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Authority 50 CFR 3078

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CASE OF THE PHILIPPINE ARMY VETERAN

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EXTRA

CASE OF THE PHILIPPINE ARMY

VETERAN -

(Prepared at RPRB, MPRC)

THE CASE OF THE PHILIPPINE ARMY VETERAN

1. The attached presentation by the Economic Mission of The Philippines is a resume of its interpretation of the facts relating to various problems of the Philippine Army veteran.

2. As most of the resume pertains to claims previously submitted by the Mission, only those items not included in other claims will be discussed herein.

3. The resume contains an estimate of the strength of the Philippine Army at the fall of the defenses of the Philippines. No completely accurate figure can be given since most of the strength accounting reports were lost due to action by the enemy. Through reports by field commanders in the Philippines, the following estimate is made:

Philippine Army-----	120,146	
Guerrillas (Recognized)-----	260,715*	
		<u>380,861*</u>
Philippine Scouts-----	15,000	
		<u>15,000</u>
	Total	<u>395,861</u>

Major Command Breakout

Luzon Force

PA..... 59,000
PS..... 10,390

Harbor Defenses

PA..... 1,951
PS..... 1,890

Visayan-Mindanao Force

PA..... 49,795
PS..... 1,990

Missing due to dispersing of units during battle

PA..... 5,400
PS..... 390

Killed or missing as result of battle

PA.....	4,000	
PS.....	900	
	Total	<u>135,146</u>

Guerrillas recognized after liberation 260,715*

	Total	<u>395,861*</u>
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*Of this figure, it is estimated that approximately 37,000 are USAFFE personnel. Therefore, to reflect a more correct estimate the 260,715 should be reduced by 37,000 leaving the total recognized civilian guerrillas as 223,715. By the reduction of 15,000 Philippine Scouts, this leaves a total corrected Philippine Army figure of:

USAFFE.....	120,146	
Guerrillas.....	223,715	
	Total	<u>343,861</u>

4. The estimate submitted by the Mission is fairly accurate. However, they report that there are more than 300,000 recognized guerrillas. This is not so. The statistics presented by the Mission relating to the number of awards that have been made for service connected injuries or deaths cannot be verified. It should not be implied that all of the members of the Philippine Army are entitled to benefits, as mentioned, as all members did not sustain service connected disabilities.

5. The statements made by the Mission relating to prisoner of war status and payments by the Foreign Claims Settlement Commission cannot be fully reconciled. No exact figures can be quoted on the number of prisoners taken by the Japanese. It has been estimated by Americans who were interned for a short period at Camp O'Donnell and by field commanders, that approximately 90,000 Filipinos were imprisoned at that camp. In order to break down the POW estimate the following is presented for the Philippine Army and Philippine Scouts:

LOCATION	STRENGTH	DIED ON DEATH MARCH	MADE PRISONERS	DISPERSED	MISSING OR KIA
Luzon-Corregidor	73,951	7,000	48,000		
Viz-Mindanao	51,795		10,000	60,746	
Missing or KIA	<u>9,400</u>				<u>9,400</u>
	135,146	<u>7,000</u>	<u>58,000</u>	<u>60,746</u>	<u>9,400</u>

It can be seen by the above figures that approximately 65,000 Philippine Army and Philippine Scouts became prisoners of war. This differs from the 90,000 figure given by AGRD in 1950. It has been determined that the

estimate given at that time included American prisoners as well as the Filipino, since the figures were to be used by the then War Claims Commission in determining the number of potential payments that would be required for POW compensation. Further, it is estimated that approximately 36,300 died as a result of death march atrocities, malnutrition, dysentery etc during the early days of imprisonment and during the period at camps.

Died on death march.....	7,000
Died at O'Donnell.....	29,000
Died at other camps.....	<u>300</u>
	36,300

*According to the G-1, Luzon Force, there were approximately 6,000 civilian employees with the army on Bataan. Presumably, all of these were imprisoned at Camp O'Donnell. Names of numerous civilians are listed on the O'Donnell rosters. This is further cause of erroneous estimates having been made in the past.

6. No statistics were maintained during the program of certifying prisoner of war status of Filipinos to the FCSC. This office certified status only one time, and that was under the PL 896. The FCSC automatically applied the certification to the subsequent PL 303. Therefore, the figures presented as applying to PL 896 will be scrutinized. Assuming that 145,107 claims were submitted to the Commission and later to the Department of the Army for certification, it is known that many, many of these were for alleged prisoner of war status as a guerrilla. Guerrillas were not entitled to prisoner of war compensation due to the language of PL 896 which reads "Prisoners of War" Sec. 6. (a) ***** "the term 'prisoner of war' means any regularly appointed, enrolled, enlisted, or inducted member of the military, or naval forces of the United States" *****. It was a ruling of the War Claims Commission that guerrillas were not included within the meaning of the terms of the law. It is true that (using the total of 44,356 claims as allowed) 30.5% of the total claims presented were favorably considered. However, considering that 65,000 of the total indicated were eligible for prisoner of war compensation, then 69.25% were allowed by the Commission. Later in the claim, (page 24) the Mission refers to the figures for payment of POW claims as:

Philippine Army.....	47,000
Philippine Scouts.....	<u>12,000</u>
Total	59,000

As the figures presented by this office (65,000) represents both PA & PS, using the figure of 59,000 PA & PS as having received compensation, this represents 90.7% as favorably considered for POW compensation.. This office has no way of ascertaining which of these percentages were certified to the Commission as being entitled to POW status. Assuming that the former is correct, the 20,642 cases lacked sufficient data to establish either USAFPE identity or prisoner of war period, or both. It must be appreciated that

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positive proof of service as POW or identity as USAFFE is necessary before a positive certification can be made by The Adjutant General's office. If the number of 20,642 is correct, it is regrettable that more favorable action could not have been taken; however, the same situation exists in the certification of service to the Veterans Administration for benefits of that office. Once again, lack of proof is the deterring factor. The burden of proof must necessarily rest on the claimant. Requirements for proof were first established by the Headquarters, Philippine Army, in Circular # 180, dated 1 December 1945. These instructions required the individual to present evidence to establish his identity as a member of the USAFFE. These requirements have been carried forward by successive headquarters of the U S Army involved in the Certification of service of the Philippine Army veteran. Presently, the same conditions are required. If the latter figure is correct the program is satisfactory. A careful analysis of the figures quoted by the Mission indicate many errors or misinterpretations. The Mission states that the FCSC as is the VA, is bound by the certification of The Adjutant General. That is not so. The certification is used as a basis but not as final authority for the agency to act. As to the statements by the Mission that upon insistence of the FCSC, the unit at MPRC finally reconsidered a special area (Leyte) which resulted in the reversal of cases; that is only partially true. The FCSC was not required to insist as they merely forwarded a roster presented by one of the claimants, on appeal, and as a result of a special study by MPRC, reversal was made in a good many cases. That is fortunate. MPRC receives additional evidence in some form or another every week from claimants in the Philippines. These data are always considered and if proven acceptable, are incorporated into the records holdings and applied to the cases they represent. As to other appeals submitted through the FCSC, only certain types of evidence was acceptable. Upon the presentation of this evidence, each case was studied with favorable results in most instances. Reasons for this are obvious; evidence is now presented which was not available before, resulting in favorable action. This is not always the case as all evidence presented is not always acceptable as proof. The greater number of prisoners of war certified to the FCSC as positive are those that died at concentration camps and those that were released whose names appeared in the Manila Tribune. These two groups represent the majority. Those unable to prove such service, or induction, are living cases. The contention born by the Mission does not follow that the majority of negative cases are death cases placing an unusually heavy responsibility on the survivor to furnish proof.

7. The Mission is questioning the procedures followed by the Department in making certifications to the Veterans Administration. The interpretation of what constitutes evidence has been constant throughout the entire program of certification. The criteria established by the Philippine Army in 1945 and referred to above, has remained in effect all these years. The Missing Persons Act, PL 490, confers upon the department the making a determination the conclusive authority to do so. Primarily, the facts that must be established in USAFFE service are:

- a. Induction pursuant to the order of 26 July 1941.
- b. Subsequent service including all status, such as:
 - (1) Besieged (serving with a unit prior to surrender)
 - (2) Prisoner of War
 - (3) Missing, missing in action guerrilla service etc.
 - (4) No Casualty Status, if applicable.
 - (5) Medical History
 - (6) Return to Military Control
 - (7) Discharge

Any evidence which is submitted and which relates to periods other than are pertinent cannot be accepted. It is noted that the Mission refers to cases wherein the evidence pertained to pre-war service in the reserve and in no way referred to induction into the service of the Armed Forces of the U.S. Mere service in the Philippine Army does not necessarily mean that the individual had subsequent service in the Armed Forces of the United States. Actual induction and acceptance must have taken place. No formal inductions were effected prior to 1 September 1941, except in the case of the Air Corps which was 15 August 1941. To submit that inductions were effected as early as February 1941, even before the order of President Roosevelt in July 1941, is a bit incongruous.

8. No attempt has been made to make an analysis of the problems relating to the Veterans Administration. This office is not in a position to make reply to this portion of the statements by the Mission.

9. As to the recommendations, it appears that there will never be satisfaction on the part of the Filipino or the Philippine Government regarding the certifications of service which may ultimately result in benefits to the claimant. Mistakes have been made by the U. S. Army in certifications and by the Philippine Army in its action. It has been extremely difficult to make proper certifications due to the lack of records and evidence. Also, there has been much fraud and attempted fraud on the part of claimants and their representatives. To attempt to ascertain the validity and acceptability of material that is presented in a case is nearly impossible. It is believed that such attempted fraud will continue as long as this program is active. Therefore, it is recommended that consideration be given to accepting the recommendations of the Economic Mission to this extent:

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a. That a complete service determination program be initiated for every case presently in the files of MPRC. (Approximately 800,000).

b. That Philippine representation be made in these determinations at the review level. Any cases not reconcilable at the review level to be referred to a local review board which would be the final authority in the determination. Philippine representation would be made on the review board.

c. That a service determination, once made would be irrevocable. A form would be prepared and distributed as follows:

(1) Philippine Army, one copy.

