

VETERANS BRANCH

ADJ. POLICY
16 Jan 1950

ADJUDICATION

SOP

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HEADQUARTERS
ADJUTANT GENERAL RECORDS DEPOSITORY
PHILIPPINES COMMAND (AIR FORCE) AND THIRTEENTH AIR FORCE
APO 900

AGRD-V

16 January 1950

BRANCH MEMORANDUM

NO. 2

ADJUDICATION POLICY

1. The attached adjudication policy consisting of 39 pages, exclusive of appendices, is hereby published for use of Veterans Branch, AGRD in the certification of service information to the USVA.

2. This policy supersedes all Adjudication memoranda on the subject that are in current use in this branch. All proposed amendments to this policy will be submitted to Chief, Veterans Branch for approval. Approved amendments will be issued as Changes numerically designated and signed by the Chief, Veterans Branch.

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Major Inf
Chief, Veterans Branch
Service & Certification Division

Incl-
Adjudication policy
and appendices

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PRELIMINARY REQUIREMENTS

The object of certifying information to the Veterans Administration is to enable that agency to adjudicate claims for veterans benefits under laws administered by the Veterans Administration. Only individuals who rendered military or naval service in the Armed Forces of the United States, i.e., veterans, and their dependents are potentially entitled to veterans benefits. Thus, whenever a claim is filed with the VA it becomes important to determine whether or not the subject of the claim was a veteran. The US VA does not determine this question but refers the matter to the proper agency for determination. For alleged military service, the proper agency is the Army. Since this branch has custody of the best available records pertaining to members of the Commonwealth Army, including recognized guerrillas, who served in the Armed Forces of the United States, information concerning their military service, if any, is requested from this office. Members of the Philippine Commonwealth Army, including recognized guerrillas, who served in the Armed Forces of the United States are potentially entitled to benefits under laws administered by the US Veterans Administration granting compensation for service-connected death or disability, hospitalization benefits, and benefits under the National Service Life Insurance Act of 1940.

The Philippine Commonwealth Army was called into the service of the Armed Forces of the United States by virtue of the Presidential Order issued by the President of the United States on 26 July 1941. Service of the Commonwealth Army in the Armed Forces of the United States terminated as of 2400 hours, 30 June 1946 by virtue of GO #168, AFWESPAC, 25 Jun 46, which released the military forces of the government of the Commonwealth of the Philippines from duty in the Armed Forces of the United States. The individuals, therefore, for whom this branch certifies service information to the VA are such members of the Commonwealth Army who are considered to have rendered valid military service in the Armed Forces of the United States. These individuals may be classified into three categories:

1. USAFFE, so called because their service in the Armed Forces of the United States began on or before the surrender of the Armed Forces of the United States in the Philippines to the enemy on 6 May 42.

2. Civilian guerrillas recognized by the United States Army as manifested on Initial Reconstructed Rosters or Casualty Rosters of recognized **guerrilla units**, or in letters of individual casualty recognition or non-casualty recognition. These individuals did not have military service in the Armed Forces of the United States prior to 7 May 42.

3. Current enlistees, those who being neither USAFFE nor recognized civilian guerrillas entered into a valid enlistment in the Commonwealth Army on or after the liberation of the Philippines from the enemy in 1945 but prior to 1 Jul 46. These individuals were not recovered or processed into the PA as USAFFE nor as guerrillas but they entered into a contract of enlistment for the first time, generally for service in the Military Police Command. The military service of individuals falling under the above

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categories may be proved in the manner described below.

