

VISAYA-MINDANAO PROJECTS

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Authority NND 883078

PAWUNITS IN VISAYA-MINDANAO

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TO: Civilian Section

TO: Adjudication Branch DATE: 7 Dec. 1945

Recommend approval of attached Check Sheet.

PHIL. ARMY UNITS

IXI

VISAYAN-MINDANAO
SECTOR

TO: [Faint text]

TO: [Faint text]

DATE: 14 Dec 45

HEADQUARTERS AFWESPAC
Check Sheet

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File No: Subject: Transmittal of C/N

(1) FROM: Civilian Section TO: Adjudication Branch DATE: 7 Dec. 1945

Recommend approval of attached Check Sheet.


A. D. G.

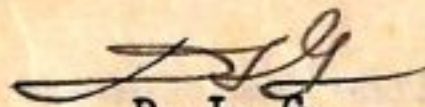
(2) FROM: Chief, Adj Branch TO: Dir, Adm Sub-Div DATE: 10 Dec 45
THRU: Legal Section

Concur in recommendation contained in covering C/N 1.


S. H. W.

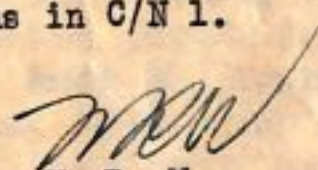
(3) FROM: Legal Section TO: Dir, Adm Sub-Div DATE: 11 Dec 45

Concur in conclusions and recommendations in C/N 1.


D. L. G.

(4) FROM: Director, Adm Sub-Div TO: Director, RPD DATE: 14 Dec 45

Concur in conclusions and recommendations in C/N 1.


N. R. W.

HEADQUARTERS AFWESPAC
Check Sheet

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File No. GSXRP

Subject: Policy

(1) FROM: Civilian Section TO: Director, Rec Pers Div DATE: 7 Dec 45
THRU: Legal Section
THRU: Administrative Sub Div

PROBLEM: Status of civilians employed ostensibly by Phil Army units in the Visayan-Mindanao Sector.

DISCUSSION:

1. Several instances have arisen bringing to the fore the need for a decision as to the status of civilians employed or commandeered by Phil Army units in the field after the outbreak of war and while said units were functioning under USAFFE.
2. Specific cases are:
 - a. The Bureau of Posts, Iloilo
 - b. The Bureau of Posts, Capiz
 - c. Phil Long Distance Telephone Co., Iloilo
3. Though each particular case is somewhat different the same general problem crops up as to what the overall status of these workers is; i.e. War Department employees, Phil Army "Commonwealth" employees or no military status whatsoever.
4. When war was imminent the employees of the Bureau of Posts were appointed "Volunteer Air Observers" with duties somewhat similar to the "Air Raid Warden" system utilized in the states. As far as can be determined the employees drew no additional compensation for this duty.
5. Upon the actual outbreak of war the military authorities placed the Bureau of Posts under military surveillance for security reasons, and in January 1942, upon the direction of Brig. Gen. Chgnowth the personnel of the Bureau were formally inducted into the 61st Sig Co (PA) as individuals. Several of the employees are in possession of "Oaths of Office" and "Induction Records", all signed by Phil Army officers. On 8 Jan 42 a memorandum under Brig. Gen. Chgnowth's name was issued to the inducted personnel of the Bureau of Posts and authenticated by a Capt. Amos M. Francia (PA), Signal officer of the 61st Div (PA), informing them they would continue to function as before, but that now they were subject to the Articles of War.
6. From the statements of the people in charge (Bureau civilians) they continued to draw their regular salaries from the Phil National Bank by order of a Lt. Col. Powell (supposedly a liason officer of the 61st Div).

ASIC: C/N to Director, Rec Pers Div, dtd 7 Dec 45, subj: "Policy".

RECOMMENDATIONS:

1. That those individuals who can prove their induction be considered as civilian employees of the Phil Army and ~~advised to file their claims with the Phil Army.~~
2. That those individuals who served only as "Volunteer Air Observers" be classed Non Project J and advised they have no claim under the Missing Persons Act.

COORDINATION:

The above has been coordinated with Lt. Col. Gaines of the Legal Section.


D. J. R.

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Authority NND 883078

HEADQUARTERS AFWESPAC
Check Sheet

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File No: GSXRP
Subject: Status of Bureau of Posts & Telephone Co.
employees in Visayan-Mindanao Sector.