(2) U. S. Army, three copies. One of these copies would be forwarded to the Veterans Administration upon formal request by that agency.

d. That no recertification be attempted to the Foreign Claims Settlement Commission. This program should be considered closed and has expired by law.

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LISTING OF ADDITIONAL MISSION COMPLAINTS
(The Case of the Philippine Army Veteran)

1. Effect of Public Law 301, 79th Congress. In this instance the Philippine Mission is primarily concerned with the manner in which Veterans Administration benefits are being administered under this legislation. The Department of the Army is not specifically involved. The Mission draws attention to the VA Administrator's (General Bradley's) opinion in October 1945 as to the extent of benefits applicable to Philippine Army veterans. They then complain that Public Law 301 (18 February 1946) provided a much more restrictive basis for the granting of benefits (see Mission's report, line 6, page 2). Reference is made also to President Truman's stated dissatisfaction with the alleged restrictive measures of this legislation (line 24, page 2). The implied contention here is that benefits should be accorded the Philippine Army veteran on the same basis as provided the American veteran, i.e., in educational-rehabilitation training, home loan guarantee, financial assistance, etc. while the military services have an interest in such matters, recommendations in these areas have, in the past, usually resulted from the efforts of Presidential commissions, such as the recent "Bradley Commission on Veterans Benefits."

2. Philippine Executive Order Nr. 22, dated 28 October 1944. Designed to Equalize Philippine Army and U. S. Army Pay. On 19 March 1942 Secretary Stimson sponsored a bill to equalize the pay of all classes of military personnel in the Philippines. This proposed legislation was not favorably acted upon by congress. Upon reestablishment of the civil government in October 1944, President Osmena, with the apparent approval of General MacArthur, issued Philippine Executive Order Nr. 22. Subsequently, in December 1944, United States officials, notably Secretary Stimson, took the view that this attempt to equalize Philippine Army with United States Army rates of pay could not be accepted, without Congressional approval, as an obligation of commitment of the United States Government.

The Mission makes reference, on pages 4 and 5 of its report, to personnel of the Philippine Scouts who did not have their pay limited to the 1942 pay scale. Upon their return to military control in 1945, members of the Philippine Scouts, upon their request, were discharged and enlisted in the Army of the United States. While in the AUS, they received United States rates. On the other hand, personnel of the Philippine Army continued to receive the substantially lower rate of pay which had been established for that organization in 1942.

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ERRONEOUS DEDUCTIONS FROM ARREARS IN PAY
CONSISTING OF THE EQUIVALENT OF
THREE MONTHS' ADVANCE PAY WHICH WAS NOT ACTUALLY RECEIVED

1. Reference is made to the attached five inclosures relating to this claim.
2. In the presentation of this claim the following major points are raised:
 - a. Staff Memorandum No. 14 requirements were time-consuming; that it would take time for appropriate United States authorities to make determinations; that as an emergency measure it was decided that all soldiers who could prove that they were members of the USAFFE and persons who joined recognized guerrilla organizations would at once be given a three months' salary advance.
 - b. That soldiers in Leyte and nearby islands who could be reached by the Army paymasters were paid the three months' salary advance.
 - c. That those in Luzon and other islands towards the north were not able to receive three months' salary advance.
 - d. That the problem was met by following a "policy of presumption". (Recovered Personnel Division is inferred) presumed that every one of the five hundred thousand men received the three months' salary advance. Accordingly, the pay envelopes containing the arrears in pay of the soldiers were delivered to them minus the three months' salary advance presumed to have been advanced to them.
 - e. That it was, of course, the intention to make appropriate adjustments and reimbursements later on.
 - f. That the United States Army closed shop in the Philippines before all adjustments and reimbursements could be made.
 - g. That they (the Mission) seek the reimbursement for all deserving claimants.
 - h. Example case of Ludovico Cabigon.
 - i. Example case of Felino Sacro.
3. After examination of appropriate records and files, the following data are furnished relating to the points raised:
 - a. Staff Memorandum No. 14 was issued 27 December 1945, yet authority for three months' advance pay existed as early as 27 March 1945. Attached hereto is Circular No. 11 issued on 18 April 1945 by Commonwealth

of the Philippines Army Headquarters on the subject "Payment of Three Months' Arrears in Pay of Philippine Army Personnel." Since 18 April 1945 precedes 27 December 1949, it disproves the idea of Staff Memorandum Mr. 14 causing a delay in making determinations and the "Three Months' Advance" as an emergency arising from it.

Further, there is no directive of record that specifically authorized three months' advance of arrears in pay to those individuals who had status only as a recognized guerrilla.

b. There is no basis for placing Leyte and nearby islands in a category different from Luzon and islands towards the north. It must be recognized that throughout the islands there were Replacement Battalions to which individuals could report. Transportation was furnished individuals from various islands to these processing points. Processing teams were sent to the various provinces. In Northern Luzon, there was Base M and USAFIP-III, a major command of the United States Army. In Manila there were Base X and Philippine Army Headquarters. In Batangas in Southern Luzon there was Base R, United States Army. Throughout the islands there were innumerable units of the guerrillas who were being paid and supplied. The Military Police Command, AFWESPAC, composed of both American and Philippine units, were also throughout the islands. All these elements contributed to furnishing transportation to individuals making known their identity as Philippine soldiers.

c. In the survey of 10,256 cases only 5,570 of those individuals indicated that they did not receive three months' advance pay. A large group of these have included this amount in their current pay received after return to military control. Of this 5,570 it was found that 410 individuals had deductions for three months' advance pay. This action cannot be classified as an error, since the verification slips of the payroll vouchers are not always found in the file.

d. The survey of the 10,256 cases disproves a "policy of presumption", since 5,160 cases were found where the individual did not receive the three months' advance pay and a deduction was not made.

e. There has been no material found of record to support the understanding of a period for adjustments beyond 31 December 1949. To the contrary, prior to the termination of the program on 31 December 1949, the Philippine officials were contacted as to the number of claims for adjustment and said claims were received and acted upon prior to the closing date.

f. The closing of the Army program at any date would not satisfy every claim in which an adjustment is requested. The major element in the termination of the program was the lapse of the appropriation.

g. Where definite errors were made it is acknowledged that the individuals are deserving of reimbursement. This will not in each case entitle the individual to additional money, since other considerations and indebtedness must be taken into account.

h. In regard to the case of Ludovico Cabigon:

Examination of the determination made in this case on 30 July 1947 by Recovered Personnel Division does not indicate a deduction for three months' advance pay. The determination "no record for NSLI." The deductions for three months' advance pay and insurance were errors by the Finance Section, Philippine Army.

The refund of the amount was within the authority granted by the letter, Commanding General, Philippines-Ryukyus Command dated 30 June 1948, Subject: "Authority to Make Refund of Erroneous Deductions".

i. In the case of Felino S. Sacro, the subject is deceased and in order to determine whether he received his three months' advance pay prior to his death on 16 August 1945, the pay records in possession of the Finance Service in the Philippines would have to be searched for additional information on pay.

4. It was found through screening the 10,256 201 files that in 50% of the cases where it appeared that three months' advance pay was deducted from the arrears in pay erroneously, the three months' advance pay was actually included with the individual's current pay. Therefore, it was correct to deduct it from the arrears in pay.

5. It is recommended that the claim for refund of three months' advance pay be recognized as a rightful claim only where it is determined that an actual error was committed either by Recovered Personnel Division or Chief, Finance Service, Armed Forces of the Philippines. Further, that settlement by lump sum payment to Philippine Government will have little effect in closing out the individual's plea to the United States Government. Complete settlement can be best assured by considering this claim with the other claims recommended for favorable consideration.

5 Inclosures:

1. Claim ld w/8 Exhibits
2. Cir #11, dtd 18 Apr 45
3. FEGARP 241, dtd 19 Mar 45
4. USAFFE Memo 14, dtd 26 May 47
5. USAFFE Memo 1, dtd 26 Jun 47

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HEADQUARTERS
PHILIPPINES - RYUKYU COMMAND
RECOVERED PERSONNEL DIVISION
PHILIPPINE ARMY BRANCH

APO 707
26 June 1947

USAFPE MEMORANDUM

NO. 1)

1. The following instructions are published for use in the accomplishment of GSRF PA Form 4 Revised (14 Dec 45)

THE HEADING

1. File No. - After "GSRF 201" place surname, first name and middle initial followed by (OFF) for officers and (EM) for enlisted men.
2. Date of Form - Leave the date blank. Forms will be dated by the Authentication Group.

SECTION I

Par 1 -

1. Name, Rank, ASN, and Br/Sv - This data will be copied from Par 1 g of PA AGO Form 23. In the event a discrepancy exists between the name indicated in Par 1 g and that of the signature of the claimant, the signature will be used. Whenever the branch of service of claimant is "Medical Service" the term "MC" should be shown in the blank for Br/Sv. If claimant has no middle initial and/or serial number or Br/Sv, the word "none" will be entered.

2. Philippine Army Military Address - This data will be copied from Par 1 h of PA AGO Form 23. In cases where subject individual is already discharged and this information is so indicated in Form 23, the word "Discharged" will be placed in the blank. Where no data is shown in Par 1 h of PA AGO Form 23, the words "not available" will be entered therein.

3. Home Address - This data will be taken from Par 1 i (mailing address) or Par 4 g (last line) of PA AGO Form 23; or when available, from the duplicate copy of interviewer's check sheet or other allied papers attached to the claim.

4. Return to Military Control - The information will be taken from Par 2 g of PA AGO Form 23 and will be the date individual reported for initial processing at a processing center. (Refer to USAFFE Memo No. 3)

Par 1 g - Identity (Refer to USAFFE Memo Nos. 4 and 5)

1. This paragraph deals with the identity of the claimant as

Incl 5^s

a member of the Philippine Army ordered into the service of the Armed Forces of the United States prior to 7 May 42.