This headquarters does not certify service information on each and every member of the Commonwealth Army who served in the Armed Forces of the United States, but only for those on whom service information is requested by the US VA. Requests for service information are contained in what are known as the VA Form 3101 series. The information certified to the VA which is considered necessary for the proper adjudication of a VA claim, consists in the main of service history data including the various incidents thereof, death data on deceased veterans, loyalty data, medical data, and insurance data, if any. The details are itemized in a form called Veterans Branch Form 32 (Revised Nov 49). Service history data, except for current military service (service in a regular PA unit during or after the liberation) consists of determinations of status under the Missing Persons Act, as amended, implemented by Staff Memo No. 14, RPD, AFWESPAC, dated 27 Dec 1945 and the War Department Plan for Casualty Administration Upon Reoccupation of the Philippines. See Appendices E and F. Determinations of service under the Missing Persons Act, as amended, are based on evidence available in the files of this headquarters.

Certain requirements are necessary to be complied with by a claimant, be he the veteran himself in a disability case, or the next of kin in a death case, in order that the service history may be certified to the US VA. In a living case, it is necessary that there be a Form 23 or a Form 49. The Form 23 is an affidavit executed by a veteran upon being processed into the PA during or after the liberation, containing statements pertaining to his activities from date of call to active duty up to date of processing. This form was also considered an application for arrears in pay under the Missing Persons Act and was generally filed prior to 1 Jul 48. After that date, an equivalent form, Form 49, accompanied by a Personal History Statement, has been in use. Thus, if the veteran is still alive and he has no file in this headquarters or his file has no Form 23, he is requested to accomplish a Form 49. Forms 23 and 49 contain basically the same information with regards to the activities of the veteran except that Form 49 calls for activities up to and including 30 Jun 46. In death cases, that is, where the veteran is deceased, the basic form used is the Form 9, an affidavit executed by the next of kin as an application for Arrears in Pay. This form contains also a statement of the activities of the veteran known to the claimant from date of call to active duty up to date of death. Earlier forms used for deceased cases known as the Form 3 accompanied by Form 7 and Form 3A may be on file. These were utilized in 1945 prior to the adoption of Form 9. Form 9 was generally filed prior to 1 Jul 46; after that date, Form 48 has been used. If a deceased veteran has no file in this headquarters, a Form 48 accompanied by a Personal History Statement is also sent to the claimant (next of kin) whose address may be obtained from the request sent by the VA (Form 3101) or from the VA Form 508 which may be attached to the Form 3101.

Aside from the above basic forms, there must be satisfactory evidence proving military identity (see military identity), evidence of discharge or separation from the service, and, in death cases, proof of death (actual or presumed). See proof of death. For evidence of discharge, see

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discussion on discharge or separation from the service. These are basic requirements to prove that an individual is a veteran. Unless evidence of these facts is on hand, the burden of establishing them rests on the claimant. If valid military service in the Commonwealth Army in the service of the Armed Forces of the United States is not established, obviously, no service information may be furnished to VA. The Form 3101 or request for service information is returned to VA as a "Negative case", that is, the subject individual is not a veteran. There may be cases where there is a certain quantum of evidence which indicates that the individual concerned rendered military service, but the evidence on file does not meet the requirements of policy. In such cases, attempts will be made to obtain evidence from the claimant through correspondence. The case in the meantime is placed in "suspense".

A case may likewise be placed in suspense for lack of satisfactory evidence of death, of discharge, or of any other information which is necessary for the complete adjudication of the case. The information lacking may be obtainable from the claimant or from other sources. If the nature of the information lacking is such that it is incumbent on the claimant to furnish the same, the burden is on the claimant to produce it. It may however, be possible that a claimant in good faith is unable to secure such information despite his efforts. In that case, this headquarters may resort to field investigation to develop the information required. If a claimant after being requested to furnish the necessary information fails to reply to our correspondence, the 3101 from VA may be returned with the information that the claimant has failed to cooperate. See discussion on Clearing of Suspense Cases.

SECTION I - DOCUMENTARY EVIDENCE

The basic forms mentioned above, i.e., Forms 23, 9, 7, 3, 3A, 48 and 49 are affidavit forms which by policy are required to be subscribed and sworn to before persons authorized to administer oath. Evidence in support of service, death, or any other material fact may be in the form of official records, statements of individuals, or true copies thereof.