(6) FROM: Lt Col Gaines
Legal Section

TO: Dir, Rec Pers Div

18 Dec 45

1. It appears from the accompanying papers that at the outbreak of the War, Brigadier General Chynoweth, in command of the 61st Division, USAFFE, Visayan-Mindanao Sector, assumed authority over the operations of the local Bureau of Posts and the facilities of the Philippine Long Distance Telephone Co., Iloilo. Both agencies retained their identity but operated under the supervision and surveillance of the Army for operative and security reasons. On 8 January 1942, a memorandum by General Chynoweth was published to the effect that the Bureau of Posts would continue to function under control of its supervisors but that failure of subordinates to take lawful orders would be reported to Army Headquarters. Further that "inducted" personnel were reminded that they were subject to the articles of war and subject to courts-martial. The employees executed oaths of office as holders of positions in the 61st Signal Company, for example, pledging allegiance to the Commonwealth of the Philippines and recognizing the Supreme authority of the U.S.A. They continued to perform their same duties under Army supervision.

2. It also appears that when war was imminent the employees of the Bureau of Posts were appointed "Volunteer Air Observers" with duties somewhat similar to the "Air Raid Warden" system utilized in the states. As far as can be determined the employees drew no additional compensation for this duty.


3. From the foregoing it may be concluded:

a. None of these individuals became employees of the War Department and entitled to the benefits of the Missing Persons Act.

b. The so called "induction" of these employees did not make them military personnel in the PA.

c. The available evidence leaves doubt as to whether the "inducted" employees became civilian employees of the PA or actually remained in their former employment status. However, since civilian employees of the PA are not under the Missing Persons Act, further clarification of their status is unnecessary to our administration of the Missing Persons Act.

d. The Volunteer Air Warning personnel acquired no employment status by reason of such service.


D. L. G.

HEADQUARTERS AFWESPAC
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File No. GSKRP

Subject: Policy

(5) (1) From: Dir Rec Pers Div To: Legal Section 15 Dec 45

1. Recommendation is disapproved.

by legal section

2. The recommendations submitted and concurred in, are not clear-cut and concise enough to establish a definite policy for subordinate personnel to follow.

3. Reference recommendations #1, "that those individuals who can prove their induction be considered as civilian employees of the Philippine Army." The word "induction" is usually applied to the recruiting of personnel for a military organization. Therefore, anyone who could prove their induction would become a member of the PA and not a civilian employee. The question remains, therefore, are these people to be considered as civilian employees or as inducted members of the Philippine Army?

allegiance
4. Reference the oath of office of Doroteo M. Jacildo, it is to be noted this oath of office is under the head, Commonwealth of the Philippines, Philippine Civil Service even though it does refer to his being appointed to the position of "signal" in the 61st Signal Corps. This oath of office would make it appear that such individuals were to continue being civil service employees of the Philippine Government and were merely expressing their ~~arrangements~~ to the Commonwealth of the Philippines and to the United States Government in order to be kept on their current positions. This being the case, the individuals are neither members of the PA nor civilian employees of the PA. They are civilian employees of the Philippine Commonwealth.

5. Paragraph #2 of recommendations is approved.

6. Request further study of this situation and recommendations as to status of the persons involved.

M. H. N.
M. H. N.

GSXRP

Policy

From: Dir Rec Pers Div

To: Legal Section

15 Dec 45

1. Recommendation is disapproved.
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4. Reference the oath of office of Doroteo M. Jacildo, it is to be noted this oath of office is under the head, Commonwealth of the Philippines, Philippine Civil Service even though it does refer to his being appointed to the position of "signal" in the 61st Signal Corps. This oath of office would make it appear that such individuals were to continue being civil service employees of the Philippine Government and were merely expressing their arrangements to the Commonwealth of the Philippines and to the United States Government in order to be kept on their current positions. This being the case, the individuals are neither members of the PA nor civilian employees of the PA. They are civilian employees of the Philippine Commonwealth.
5. Paragraph #2 of recommendations is approved.
6. Request further study of this situation and recommendations as to status of the persons involved.

M. H. M.

HEADQUARTERS AFWESPAC
Check Sheet

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File No: 165XRP

Status of Bureau of Posts & Telephone Co.
Subject: employees in Visayan-Mindanao Sector.

(7) ~~10~~
From: Dir, Rec Pers Div

To: Civ Sect

20 Dec 45

Attention invited to C/N 5 and to C/N 6 which is hereby approved.

M. H. M.
M. H. M.

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PANAY AIRFIELDS POLICY

As approved by Col Marcus, Director, RPD 15 Dec 45.

1. The civilian engineers hired for the supervision of the airfield construction on the island of Panay will be considered War Department civilian employees and be entitled to the benefits of the Missing Persons Act provided their individual claims prove they meet all the requirements of the Act.
2. It is determined that for the purpose of the administration of the Missing Persons Act, employees of the Bureau of Public Works were, in fact, employees of the Commonwealth Government and never were employees of the War Department insofar as the administration of the act is concerned.
3. The "Cabo" leaders and their "gangs" will be considered either as independent contracting groups or local labor casually hired and not entitled to the benefits of the Missing Persons Act.