2. Claimants are divided into three main groups, namely:
 - a. USAFFE (Regular or Reserve)
 - b. USAFFE-GUERRILLA
 - c. CIVILIAN GUERRILLA

Par 1 b - Status (Refer to USAFFE Memo Nos. 6, 7, 8 and 9)

1. The information for this paragraph will be determined from Par 2 g of PA AGO Form 23 and the basis therefore will be the evidence presented to substantiate the entries in this paragraph. The last date to be entered in this paragraph is the day prior to the date of return to military control.

2. The following entries will be made under the column "Status" when applicable.

- a. Beleaguered (Refer to USAFFE Memo No. 6)
- b. POW (Refer to USAFFE Memo No. 7)
- c. Missing (Refer to USAFFE Memo No. 8)
- d. No Casualty Status (Refer to USAFFE Memo No. 9)

3. If the name of the claimant appears on a roster of a recognized guerrilla organization and the unit is indicated on a guerrilla card, the name of the unit will be inserted between the words "control" and "his" of Paragraph 1 b, GSAR PA Form 4. When the claimant's name is not included on a recognized roster, the name of the Replacement or Casual Battalion shown in Paragraph 2 c, PA AGO Form 23, will be inserted therein.

Par 1 c - (Refer to USAFFE Memo No. 9)

The periods when claimant is carried in a "No Casualty Status" in paragraph 1 b GSAR PA Form 4 will be repeated in this paragraph and the remark "See 1, Par 1 c, AD Form" will be placed under the column "Reason".

Par 1 d - Grades (Refer to USAFFE Memo No. 10)

1. This data can be determined from Par 3 of PA AGO Form 23 and from the evidence presented to substantiate the entries in this paragraph.
2. The grades will include the original grade held on or after 8 Dec 41 and any subsequent promotion and/or demotion.
3. The last grade to be entered will be the grade determined from the evidence submitted and the terminating date for this paragraph is the day prior to the date of return to military control.

Par 1 e - Employment during the liberation (Refer to USAFFE Memo No. 8)

The information for this paragraph can be taken from Par 2 g or Par 1 (1), last line, PA AGO Form 23. The word "none" will be entered if no data is available.

This data can be copied from Par 4 g (1) and Par 4 g of PA AGO Form 23. The name of the disbursing officer will probably be shown in this paragraph, or on a separate paper attached to the claim. In the case of the disbursing officer making last payment to the claimant, the name of the disbursing officer will be indicated in the space provided for the name of disbursing officer.

Par 1 f (2) - Monies received in 1941 and 1942

The information for this paragraph will be copied from Par 4 g (1) of PA AGO Form 23. Neither (QA) nor (No:QA) will be crossed out unless quarters allowance on PA AGO Form 23 is crossed out. If quarters allowance is crossed out on PA AGO Form 23, then (QA) on GSXRF PA Form 4 will be crossed out. The date of last payment shown may not always agree with the date of last payment indicated in Par 1 f (1) because the claimant has not proved the date he was last paid, requiring the invocation of the "fixed date" provided by US&FFE Memo No. 11.

Par 1 f (3) - Quarters Allowance (Refer to US&FFE Memo No. 12)

The information for this paragraph will be extracted from Par 1 d of PA AGO Form 23. If the claimant has no dependents at the time, the word "none" will be used.

Par 1 f (4) - Quarters Allowance (Refer to US&FFE Memo No. 12)

Entitlement to quarters allowance will be determined and shown without regard to Par 1 g and will in every case commence with 1 Dec 41, or the date entitlement commenced if later than 1 Dec 41, and will cover all periods through the last date shown in Par 1 f (10). Entitlement will be indicated in this paragraph whether or not amounts received at any time the claimant did or did not include quarters allowances. The information for this paragraph should be found in paragraphs 4 g and 4 a of PA AGO Form 23. The word "none" will be placed if no information will be entered in this paragraph.

Par 1 f (5) - Additional Pay

The entry in this paragraph, in all cases, will be "none".

Par 1 f (6) - Longevity Pay (Refer to US&FFE Memo No. 13)

Longevity pay is not applicable to personnel of the Philippine Army and the Philippine Constabulary. The entry for this paragraph will always be "not due" (made by "X-ing" out "due") and the word "none" will be placed in the blank provided for number of years, etc.

Par 1 f (7) - Insurance (Refer to Par 1 g US&FFE Memo No. 14)

The information for this paragraph will be copied from a letter or memorandum from the Insurance Division, Headquarters, Army of the Philippines or from Par 1 f (7) of the printed or micrographed GSRF Form 4 which may be included in the claim. The total amount of insurance and the effective date of the policy will serial number and date of issue will be shown. Date of death will be shown in the blank provided.

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The third line of this paragraph will be changed to read as follows:
 "Premiums to be deducted as determined by OCF, EAC". The words "No
 Record" will be entered in the second line of this paragraph if no
 data is available.

For example:

If file shows that a soldier born 20 Dec 1914 had a \$1,000
 policy, effective 1 Jan 1942, with serial number 9016782, par 1 f (7)
 will read as follows:

for a policy of

RMH Ironiums (due) ~~(xxxxxx) (xxxxxx) (xxxxxx) (xxxxxx) (xxxxxx) (xxxxxx)~~ Pages 2,000
 20 Dec 1914 ~~xxxxxx~~. Effective date of policy 1 Jan 42, SN9016782
 Ironiums ~~xxxxxx~~ to be deducted as determined by OCF, EAC.

Par 1 f (8) - Emergency Currency (Refer to Par 1 g, USAFPA Memo NO. 14)

This data will be copied from Par 4 g (2) of IA AGO Form 23 or
 from a certificate or affidavit of the Finance Officer or from extract
 of vouchers or archival records. If no information is available, the
 word "none" will be entered.

Par 1 f (9) - 3 mos Advance Payment (Refer to Par 1 h, USAFPA Memo
 No. 14)

The data will be copied from Par 4 g (1), line 8 of IA AGO Form
 23 or from a check sheet of the PA Br, Administrative Section and
 Archives & Extraction Sub-Section, containing an extract of 3 months
 advance pay received by claimant from information furnished by the
 Finance Service, Headquarters, Army of the Philippines, or on a separate
 paper attached with the claim. The amount and grade in which paid,
 only, will be shown. Where no information is available, the word "none"
 will be entered.

Par 1 f (10) - Current Pay

1. The commencement date will be the date claimant reported to
 military control and the terminating date will be the last date he received
 current pay as shown in IA AGO Form 23, or the date of discharge. The
 information for this paragraph will be copied from Par 4 g (1), line 9,
 of IA AGO Form 23.

2. If the claimant received current pay for a grade other than
 that last shown in Par 1 g of GSRR IA Form 4, the date of promotion
 will be shown in Par 1 f (10) as follows:

Example:

71,600.00	3d Lt	1 May 45	30 Sep 45
	2d Lt	1 Oct 45	31 Oct 45

3. In the event the grade claimed is not confirmed in Par 1
 of GSRR IA Form 4, the grade stated in Par 1 f (10) will be the grade
 at which the claimant should have been paid for the period of his
 current pay. That grade must be the same as the determinate grade
 grade for that period appearing in Par 1 d, unless the claimant was
 actually promoted on return to military control.

Information will be provided as per this example:

(Example: Returned to military control 25 Jan 45, paid as Major until promoted to Lt Col on 20 Nov 45, but determined to be a Captain from date of entrance on duty to date of return to military control)

71,200.00	Capt	25 Jan 45	19 Nov 45
	Lt Col	20 Nov 45	30 Nov 45

Par 1 f (11) - Other indebtedness (Refer to Par 1 d USAFFE Memo No 14)

The information for this paragraph will probably not appear in DA AGO Form 23, but most likely will be found among the papers in the 201 file.

Par 1 f (12) - Specimen of claimant's signature, etc (Refer to USAFFE Memo No. 15)

This paragraph will be added to GSKM Form 4 and the word "Remarks" will be typed therein.

J. F. McNeill
J. F. McNEILL
1st Lt Inf
Ex O for Living Claims
Affairs

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Authority NND 883078

June 43

d. Other Indebtedness - Any other indebtedness of the claimant to the United States Government such as erroneous payment of...

Will be entered. Above on extracts of vouchers or credit record, the maximum amount as evidenced by the affidavit of the Finance Officer or the amount as indicated in Part 7 (2) VA AGO Form 23 and the amount received as indicated in Part 7 (2) VA AGO Form 23 and the amount received in case of variance between the amount of emergency currency received...

c. Emergency Currency - There were advance pay received payments in the form of quarterly notes. The total amount received...

three months advance pay will be entered after the amount. Par 1 J (9) GSRM VA Form 47 the grade in which statement draw the This amount will be deducted from the amount in pay. Reference to returned to military control were given three months advance pay.

b. Three months advance pay. Members of the RAFFE who returned to military control were given three months advance pay.

will be determined by OCP, RAFF. dual from effective date of the policy. The premium to be deducted portion will be made from the amount of arrears in pay due an individual Government throughout the Japanese occupation. Consequently a deduction of these individuals were kept in force by the United States were covered by will prior to the collapse of the Philippines. The approximately 25,000 members of the Philippine Army (retroactive)

a. Insurance - National Service Insurance (Other than arrears in pay)

1. The following items shall constitute a deduction from arrears in pay:

DEDUCTIONS FROM ARREARS IN PAY

NO. 16
SERIAL: MEMORANDUM

270 707
26 MAY 1947

WILLIAM W. ...
MEMORANDUM FOR THE DIRECTOR
MILITARY PAY SERVICE

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Ex O for Living Orders
Affairs

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Excess payment as a Philippine Scout exists when a Philippine Scout
personnel was erroneously processed as a Philippine Scout and pay
and allowances were received as a Philippine Scout until processed in
the Philippine Army.

Cont'd

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HEADQUARTERS
UNITED STATES ARMY FORCES IN THE FAR EAST

FELAMP 241.

A. P. O. 501

19 March 1945

SUBJECT: Partial Payments For Recovered U. S. Military Personnel (Including Philippine Scouts), Philippine Army Personnel and Civilian Employees of the War Department.