1. Records may be military or non-military. The records should be authentic official documents which emanated from competent authority.
2. Statements of individuals are required to be subscribed and sworn to before persons authorized to administer oath. Statements of commissioned officers of the Philippine Army or Philippine Constabulary may be accepted even if not under oath provided that they were made while in the active service and in the form of a certificate. Certificates of public officials narrating certain facts that are of record in their offices are also acceptable. Statements of other individuals not under oath may be acceptable if witnessed by a DA Field Investigator, this headquarters.
3. Persons competent to administer oath are those who by law are given such authority. Among them are: Justices, Judges, Justices

of the Peace, Fiscals, Clerks of Court, Notaries Public, Chiefs or Assistant Chiefs of Bureaus and Offices, Provincial Governors, Mayors, and Commissioned Officers of the Philippine Army and Philippine Constabulary in active service.

4. True copies of any document are acceptable provided that they are certified to by persons who are the legal custodians of such records. However, a document certified to by a commissioned officer of the Philippine Army or Philippine Constabulary or by a DA Field Investigator may be acceptable.

5. In order to be able to verify to a certain extent the competency of a veteran to testify for another, it is proper to check his statements against his 201 file in this headquarters. The authenticity of events narrated, may also be verified from historical facts and documents that may be available in this headquarters. The genuineness of signatures or documents suspected to be of fraudulent nature may be submitted for determination to the document examiner of the Investigation Branch.

SECTION II - FORMS FOR CERTIFYING INFORMATION TO VA

Information is certified by this division upon request by the Veterans Administration, although in cases of redeterminations, information may be certified without any request. (See Redetermination). A request may be in any one of the types of forms given below, and it may be original or supplemental, requiring different modes of reply. Due to delays in answering requests for information, two or more unanswered requests may be pending reply in a case. All unanswered requests, whether original or supplemental, will be answered in one VA adjudication.

1. Requests for information may be contained in any of the following forms:

- a. VA Form 3101 (Nov 1945)
- b. VA Form 3101 (A)
- c. VA Form 3101 (B)
- d. VA Form 3101 (D)

2. VA Form 3101 (Nov 1945) is a form consisting of one sheet, printed on one page only. It contains two columns of boxes, the left column for use of the Veterans Administration, and the right for use of the War Department. By arrangement with VA, all requests will eventually be made only on this form.

3. VA Form 3101 (A) is a yellow form printed on both sides. It contains two columns, the left for use of the Veterans Administration, and the right for use of the Department of the Army. This form is used for requesting information on USAFFE and USAFFE-Guerrilla cases only, and is always accompanied by Form 3101 (D), a white form printed on both sides,

entitled "Additional Army Information."

4. Form 3101 (D) contains a list of data, of which those desired by the Veterans Administration are checked (✓'d).

5. VA Form 3101 (B) is a white printed form similar in structure to the VA Form 3101 (A). It is used exclusively for requesting information on Civilian Guerrilla Cases, and is also accompanied by Form 3101 (D).

Original Requests - A case may have all the forms mentioned above, unanswered, one of which is an original and the remainder supplemental. Whatever the form of the request may be, it is original if no request bearing an earlier date has been received from the Veterans Administration. Thus, if two or more unanswered requests are on file, the one dated earliest is the original. It may happen that a request is marked "Supplemental" or it may contain a statement implying that an earlier request has been sent to this Division. However, if the supposed earlier request is not on file either in the 201 file or in the VA file, and has not been received, such a request may be treated as an original request. When two or more unanswered requests of the same date are on file, and there are no indications as to which requests are supplemental, the one with the most entries will be considered original request.

Supplemental Requests - A request for information, whatever its form may be, is supplemental when a request of an earlier date, whether answered or unanswered, is on file.

