senator TAÑADA. Mr. President, as a consequence, the subsequent sections should be renumbered accordingly.

Senator ZULUETA. Accepted.

The ACTING PRESIDENT. If there is no objection, the amendment is approved. (*There was none.*)

#### ENMIENDA PRIMICIAS A LA ENMIENDA

Senator PRIMICIAS. Mr. President, for an amendment: delete the title of the new section 3 because all the other sections have no headings.

Senator TAÑADA. I have no objection to deleting the title of the section.

The ACTING PRESIDENT. Is there any objection to the amendment? (*Silence.*) The Chair hears none. The amendment is approved.

Senator ZULUETA. Mr. President, if there are no other amendments, I ask that the bill be approved on second reading as amended.

#### APROBACIÓN EN SEGUNDA LECTURA DEL S. NO. 547

The ACTING PRESIDENT. Those who are in favor of the bill as amended will please say *aye*. (*Several senators: Aye.*) Those who are against will please say *nay*. (*Silence.*) The bill is approved on second reading.

#### SUSPENSIÓN DE LA SESIÓN

Senator PRIMICIAS. Mr. President, I ask for suspension of the session until this afternoon at 5:00 o'clock.

The ACTING PRESIDENT. If there is no objection, the session is suspended until this afternoon at 5:00 o'clock. (*There was none.*)

*Eran las 12:55 p.m.*

#### REANUDACIÓN DE LA SESIÓN

*Se reanuda la sesión a las 5:50 p.m., ocupando el estrado el Presidente, Hon. Eulogio Rodríguez, Sr.*

El PRESIDENTE. Se reanuda la sesión.

#### DESPACHO DE NUEVOS ASUNTOS QUE ESTÁN SOBRE LA MESA DEL PRESIDENTE

Léase los informes recibidos.

El SECRETARIO:

INFORMES DE COMITÉ  
(Informe Número 1505)

MR. PRESIDENT:

The Committee on Finance to which was referred Senate No. 621, 3rd C. R. P., introduced by Senator Kangleón, entitled:

An Act to establish the commissioned service of the Philippine Coast and Geodetic Survey, and for other purposes,  
has considered the same and has the honor to report it back to the Senate with the following recommendation:

That it be referred to the Committee on National Defense and Security as a matter properly cognizable by that committee.

Respectfully submitted:

(Sgd.) GIL J. PÚYAT  
Chairman  
Committee on Finance

The Honorable  
The PRESIDENT OF THE SENATE  
Manila

El PRESIDENTE. Al Comité de Defensa y Seguridad Nacional.

El SECRETARIO:

(Informe Número 1506)

MR. PRESIDENT:

The Committee on Public Works and Communications to which was referred Senate Bill No. 659, 3rd C. R. P., introduced by Senator Mabánag, entitled:

An Act abolishing engineering surcharges on Public Works expenditures, and for other purposes,  
has considered the same and has the honor to report it back to the Senate with the following recommendation:

That it be approved without amendment.

Respectfully submitted:

(Sgd.) ALEJO MABÁNAG  
Chairman  
Committee on Public Works and  
Communications

The Honorable  
The PRESIDENT OF THE SENATE  
Manila

El PRESIDENTE. Al calendario de asuntos ordinarios.

El SECRETARIO:

(Informe Número 1507)

MR. PRESIDENT:

The Committee on Public Works and Communications to which was referred Senate Bill No. 595, 3rd C. R. P., introduced by Senator Cuenco, entitled:

An Act to amend certain items under Republic Act Numbered Fourteen hundred eleven,  
has considered the same and has the honor to report it back to the Senate with the following recommendation:

That it be approved without amendment.

Respectfully submitted:

(Sgd.) ALEJO MABÁNAG  
Chairman  
Committee on Public Works and  
Communications

The Honorable  
The PRESIDENT OF THE SENATE  
Manila

El PRESIDENTE. Al calendario de asuntos ordinarios.

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