- TO :**
- Commanding General, Sixth Army, APO 442
 - Commanding General, Eighth Army, APO 343
 - Commanding General, Far East Air Forces, APO 325
 - Commanding General, United States Army Services of Supply, APO 707.
 - Commanding General, 14th Antiaircraft Command, APO 322
 - Commanding Officer, Replacement Command, USAFTE, APO 293
 - Commanding Officer, Fourth Replacement Depot, APO 703
 - Commanding Officer, Fifth Replacement Depot, APO 711
 - Commanding Officer, 12th Replacement Battalion, APO 70

1. References.

- a. Letter, this Headquarters dated 28 January 45, file A-7584 322, subject: "Administration of Philippine Scouts Recovered from Enemy Occupied Territory".
- b. Letter, this Headquarters, dated 5 February 1945, file 7584 322, subject: "Administration of Military Personnel, Other Than Philippine Scouts and Philippine Army, Recovered from Enemy Occupied Territory".
- c. Letter, this Headquarters, dated 16 February 1945, file FELAMP 241.023, subject: "Processing of Philippine Army Personnel". (addressed to The Adjutant General, Philippine Army only).
- d. Letter, this Headquarters, dated 4 March 1945, file FELAMP 704, subject: "Civilians Recovered from Enemy Occupied Territory".
- e. Letter, this Headquarters, dated 1 March 1945, file FELAMP 321, subject: "Partial Payments Against Arrears in Pay Due Recovered Personnel".

2. Recovered United States Army and Philippine Army personnel may, after positive identification and if not disqualified under the provisions of paragraph below, be paid a partial payment of an amount equal to three months pay of grade or rating held by them at the time they entered a casualty status, plus the appropriate affidavit executed by the individual indicated that three months arrears pay is due him.

3. a. Recovered War Department civilian employees, contract employees, temporary or intermittent employees or native labor casually hired, who were on the pay roll may, after positive identification, be likewise paid a partial payment equal to three months pay. The rate of pay will be that which was in effect when they were last paid prior to Japanese occupation.

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Personnel Officers to act as Certifying Officers in the process.

c. The Certifying Officer will determine the status of the individual applying for partial payment as follows:

(1) Identification as a War Department employee, American or Filipino, shall be made by the Certifying Officer from documentary evidence in possession of the individual.

(2) A determination as to whether or not the individual is entitled to benefits under the provisions of the Missing Persons Act, made, if possible, by the Certifying Officer. War Department Circular 18-July 1944, will be used as a basis for such decision.

(3) In case identification as a War Department employee, or status under the Missing Persons Act, is doubtful the individual's affidavit and all information available concerning the individual will be forwarded to this headquarters, attention G-1 (MP). This headquarters will then make the necessary determinations of identity and status under the Missing Persons Act. Upon completion of identification and determination of status, all papers will be returned to the appropriate Certifying Officers for an advisory action.

d. Payrolls will be prepared by Certifying Officers for both military and civilian employees who have been identified as such, and who have been determined to be entitled to benefits under the provisions of the Missing Persons Act, as stated by the Certifying Officer or this headquarters. Payrolls will be prepared in the manner prescribed below.

(1) The Certifying Officer will prepare Standard Form 1013, (Revised, Payroll for Personal Services) in quadruplicate. The original voucher and three copies will be turned over to the Disbursing Officer making payment.

(2) The face of the payroll will be modified to delete the following:

(a) Beneath the title of the roll, the phrase, "Employees on Annual Salary Basis."

(b) So much of the printed section as reads: "that each has performed, under my supervision, the services indicated by the respective proper official designation or occupation, during the period mentioned, except as otherwise indicated in the Remarks column."

(c) The sentence reading: "that deductions have been made for the compensation of all employees against whom charges have accrued during the period of the payroll."

(d) The phrase, "that the determined reasonable value of allowances furnished in kind is stated in every case."

(3) The certificate on the payroll, as modified above, will be signed by the Certifying Officer.

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The following certificate signed by the Certifying Officer will be placed in the body of the vouchers:

"The individuals list & heron have been identified by me as civilian employees of the War Department, and it has been determined that they come within the provisions of the War Relocation Act. Payment of the amount set opposite each individual's name is authorized by the War Department Philippine Casualty Administration upon Re-Occupation of the Philippines and you are hereby authorized to pay the amount set beside each individual's name."

3. Each Certifying Officer will submit a properly executed War Department Signature Card, WD Form 35, to the Disbursing Officer making payment on the vouchers prepared by the Certifying Officer.

4. A statement will be placed on the face of each payroll or voucher to appropriate personnel or Certifying Officer that "This payment is charged to arrears in pay, pending final settlement of such arrears."

5. Partial payments will be withheld in all cases where doubt exists as to loyalty to the United States Cause. Such cases will be referred to this Headquarters, attention G-1 (RF), for clarification of the individual's status.

6. Payments to United States Army (including Philippine Scouts) personnel, and civilian employees of the War Department, will be made by United States Army Finance Officers only. Payments to Philippine Army Personnel will be paid by Finance Officers of the Philippine Army only.

7. Disbursing Officers making such partial payments to United States Army personnel and civilian employees at the close of each day's business, will forward to this Headquarters, (attention G-1 (RF)) one copy of each payroll or pay voucher corrected to show payments actually made.

8. Disbursing officers making partial payments to Philippine Army Personnel will forward a copy of each payroll or voucher, prepared as in 6 above, to Headquarters Philippine Army, (attention Recovered Personnel Section).

9. So much of Par 2, letter referred to in Par 1 above, as relates to partial payment be made prior to execution of affidavit by each individual is hereby rescinded, together with any conflicting instructions previously issued by this Headquarters.

By command of General MacARTHUR:

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M. G. ...

CO. ...
CO. ...

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Authority MMDBB3678

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Proc

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Authority NND863078

REPUBLIC OF THE PHILIPPINES
ARMY HEADQUARTERS
APO 501

18 April 1945

CIRCULAR)
NUMBER 11)

PAYMENT OF THREE MONTHS ARREARS IN PAY OF
PHILIPPINE ARMY PERSONNEL

1. Letter, HQ USAFFE, FPA 241, dated 27 March 1945 and letter, HQ USAFFE, FEGARP 340, dated 4 April 1945, authorize the payment of three months arrears in pay to all officers and enlisted men who were in a pay status on the date they became casualties until the date they were returned to full military control in the grade held by them at the time they entered casualty status.

2. The following are the conditions upon which payment will be made:

(a) Accomplishment of PA Form No. 23 (Personal Record) which establishes positive identification as Philippine Army personnel.

(b) Commanding Officers will determine and authenticate that the individual concerned is entitled to at least three months arrears in pay. To those who failed to join their units under questionable circumstances, no payment shall be made until decided upon by this Headquarters at a future date.

(c) Payment under this directive is not authorized to personnel whose records as appearing in Form No. 23 indicate that they will not be retained in the service under the provisions of General Orders No. 20, this Headquarters, dated 17 March 1945, unless their records show that they are entitled to at least three months pay prior to the date of any service under Japanese agencies or the so-called puppet Philippine Republic.

(d) Individuals who served in any capacity with Japanese agencies or under the instrumentalities of the puppet Philippine Republic are restored to pay status only upon the date of their reporting to and acceptance as a member of a guerrilla unit or upon their reporting for duty to any unit of the Philippine Army.

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(e) The payment hereby authorized will be made on the final settlement of arrears in pay due the individual. It is not to be deducted from current pay, that is, pay earned by the individual subsequent to his return to military control.

(f) All initial payments made so far shall be for the amount of this payment.

3. A partial payment may be made immediately, upon the authority, provided Form No. 23 has been executed by the commanding officer or enlisted man concerned. This payment to be made by the nearest Philippine Army Finance Officer.

4. Commanding Officers will prepare a pay voucher with record marking such "Arrears in pay", and submit same to the Finance Officer with authentication by the Commanding Officer to the nearest Philippine Army Finance Officer for payment.

5. When payment is made, Commanding Officers will record the amount paid on Form No. 23, page 6, captioned "Check on Arrears in Pay". Such notations will also be made upon the record of the individual upon discharge or release from the service if such payment is made at that time.

6. Complete settlement of arrears in pay will be made by this Headquarters at a future date.

By order of the Secretary of National Defense:

BASILIO J. VALDES,
Major General, Philippine Army,
Chief of Staff.

OFFICIAL:

Luis Ramos
LUIS RAMOS,
Colonel, AGS,
The Adjutant General.

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R E S T R I C T E D

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Authority NO 0863078

STATEMENT OF MR. QUINTERO ON ARMY CLAIM NO. 14 -
 "ERRONEOUS DEDUCTIONS FROM ARREARS IN PAY CONSISTING OF THE
 EQUIVALENT OF THREE MONTHS' ADVANCE PAY WHICH WAS NOT ACTU-
 ALLY RECEIVED" (Supporting Documents - Exhibits Nos. 22,
 23, 24, 25, 26, 27, 28 and 29).

I will now take up the Philippine Army Claim No. 14,
 entitled "Erroneous Deductions from Arrears in Pay Consisting of
 the Equivalent of Three months' Advance Pay which Was Not Actually
 Received."