Replies to requests will be accomplished on VA Form 3101 (Nov 1945) supplemented by Veterans Branch Form 32 (Revised Nov 49). For instructions on the accomplishment of these forms, see Appendices A and B. When the request is not on a Form 3101 (Nov 45), but on a VA Form 3101 A or B, a Form 3101 (Nov 45) will be initiated and a statement to the effect that the information requested is being forwarded on the VA Form 3101 (Nov 45) and Vets Br Form 32 dated on such and such a date will be placed on the form containing the request. On supplemental requests where a complete certification is not necessary, the information requested may be certified on the form containing the request without Vets Br Form 32 (Rev Nov 49). A complete break-down of service, and no changes or corrections thereon are to be made. For example, Supplemental requests usually call for specific information only. It may happen that a supplemental request for Loyalty information on a veteran or claimant is received. If a correct and complete service report has been made on the veteran, only the loyalty information on the person named by VA need be certified on the form containing the request. The same is true if the loyalty information requested pertains to PS, AUS or Navy personnel. In these cases there is even no need of developing a complete file on them, unless service in the Commonwealth Army for a period of time is claimed and information on that service is requested by VA.

When two or more requests are answered on the same VA adjudication, only one Vets Br Form 32 will be accomplished, and not a form for each request. If the previous 3101 certified to VA is not in order because of error, deficiency of information certified, etc., the supplemental 3101 should be completed as if it were an original request. The military certification

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constitutes a redetermination; and the following remarks will be typed or stamped on the 3101 and Form 32:

" This redetermination dated _____ supersedes all previous determinations".

Redeterminations

A redetermination may be initiated by this Branch without any request from VA when a case was previously adjudicated for VA purposes not under the provisions of the Missing Persons Act, as amended, when error has been discovered on a previous certification, or when new evidence obtained warrants a change in the previous determination. A redetermination will be accomplished on Form 3101 (Nov 45) and Form 32. The remarks mentioned in the preceding paragraph will always be indicated on all redeterminations.

SECTION III - MILITARY IDENTITY

Only cases of individuals with satisfactory proof of service in the Armed Forces of the United States may be adjudicated for VA purposes. Accordingly, if an individual was not in the service of the Armed Forces of the United States, no military information pertaining to him may be certified to the Veterans Administration.

The classes of individuals who served in the Armed Forces of the United States are USAFFE's (members of the Philippine Army and Philippine Constabulary inducted into the USAFFE), recognized Civilian Guerrillas, and Current Enlistees.

The loss and destruction of military records as a result of the war was so great that of members of the Commonwealth Army who were in the service in 1941-42, no service records as such are now existing. Recognized civilian guerrillas likewise do not have existing service records. Only current enlistees have them because their military service began with the return of the Liberation Forces. The Department of the Army, Washington, D. C., received about 29,500 applications for NSJI filed by members of the USAFFE in 1941-1942. There are also some original military orders issued in 1941-1942 and records of Prisoners of War that have been salvaged. But these records are insignificant taking into consideration the fact that there were more than one hundred thousand members of the Commonwealth Army who were in the service up to the surrender of the United States Armed Forces in the Philippines to the enemy in 1942. It has therefore become necessary to rely on secondary evidence like affidavits and certificates from persons who may be expected to know the facts. Because of the fallibility of the memory, affidavits and certificates certifying to events which occurred so many years ago will have to be studied with care, in order that facts may be determined with impartiality.

may be
USAFFE's - The identification of USAFFE personnel ~~is~~ established by one or more of the following types of proofs, *depending upon the accuracy, completeness, reliability, and validity of the evidence as evaluated and determined by analysis and review.*
1. Official Military Records

a. National Service Life Insurance Record (prior to 7 May 42). This may be obtained from the Administrative Section, Veterans Branch.