Background. - During the military occupation of the
 Philippines by the Japanese, USAFFE soldiers in the Philippines
 could not be paid their salaries by the United States Government.
 When General MacArthur landed in Leyte towards the end of the year
 1944, he evinced a desire to have these soldiers paid their full
 salary during the period of occupation. The Missing Persons
 Act passed by the United States Congress in the year 1942 provided
 a basis for paying USAFFE soldiers in the Philippines their sal-
 aries and allowances for the period. However, in the implementation of
 this Act, certain conditions provided in the Act and in the regu-
 lations promulgated thereunder - I am referring particularly to
 the ^{\$}requirements of Staff Memorandum No. 14 GHQ, AFWESPAC - had to
 be fulfilled which would not allow the immediate payment of the
 full back salaries. For example, Staff Memorandum No. 14 pro-
 vided that a person who evaded capture but returned to his home and
 continued a normal mode of living, would be determined not to be in
 a casualty status and not entitled to pay from the date he returned
 home until he actively joined guerrillas or actively participated
 in the anti-Japanese movement, or returned to military control.
 Again, a person who was captured and imprisoned or interned by
 the enemy but was thereafter released, would be determined not
 in a casualty status from the date of his release until the date
 he actually joined a guerrilla force, or actively participated in the
 anti-Japanese movement, or returned to military control. In other
 words, in order to be entitled to arrears in pay under
 the Missing Persons Act, several facts had to be established by
 the claimant. He had to prove that he had USAFFE status, that he
 was not captured or was captured, that he joined the guerrilla force

Final
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anti-Japanese movement - he had to establish the dates for these activities. It was evident that it would take time for the appropriate United States authorities to make determinations as to how long each individual soldier was in a casualty status within the meaning of the Missing Persons Act and Staff Memorandum No. 14. (PPD)

At that time, the USAFFE soldiers were in urgent need of money. It was felt that something had to be done for them at once. As an emergency measure, therefore, it was decided that all the soldiers who could prove that he was a member of the USAFFE and persons who joined recognized guerrilla organizations would at once be given a three months' salary advance, without waiting for the determination by the Recovered Personnel Division as to the duration of his casualty status, that is, the full period during which he would be paid. It was the understanding, at the time the three months' advance pay was given, that later on when the duration of the casualty status of a particular individual was finally determined by the Recovered Personnel Division, the three months' salary advance would be deducted from his arrears in pay. With this understanding, payment of the three months' salary advance was started. Soldiers in Leyte and nearby Islands who could be reached by the Army paymasters were paid the three months' salary advance, but those in Luzon and other islands towards the North were not able to receive such three months' salary advance. (PPD)

In due course of time, the Recovered Personnel Division was able ~~was able~~ to make determinations as to the duration of the casualty status ^{of} thousands and thousands of members of the USAFFE and members of recognized guerrilla organizations. The Army authorities were then in a position where they could give the pay envelopes to these soldiers for the full arrears in pay said soldiers were entitled to, but the Army authorities were confronted with a problem - a problem similar to that they met in connection with the deductions for NSLI premiums - the gigantic task of ascer-

taining who of the five hundred thousand soldiers and officers received three months' salary advance and who did not. To go through the records which at ^{that} time were not in very good shape would delay the payment of the full arrears in pay. As in the case of the NSLI premiums, they met the problem by following what I have already called the "policy of presumption"; they presumed that every one of the five hundred thousand men received the three months' salary advance. Accordingly, the pay envelopes containing the arrears in pay of the soldiers were delivered to them, minus the three months' salary advance presumed to have been advanced to them. When this was done, it was of course the intention to make appropriate adjustments and reimbursements later on. The United States Army closed shop in the Philippines before all the adjustments and reimbursements could be made.

NO. 1000
FORMS
30 June 48
31 Dec 48

Our Committee is here to seek the reimbursement for all deserving claimants.

Let us now go to actual and specific cases.

Case of Ludovico Cabigon. - Ludovico Cabigon of Basey, Samar, was a school teacher before the war. During the Japanese occupation of the Philippines, he joined the guerrillas. In due time, the guerrilla unit to which Cabigon belonged was given recognition. A determination was made that Cabigon was entitled to arrears in pay under the Missing Persons Act.

I have before me Voucher No. 344, which shows the service record of Cabigon during the Japanese occupation. The voucher indicates that he was entitled to salary and allowances amounting to ₱10,938.70. (I have marked this Voucher "Exhibit No. 22"). Under a column in the voucher entitled "LESS: (DEDUCTIONS)", we find this item: "Advances chargeable to Arrears in Pay - 3 M.o. Adv. - ₱999.99". The total deductions from Cabigon's arrears in pay, including the three months' salary advance supposed to have been received by him, amounted to ₱5,531.47 altogether. Cabigon, therefore, instead of receiving ₱10,938.70 arrears in pay, received only ₱5,405.23 because of the deductions. One of the deductions,

Ex

- 4 -

it may be stated again, corresponded to the three months' salary advance of ₱999.99 Cabigon was presumed to have received. These facts are reflected in Exhibit No. 22.

When Cabigon later on found that his back pay was reduced by ₱999.99 corresponding to three months' salary, he protested. He made a sworn statement that he did not receive any salary advance of three months' at all. He stated in his affidavit that the three months' salary advance was paid to the officers and enlisted men of his outfit in the Municipality of Calbayog, Province of Samar, at a time when he was in another municipality, the Municipality of Catbalogan. (These statements appear in Exhibit No. 23). The allegation of non-payment made by Cabigon in his sworn statement was checked up by the Finance Officer for the Province of Samar, Lieutenant Fernando N. Navarrette. This Finance Officer issued a certificate stating that he has never paid the three months' salary advance to Cabigon. (The certificate of Finance Officer Navarrette is marked Exhibit No. 24). The statement of Finance Officer Navarrette that no salary advance of three months was ever given Cabigon finds corroboration in another sworn statement, an affidavit executed by Colonel Luciano Abia, Commander of the Guerrilla Regiment to which Cabigon belonged. (This affidavit of Colonel Abia is marked Exhibit No. 25.) The allegation by Cabigon of non-payment to him of three months' salary advance was again checked up by the Finance Section of the Armed Forces of the Philippines and found true. Consequently, on January 12, 1949, the Finance Section, Armed Forces of the Philippines, paid Cabigon ₱999.99, the amount deducted from his arrears in pay. (This is shown in Exhibit No. 26).

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Case of Felino Sacro. - It appears that Felino Sacro of Ilocos Norte, was Captain of Infantry, USAFFE, receiving a salary of ₱400 monthly. Sacro died in August, 1945. His status as an officer of the USAFFE was established, and for that reason, the widow, Mrs. Aurora Lopez de Sacro, received the arrears in pay of her deceased husband.

On August 31, 1949, Mrs. Sacro wrote to the Adjutant General, Armed Forces of the Philippines, enclosing a voucher to cover a claim for the reimbursement of three months pay amounting to ₱1,200. She stated in her letter (which I have marked Exhibit No. 27) that she was supposed to receive the amount of ₱9,179.00, arrears in pay of her deceased husband, but she actually received ₱7,979.03 only because of an erroneous deduction made corresponding to three months pay of her husband. In an affidavit (which I have marked Exhibit No. 28), Mrs. Sacro states that the three months' salary advance was given to members of the USAFFE in the month of November, 1945, and as her husband died in August of that year, he did not receive the three months' salary advance at all. (Exhibit No. 28). This allegation of non-payment of the three months' salary advance to Mr. Sacro was looked into carefully by the accounting officers of the Finance Division of the Philippine Army and by government auditors, and it was only after these officials had become satisfied that the widow of Mr. Sacro deserved a reimbursement, that a check in the amount of ₱1,200 was handed to her on January 12, 1949, corresponding to three months' salary which her husband never received. (The fact of payment is evidenced by Exhibit No. 29). The Philippine Government is now requesting the United States Government to reimburse it for the ₱1,200 paid to Mrs. Sacro from Philippine Government funds.

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Ev

The cases of Cabigon and Mrs. Sacro are of course mere samples. There are thousands of other Cabigons and hundreds of other Sacros.

General Vargas, Chief of Staff of the Armed Forces of the Philippines, has sent to our Committee the documents to support ten sample cases of each type of claim - our Committee has picked at random two out of these ten to illustrate the point we want to bring out in connection with each type of claim - but let me read to you the final paragraph of the letter which General Vargas wrote to our Committee:

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"This Headquarters is in possession of complete records of Books of Accounts and records of disbursements x x x x x. These records can be made available to the representatives of our government if it is believed that these records will be of assistance to them in the negotiations that they are undertaking with the representatives of the United States Government."

If you suggest that it would be useful to send for all of the vouchers and documents supporting the claims of the thousands and thousands of claimants, our Committee will be glad to send for those records.

Wright

Now, as to the sufficiency of the evidence. We wish to say to you that the documents - these exhibits that I will presently ask the American Delegation to receive - are not the only evidence we can present. For example, in the case of Mr. Sacro, if you feel that we should get the death certificate to corroborate the allegations made by Mrs. Sacro in her sworn statement with respect to the date of the death of her husband, we shall be glad to send for such death certificate from the Philippines. In other words, if you will suggest to us the type of evidence you would want us to present to you to prove a certain state of facts, we will do our utmost to have that evidence before you within the shortest time possible.

May I add that before payment is made to any claimant in the Philippines, he is required to submit a voucher and documentary evidence satisfactory to our finance officers and auditors. We have laws and regulations providing the procedure for settling any money claim against the government. I also desire to state, in passing, that according to the regulations that the United States Government has promulgated governing the disbursement of its funds appropriated for the expenses of the Army of the Philippines - I am referring to Executive Order No. 9011 issued by the President of the United States on January 3, 1942 - the accounting of said funds have

to be done in accordance with Philippine laws and regulations. Executive Order No. 9011 also contains provisions to the effect that when a United States Army official turns over any amount from these funds to a Philippine Army officer, all that the United States Army official has to submit in order to be relieved of responsibility is a receipt signed by the Philippine Army official. Executive Order No. 9011 says that "advances or reimbursements made to the Government of the Philippines by disbursing officers of the Army of the United States x x x will be accounted for on vouchers evidencing the amounts advanced or paid as reimbursement to the Government of the Commonwealth of the Philippines, but such vouchers need not be supported by vouchers paid by disbursing officers of the Army of the Philippines."

Under United States regulations, the vouchers submitted by Philippine Army officers are to be audited, not by United States auditors, but by auditors of the Philippine Government. True, the accounts of our officers, after they have been audited by Philippine Government auditors are subject to "an administrative examination by the Agency designated by the Commanding General, USAFFE", but this administrative examination - under your regulations - is made for one purpose only - "to determine the reimbursement due the Government of the Commonwealth of the Philippines." It was not contemplated that after vouchers are audited by Philippine auditors "in accordance with procedures established by Philippine Commonwealth laws and regulations", they are again to be audited by auditors of the United States Government. And finally, your regulations provide that the vouchers are to be kept in the Philippines "for preservation and safekeeping in accordance with Philippine law."

We do not propose to hide behind a technicality - we are not invoking the provisions of Executive Order No. 9011 of the President of the United States. We have made reference to these regulations because we desire to point out to you that in spite of the provisions in Executive Order No. 9011 which authorize

keep these vouchers in the Philippines, we will not keep them there, we have brought some here already and we are prepared to send for the rest of them. We are doing this because we feel that that is the best way we can get all the facts before you - we want you to know the whole truth - we feel that by your knowing all the facts, we can have a pretty fair idea of what your decision would be.

The relations between the American Government and the Philippine Government, between the American people and the Filipino people, have always been characterized by friendship and understanding, by fairness, by a mutual regard for each other's rights. There has never been an instance where a deliberate injustice has been done. Possibly, there may be isolated cases of unfairness, but if such things have ever happened, the fault must have been ours - we have not called your attention to them, we have not given you the facts. That is what we are trying to do today - to call your attention to the cases of the Cabignons and the Sacros. We are giving you all the facts because knowing all the facts, we have no doubt that your decision will be in accordance with law, in accordance with the principles of equity and justice. We have come to you because we have implicit faith in your sense of fairness and justice.

Washington, D.C.

January 27, 1955

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Authority *NA0083078*

Extra

PHILIPPINE EMBASSY
WASHINGTON

Headquarters
PHILIPPINES AIR COMMAND AND THIRTEENTH AIR FORCE
Office of the Commanding General
Clark Air Force Base
APO 74

29 Dec 1949

SUBJECT: Return of the Balance of the Appropriation "Expenses,
Army of the Philippines"

TO: Chief of Staff
Armed Forces of the Philippines
Camp Murphy, Quezon City

1. Under date of 6 December 1949, the undersigned requested that the unexpended balance of the appropriation "Expenses, Army of the Philippines, 1942-1946", be returned to the Treasurer of the United States not later than 31 December 1949 in accordance with agreements made between the Commanding Generals of the Philippine-Ryukus Command, the Philippines Command the Chief of Staff, Armed Forces of the Philippines. Although no direct reply to the above mentioned letter has been received, a copy of the 1st indorsement executed by your headquarters and addressed to His Excellency, the President of the Philippines, has been furnished me.

2. Careful consideration has been given to each of the stated reasons for not returning the balance of the funds on or before 31 December 1949, and it is the opinion of this headquarters that said reasons are not sufficient to warrant a change in my original request.

3. As the final audit figures are not now available, it is requested that the sum of P50,000,000.00 be returned now to the Treasurer of the United States.

4. After reimbursement of P50,000,000.00, the balance remaining with the Philippine Army should be more than adequate to pay any amount that might later be considered as payable, under the terms of the existing agreements, for administrative expenses in adjudication, audit and payment of claims.

(SGD) H. M. TURNER
Major General, USAF
Commanding

A true Copy

17 Dec 53


CARLOS S. SISON

Captain, AGS

Asst Adjutant General

DECLASSIFIED

Authority ND8883078

PHILIPPINE EMBASSY
WASHINGTON

Headquarters
PHILIPPINES AIR COMMAND AND THIRTEENTH AIR FORCE
Office of the Commanding General
Clark Air Force Base
AFO 74

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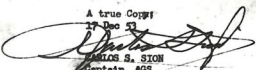
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(SGD) H. M. TURNER
Major General, USAF
Commanding

A true Copy

17 Dec 53



CARLOS S. SION
Captain, AGS
Asst Adjutant General

DECLASSIFIED
Authority NAJ883078

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WASHINGTON

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PHILIPPINE AIR COMMAND AND THIRTEENTH AIR FORCE
Office of the Commanding General
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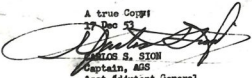
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Major General, USAF
Commanding

A true Copy
17 Dec 53


CARLOS S. SION
Captain, AGS
Asst Adjutant General

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REMARKS OF MR. GAMBOA AT THE FIRST MEETING OF THE
AMERICAN AND PHILIPPINE GROUPS ON THE SETTLEMENT
OF FINANCIAL CLAIMS AT THE STATE DEPARTMENT,
JANUARY 14, 1955

EXTRA

Tab 2

We are grateful for this privilege which you have accorded us to present to you the financial claims of the Philippines.

We are submitting these claims for your consideration not in the spirit of a litigant suing another litigant, but rather in the spirit of a partner or an ally, indeed, in the capacity of a former ward trying to settle or adjust past accounts with his former guardian.

It is therefore our hope as well as our conviction that these negotiations will be carried on in an atmosphere of mutual goodwill.

In the letter of President Magsaysay of August 23, 1954 appointing Senator Laurel as Chairman of the Philippine Economic Mission to the United States, he instructed the latter also "to work for the settlement of all the financial claims of the Republic of the Philippines on the Government of the United States". When the Philippine Economic Mission left Washington, Senator Laurel directed the Financial Claims Committee to continue the conduct of the negotiations on these claims.

The desire to have the financial claims and counter-claims of the two governments settled dates as far back as the Independence Act. Section 2 (B) (1) of the Tydings-McDuffie Act reads as follows:

"(B) The Constitution shall also contain the following provisions, effective as of the date of the proclamation of the President recognizing the Independence of the Philippine Islands, as hereinafter provided:

"(1) That the property rights of the United States and the Philippine Islands shall be promptly adjusted and settled, and that all existing property rights of citizens or corporations of the United States shall be acknowledged, respected and safeguarded to the same extent as property rights of citizens of the Philippine Islands."

Pursuant to the above-quoted provision of the Independence Act, the Constitution of the Philippines provides in Article 17 section 1 (1) as follows:

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- 2 -

"Section 1. Upon the proclamation of the President of the United States recognizing the independence of the Philippines —

"(1) The property rights of the United States and the Philippines shall be promptly adjusted and settled, and all existing property rights of citizens or corporations of the United States shall be acknowledged, respected, and safeguarded to the same extent as property rights of citizens of the Philippines."

The plan is also in consonance with Article VI of the Treaty of General Palatons between the Philippines and the United States signed in Manila on July 4, 1946 which provides:

"In so far as they are not covered by existing legislation, all claims of the Government of the United States of America or its nationals against the Government of the Republic of the Philippines and all claims of the Government of the Republic of the Philippines and its nationals against the Government of the United States of America shall be promptly adjusted and settled. The property rights of the Republic of the Philippines and the United States of America shall be promptly adjusted and settled by mutual agreement, and all existing property rights of citizens and corporations of the Republic of the Philippines in the United States of America and of citizens and corporations of the United States of America in the Republic of the Philippines shall be acknowledged, respected and safeguarded to the same extent as property rights of citizens and corporations of the United States of America and of the Republic of the Philippines respectively. Both Governments shall designate representatives who may in concert agree on measures best calculated to effect a satisfactory and expeditious disposal of such claims as may not be covered by existing legislation."

Finally the idea is in line with one of the recommendations of the Bell Mission which reads as follows:

"There are a number of financial claims between the two governments, some antedating the war, others growing out of the war. It is not desirable to have these unsettled claims hampering close financial collaboration between the two countries. A joint commission should be set up promptly to negotiate an agreement to cover the claims of each government against the other and to provide for a final settlement. The Agreement should specifically state that no further financial claims will be made by either government against the other for any alleged obligations incurred prior to the date of the Agreement."

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There is no doubt but that this general desire for the holding of these negotiations stems from the belief that it is in the mutual best interest of our two countries that these financial claims and counter-claims be adjusted once and for all. As long as they, or any number of them, are left hanging in the air they will be a constant possible source of complaint, misunderstanding and irritation.

This matter of financial claims is not unrelated to the proposed revision of our trade relations recently approved by the Philippine and American panels. The Philippines is in dire need of the means that will prime the pump of the economic development that is envisaged by the proposed revision. Whatever the Philippines may realize out of these negotiations will go a long way in strengthening the economy of the country within the framework of the proposed revised trade relations, and in improving the morale of the Filipino people thus enabling them to contribute more effectively to the security of that part of the world.

Most of these claims have already been discussed before. However, we feel that some of these cases deserve further consideration. With respect to some of them we have now in our possession additional information which was not previously available and which may throw more light to the situation.

We propose at this first joint meeting of our two groups to inform you of the nature in general terms of the various claims of our government. It is our understanding that after this meeting you will want to have each item separately discussed more or less thoroughly between our group and the representative or representatives of your group. The claims of the Philippine Government are as follows:

1. The military claims which consist of the following items:

- (a) Unpaid portion of the salary of the enlisted men of the Philippine Army and of the recognized guerrilla units under Executive Order No. 22 of President Osmena. ? ✓
- (b) Expenses of Recovered Personnel Division. ✓
- 14 Jan 55
27 Jan 55
- EOA ✓

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- 27 Jan 55 ✓ (c) Erroneous deductions on account of National Service Life Insurance premiums. AG (check SA file) ✓
- 27 Jan 55 ✓ (d) Erroneous deductions from arrears in pay consisting of the equivalent of three months' advance pay which was not actually received. AG
- ✓ (e) Erroneous deductions from soldiers' arrears in pay on account of guerilla notes received by them during the Japanese occupation. AG
- ✓ (e) ~~Quarterly allowances~~ (f) Erroneous deductions made from arrears in pay on account of clothing issued at the time of return to military control. AG
- ✓ (g) Claims approved by the Recovered Personnel Division and later cancelled by the Adjutant General's Records Depository. AG
- ✓ (h) Arrears in pay denied veterans suspended from duty because of criminal charges. AG
- ✓ (i) Unjustified deductions from arrears in pay of veterans who failed to report to military control on or before August 15, 1945. AG
- (j) Refund to the Philippine Government for the value of individual and organizational equipment and supplies used in originally equipping the members of the USAFPB.
- (k) Related claims of personnel of the Philippine Scouts. AG
- ✓ (l) ~~Payment of arrears in pay~~
2. The dollar devaluation claim.
 3. The adjustment of accounts under the Romulo-Snyder loan agreement.
 4. The additional war damage claim.
 - ✓ 5. The pre-war claims on unpaid customs duties on importations of the U.S. Army and Navy.
 6. Refund of certain excise taxes.

Our Committee is still processing some documents from Manila and it is possible that a few additional claims may be presented later.

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REMARKS OF MR. GAMBOA AT THE FIRST MEETING OF THE
AMERICAN AND PHILIPPINE GROUPS ON THE SETTLEMENT
OF FINANCIAL CLAIMS AT THE STATE DEPARTMENT,
JANUARY 14, 1955

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In the letter of President Magsaysay of August 23, 1954 appointing Senator Laurel as Chairman of the Philippine Economic Mission to the United States, he instructed the latter also "to work for the settlement of all the financial claims of the Republic of the Philippines on the Government of the United States". When the Philippine Economic Mission left Washington, Senator Laurel directed the Financial Claims Committee to continue the conduct of the negotiations on these claims.

The desire to have the financial claims and counter-claims of the two governments settled dates as far back as the Independence Act. Section 2 (B) (1) of the Tydings-McDuffie Act reads as follows:

"(B) The Constitution shall also contain the following provisions, effective as of the date of the proclamation of the President recognizing the Independence of the Philippine Islands, as hereinafter provided:

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Pursuant to the above-quoted provision of the Independence Act, the Constitution of the Philippines provides in Article 17 section 1 (1) as follows:

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- 2 -

"Section 1. Upon the proclamation of the President of the United States recognizing the independence of the Philippines --

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This matter of financial claims is not unrelated to the proposed revision of our trade relations recently approved by the Philippine and American panels. The Philippines is in dire need of the means that will prime the pump of the economic development that is envisaged by the proposed revision. Whatever the Philippines may realize out of these negotiations will go a long way in strengthening the economy of the country within the framework of the proposed revised trade relations, and in improving the morale of the Filipino people thus enabling them to contribute more effectively to the security of that part of the world.

Most of these claims have already been discussed before. However, we feel that some of these cases deserve further consideration. With respect to some of them we have now in our possession additional information which was not previously available and which may throw more light to the situation.

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(Revised 14 Jan 55) ✓(a) Unpaid portion of the salary of the enlisted men of the Philippine Army and of the recognized guerrilla units under Executive Order No. 22 of President Osmena. ?

17 Jan 55 ✓(b) Expenses of Recovered Personnel Division.

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- 27 Jan 55 (c) Erroneous deductions on account of National Service Life Insurance premiums. AG (check SA File)
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- ✓ (g) Claims approved by the Recovered Personnel Division and later cancelled by the Adjutant General's Records Depository. AG
- ✓ (h) Arrears in pay denied veterans suspended from duty because of criminal charges. AG
- ✓ (i) Unjustified deductions from arrears in pay of veterans who failed to report to military control on or before August 15, 1945. AG
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- ✓ (e) ~~Payment of arrears in pay~~ AG
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Authority NND863078

4-7

MEMORANDUM FOR MR. CARMICHAEL AT THE FIRST MEETING OF THE
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- (b) Expenses of Recovered Personnel Division.

(Revised)
14 Jan 55

18 Jan 55

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Authority NND883678

- 2/29/55 (e) Erroneous deductions on account of National Service Life Insurance premiums. AG (check SAPO)
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- ✓ (a) ~~Qualification~~ (f) Erroneous deductions made from arrears in pay on account of clothing issued at the time of return to military control. AG
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 - ✓ 5. The pre-war claims on unpaid customs duties on importations of the U.S. Army and Navy.
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REMARKS OF MR. GARRA AT THE FIRST MEETING OF THE
AMERICAN AND PHILIPPINE GROUPS ON THE SETTLEMENT
OF FINANCIAL CLAIMS AT THE STATE DEPARTMENT,
JANUARY 14, 1955

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It is therefore our hope as well as our conviction that these negotiations will be carried on in an atmosphere of mutual goodwill.

In the letter of President Magsaysay of August 23, 1954 appointing Senator Laurel as Chairman of the Philippine Economic Mission to the United States, he instructed the latter also "to work for the settlement of all the financial claims of the Republic of the Philippines on the Government of the United States". When the Philippine Economic Mission left Washington, Senator Laurel directed the Financial Claims Committee to continue the conduct of the negotiations on these claims.

The desire to have the financial claims and counter-claims of the two governments settled dates as far back as the Independence Act. Section 2 (B) (1) of the Tydings-McDuffie Act reads as follows:

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Furwant to the above-quoted provision of the Independence Act, the Constitution of the Philippines provides in Article 17 section 1 (1) as follows:

"Section 1. Upon the proclamation of the President of the United States recognizing the independence of the Philippines --

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Finally the idea is in line with one of the recommendations of the Bell Mission which reads as follows:

"There are a number of financial claims between the two governments, some antedating the war, others growing out of the war. It is not desirable to have these unsettled claims hampering close financial collaboration between the two countries. A joint commission should be set up promptly to negotiate an agreement to cover the claims of each government against the other and to provide for a final settlement. The agreement should specifically state that no further financial claims will be made by either government against the other for any alleged obligations incurred prior to the date of the agreement."

12

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- (b) Expenses of Recovered Personnel Division.

(Revised 14 Jan 55)

27 Jan 55

7

COB

21 Jan 55 (c) Erroneous deductions on account of National Service Life Insurance premiums.

AG (check 5A.F. 10)

27 Jan 55 (d) Erroneous deductions from arrears in pay consisting of the equivalent of three months' advance pay which was not actually received.

AG

✓(e) Erroneous deductions from soldiers' arrears in pay on account of guerrilla notes received by them during the Japanese occupation.

AG

✓(f) ~~Erroneous deductions~~

AG

(f) Erroneous deductions made from arrears in pay on account of clothing issued at the time of return to military control.

AG

✓(g) Claims approved by the Recovered Personnel Division and later cancelled by the Adjutant General's Records Depository.

AG

✓(h) Arrears in pay denied veterans suspended from duty because of criminal charges.

AG

✓(i) Unjustified deductions from arrears in pay of veterans who failed to report to military control on or before August 15, 1945.

AG

(j) Refund to the Philippine Government for the value of individual and organizational equipment and supplies used in originally equipping the members of the USAPFB.

(k) Related claims of personnel of the Philippine Scouts.

✓(l) ~~Payment of arrears in pay~~

AG

2. The dollar devaluation claim.
3. The adjustment of accounts under the Romulo-Snyder loan agreement.
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- ✓5. The pre-war claims on unpaid customs duties on importations of the U.S. Army and Navy.
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EX

MEMORANDUM FOR MR. GARSON AT THE FIRST MEETING OF THE
AMERICAN AND PHILIPPINE GROUPS ON THE SETTLEMENT
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JANUARY 18, 1955

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(1) as follows:

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(Revised 14 Jan 65)

- 27 Jan 58 ✓ (c) Erroneous deductions on account of National Service Life Insurance premiums. AG (check 3A.F.6)
- 27 Jan 58 ✓ (d) Erroneous deductions from arrears in pay consisting of the equivalent of three months' advance pay which was not actually received. AG
- ✓ (e) Erroneous deductions from soldiers' arrears in pay on account of guerilla notes received by them during the Japanese occupation. AG
- ✓ (a) ~~Quoted as 22 Dec 1945~~
- ✓ (f) Erroneous deductions made from arrears in pay on account of clothing issued at the time of return to military control. AG
- ✓ (g) Claims approved by the Recovered Personnel Division and later cancelled by the Adjutant General's Records Depository. AG
- ✓ (h) Arrears in pay denied veterans suspended from duty because of criminal charges. AG
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- (k) Related claims of personnel of the Philippine Scouts.
- ✓ (l) ~~Payment of arrears in pay~~
2. The dollar devaluation claim. AG
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Our Committee is still processing some documents from Manila and it is possible that a few additional claims may be presented later.

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Authority NND883678

EXTRA

AGAR-E 314

Review of Comments Concerning "The Case of the
Philippine Army Veteran"

//

THRU Chief, Admin Svc
Div, TAGO

OO, ANGEN, TAGO

23 OCT 1955

TO Chief, Compt Div, TAGO

1. As requested in your telephone conversation concerning the above subject, the previously prepared comments (see Tab A) have been reviewed. The only change concerns our recommendations in paragraphs 9a through 9d, Tab A. These recommendations are revised by substituting the following sub-paragraphs (a and b):

"9a. That a service determination program be initiated by the United States Government to review all cases involving service in USAFFE or as a recognized guerrilla, whenever there is an indication of a claim for VA benefits.

"9b. That the Philippine Government be requested to nominate qualified representatives to participate in this review. The Philippine Government representative would be required to concur or nonconcur in the findings in each case. Where disagreement cannot be resolved, the case would be referred to a joint review board for final action."

2. In connection with the above-revised recommendations, it should be noted that the Mission's proposals appear to be concerned only with the review of negative determinations of service in USAFFE, in order to obtain VA benefits for additional claimants (see first and fourth steps of the Mission's Recommendations, pages 31 through 32). As a practical matter, any review program of this sort must include recognized guerrillas as well as USAFFE, since both categories are eligible for certain veteran benefits. The procedures and work involved would be substantially as outlined in "Special Review Project" which was completed in July 1951 (see Tab B). Our recommendations in paragraph 1 ("9a) above contemplate that from a total of 120,000 USAFFE and approximately 223,000 civilian guerrilla records, an estimated 110,000 cases with VA interest would have to be withdrawn. Of this latter number (110,000), it is estimated we will find that 60 percent have already received a positive certification. Approximately 40 percent, or 44,000, will therefore have to be re-examined and, where warranted, a new certification made to the Veterans Administration. (Should it be possible for the VA to furnish the names of those veterans whose claims were considered negative by that office for the purpose of veteran benefits, our task would be greatly simplified. As a matter of information, the everyday task of resolving appeals has resulted in favorable redeterminations in an estimated 10 percent of all cases received since July 1951. Attached as Tab C are pages from The American Legion publication in Manila, indicating that 13 percent of the cases handled by the Accredited Representative are approved.)

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Authority NND883078

23 OCT 1950

AGAR-E 314

SUBJECT: Review of Comments Concerning "The Case of the Philippine Army Veteran"

3. Notwithstanding the recommendation in paragraph 1 ("9a) above, it is not illogical to assume that a recertification project would reopen the arrears-in-pay program. Such a program would require a re-examination of approximately 600,000 files to establish service status and compute the amount of arrears in pay for those determined to have had service. The computation of amount of pay due would be the maximum from which would be deducted any previous payments. Previous payments during the period October 1944 to 31 December 1949 were made by the Philippine Government based on certifications from the United States Army. There was no consistent procedure whereby the Philippine Government notified the United States Army of the amount paid in each case; however, approximately 20 percent of the above files do contain a record of the amount paid. Consequently, 80 percent of the cases would have to be compared with records in the custody of the Philippine Government in order to determine net amount due or overpaid. Such a program would require some procedure whereby the records of the Philippine Government concerning past payments would be made available to the United States Government.

4. It should be recognized that the more or less limited program outlined in paragraph 1 above will not satisfy all of the alleged injustices covered in the total claim. Reference is made to a number of significant points to which additional attention should be given, at least from the Philippine standpoint. These points are discussed briefly in Tab D. No cost estimates have been provided, since the scope of the program is not known at this time.

4 Incl

1. Comment prepared at ARGEN on case of PA Vet (Tab A)
2. Copy Spec Rev Background (Tab B)
3. Copy Accredited Rep Report (American Legion) (Tab C)
4. Listing of additional "Mission" complaints (Tab D)

DAVID H. ARP, Colonel, AGC
Commanding



VIA AIR MAIL

EP

It has also been verified that under the published authority as contained in Section II, War Department Circular Nr. 220, dated 7 July 1942, and Section II, War Department Circular Nr. 229, dated 13 July 1942 (see inclosures 1 and 2 hereto) certain members of the Philippine Army while in Australia were actually permitted to be discharged and to enlist or receive appointments in the Army of the United States. These individuals received the same compensation as the United States forces. The date when such enlistments and appointments ceased to be made has not been ascertained in official records; however, it is assumed that this authority was not intended to continue subsequent to the liberation of the Philippines. The validity of claims based on Philippine Executive Order Nr. 22 has been studied by TJAGO.

3. Commonwealth Act 717, December 1945, Providing a Three-month Extra Pay Bonus to Members of the Philippine Army. While no specific claim for reimbursement is made for the 35 million pesos spent in connection with this Philippine Commonwealth bonus, it is alleged that the necessity for making these payments from Commonwealth funds arose because of the failure of the United States to provide for bringing Philippine Army pay into line -- dollar for dollar -- with AUS pay, and the resultant growing unrest of Filipino soldiers. (Military Order of the President of the United States, dated 26 July 1941, and Appropriation Acts of Fiscal Years 1942 - 1945, covering funds for the Army of the Philippines, recognized the principle that expenses for mobilization and operation of the Philippine Army would be borne by the United States.)

4. Staff Memorandum Nr. 14, EPD HQ AFMESPAC, dated 27 December 1945, Interpretation of the Missing Persons Act, Public Law 490. This memorandum established the criteria applicable to entitlement to pay for periods subsequent to beleaguered or prisoner of war status. The Philippine Government has frequently protested what they regard as a too restrictive interpretation of the intent of the Missing Persons Act. Probably their strongest argument is their reference to the Navy's policy under which its Filipino personnel were given credit for the entire period of the occupation. This subject is referred to on page 5 of the claim of the Philippine Army veteran. A separate claim involving validity of the criteria set forth in Staff Memorandum Nr. 14 has been reviewed by TJAGO, and this review has resulted in the establishment of the Department of the Army's position in respect to this matter.

5. Inconsistencies in Army and Veterans Administration Determinations Based on the Same Circumstances. The Mission report (page 17) calls attention to the fact that in line of duty cases, as an example, the Army and Veterans Administration, under present policies, may reach different conclusions from the same set of facts.

6. Manner of Resolution of Benefits in Death Cases. The Mission report (page 17) intimates that while it is the policy of the United States in death cases, to resolve any doubt in favor of the claimant, both the Army and Veteran Administration, in Philippine cases, has placed the burden of proof upon the beneficiary, (see Tab B).

7. Criticism of Policies and Procedures Followed During the Re-Determination Program (Special Review Project). Page 18.

See inclosure 3 hereto.

3 Incl

1. WD Cir 220, 1942
2. WD Cir 229, 1942
3. Special Review Project

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REMARKS OF MR. GAMBOA AT THE FIRST MEETING OF THE
AMERICAN AND PHILIPPINE GROUPS ON THE SETTLEMENT
OF FINANCIAL CLAIMS AT THE STATE DEPARTMENT
JANUARY 14, 1955

(7 Copies)

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Authority NND883078

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- (b) Expenses of Recovered Personnel Division.

(Presented 14 Jan 55)

17 Jan 55

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- 27 Jan 55 ✓(c) Erroneous deductions on account of National Service Life Insurance premiums. AG (check SA file)
- 27 Jan 55 ✓(d) Erroneous deductions from arrears in pay consisting of the equivalent of three months' advance pay which was not actually received. AG
- ✓(e) Erroneous deductions from soldiers' arrears in pay on account of guerilla notes received by them during the Japanese occupation. AG
- ✓(e) ~~Qualifying allowances~~
 ✓(f) Erroneous deductions made from arrears in pay on account of clothing issued at the time of return to military control. AG
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Book 35

3 Months Advance Pay 3/4 Acknowledged

XX XX XX XX XX XX XX XX XX XX XX = 55

Book 22

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Book 31

XX XX XX XX XX XX XX XX XX XX XX XX XX = 68

Book 32

XX XX XX XX XX XX XX XX XX XX XX XX I = 61

Book 34

XX XX XX XX XX XX XX XX XX XX II = 52

Book 33

XX XX XX XX XX XX XX XX XX XX XX XX = 65

Book 23

XX XX XX XX XX XX XX XX XX XX XX XX XX XX = 78

Book 24

XX XX XX XX XX XX XX XX XX XX XX II
TOTALS = $\frac{= 62}{522}$

1d. Erroneous deductions - 3 Mo. advance

These appear to be captions arising from errors of PA Finance, etc that when identified, they were repaid prior to 31 Dec 1949.

Problems: -1. PA Finance has the only complete(?) record of these accounts.

On the Secro case - why wasn't reimbursement made from "Expenses - Army of the Phils"?

2. Would require re-examination of all AIRAFFE cases, & checking against Finance records of PA.

1e. Erroneous deductions - Emergency currency -

1. Question: Why were these deductions prior to 31 Dec 49 paid from Phil Govt funds instead of "Expenses, Army of the Phils"?

2. Legal question - does a 1:1 scale of payment constitute deprivation of rights?

Comment: Value of emergency currency & gold notes were devaluated, but how much varied from area to area & time to time. To research for true comparative value with the Philippine Peso would be impossible at this time.

2. Apparently, what the Phil Govt wants as repayment of all deductions made for emergency currency, gold notes & possibly Jap currency.

1 cc ~~Quarters Allowance~~

~~Legal Question: Since provision for quarters allowance was already on the books & approved by Congress prior to March 1942, did Pres Quezon have authority to determine where, when & to whom quarters allowances were to be paid? Would such determination constitute a change in scale of pay & allowances authorized by Congress?~~

Could this business apply to com. priv.,
regardless of whether or not insured or
authorized to live off-post?

1 F - Clothing

This looks like exceptions - errors.

As far as I know, only clothing in excess of
authorized allowance was charged.

Don't know of any way to check the book,
as clothing deductions would not show the
basis for such deductions (?)

Claims approved by APD + Disapproved by AG-RPD

1 G - This with toughie - would require the
entire adjudication for errors in pay.
Not appropriate for this.

1 H - Criminal cases,

Some situation as 1-G

1-i - Failure to report to Mail Control

Individual cases - reopen adjudication,
No appropriation.

1-b - Parole

Question is legality of Staff Memo #14,
This may depend on Congress specifying
what their intention was.

Would reopen adjudication,

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Authority: E.O. 13526

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Robert J. ...

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5.54 #

Handwritten signatures and scribbles:
- A large, illegible scribble at the top left.
- A signature that appears to be "M. J. [unclear]" in the middle.
- A signature that appears to be "W. J. [unclear]" at the bottom left.

Stud

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78	46	97
62	47	120
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78	52	120
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68	54	85
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6	137	28	68	51	176
7	94	29	78	52	120
8	155	30	54	53	136
9	60	31	68	54	85
10	146	32	61	55	69
11	141	33	65	56	73
12	105	34	52	57	57
13	86	35	55	58	18
14	50	36	58	59	93
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18	58	40	57		
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Book #		Total
43	————	56
44	————	67
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58	————	18
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Book # 42

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Book # 41

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Book # 40

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Book # 21

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Book # 39

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Book # 38

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Acknowledged

Book 10 ~~#####~~ - 146

Book 28 ~~#####~~ - 68

Book 3 ~~#####~~ - 125

Book 4 ~~#####~~ - 95

Book 57 ~~#####~~ - 57

Book 47 ~~#####~~ - 120

ACKNOWLEDGE

Book 10 ~~#####~~ - 146

Book 28 ~~#####~~ - 68

Book 3 ~~#####~~ - 125

Book 4 ~~#####~~ - 95

Book 57 ~~#####~~ - 57

Book 47 ~~#####~~ - 120

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Book I

11

Book 2

69

Book 6

137

Book 7

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Book 8

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Book 9

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RPD

CASE OF THE PHILIPPINE ARMY VETERAN

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