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b. Casualty record showing that subject individual was killed in action, captured, or died, or was treated at a Field Hospital for battle wounds or sickness prior to 7 May 42. Casualty Certificates containing this information are not acceptable unless they can be verified from the List of Casualties in the Field available in this headquarters.

c. POW records and death certificates of those concentrated in enemy Concentration Camps where members of the USAFFE were concentrated after the surrender in 1942, provided that the record or certificate indicates the military character of the subject individual. Among such camps are Camp O'Donnell, Capas, Tarlac, Malaybalay, Bukidno, Cabanatuan, Nueva Ecija, and Old Bilibid Prison, Manila. Military character is deemed sufficiently indicated when the individual's rank and army serial number, or either of them, appear thereon. This is necessary because there were many civilians who were captured or who surrendered together with military personnel. For authenticity, these records and certificates must be checked against the POW records and Death records of POW on file in this headquarters.

d. Extract slip of an archive on file in this Division making reference to monies received, appointment, promotion, etc., establishing service prior to 7 May 42. The originals from which the extracts were made should also be checked from Project "J" or Records Br Archives.

2. Special Orders -

a. Orders calling an individual to active duty supported by evidence that he so reported prior to 7 May 42.

b. Promotion Orders (prior to 7 May 42)

The orders herein referred to must be original copies or acceptable true copies thereof.

3. Affidavits - In the absence of the above records:

a. Affidavits of at least two former members of the USAFFE who were members of the same unit (not larger than a regiment) as the individual for whom they are certifying and who have knowledge of the facts stating all information they know pertaining to the military service of the said individual.

b. Affidavits of two former members of the USAFFE who though not members of the same unit as the individual, have knowledge of the fact that the individual reported to a place of induction after being called to active duty, indicating the date, place and circumstances as to how they became acquainted with such facts. These affidavits must be supported by an affidavit of the municipal mayor and the Chief of Police who were at the time of the call to active duty of the veteran and who had knowledge of said facts or of the present Mayor or Chief of Police basing their affidavits upon existing records.

Recognized Guerrillas

1. The guerrilla service of an individual is considered recognized if his name appears on a reconstructed roster, or on a casualty roster (KIA, KILD, DILD, MIA, or WIA, etc.), or individual letter of recognition. For the fair evaluation of the guerrilla service of an individual, affidavits or certificates of his recognized guerrilla commander, or any two recognized members of his unit should be on file, showing periods of active guerrilla service, and a general description of the duties performed. Approved rosters of recognized guerrilla units and letters of recognition are in the custody of the Administrative Section, Veterans Branch. If the only claimed service of an individual is guerrilla service, the initial step should be a verification of his recognized status, and if found unrecognized, that closes the case. No further action is necessary and the VA request should be returned to VA as a "Negative case".

2. The recognition of guerrillas was undertaken by the Guerrilla Affairs Division, AFPAC, later AFESPAC, and PHILRYCOM. Recognition may be individual or by unit. Individual recognition may be Casualty or Non-Casualty. In both cases, recognition is manifested by an individual letter of casualty or non-casualty recognition, as the case may be. Individual recognition may be for a day only, usually in casualty recognition, which day is the date of casualty; or it may be for a fixed period from a given date to another given date, both dates inclusive. An individual recognition, in certain instances, may not be for a fixed period but one which has the effect of recognizing the individual concerned with the organization to which he belonged. In this case, the recognition of the unit applies to the individual. On all cases of individual recognition, the letter of recognition should always be consulted to determine the period of recognized guerrilla service. Individual recognition may be accorded to one who might have belonged to a guerrilla organization that has never been recognized. In these instances, that fact is stated on the letter and the inclusive periods of recognition are always given.

3. In unit recognition, the names of recognized members of the unit are listed on a Casualty Roster or on a Troop Roster. The most common types of casualty rosters are classified into KIA (Killed in Action), KILD (Killed in Line of Duty), DILD (Died in Line of Duty), WIA (Wounded in Action), and MIA (Missing in Action). There are one or two CAPTURED (by the enemy), IILD (Injured in Line of Duty), and WILD (Wounded in Line of Duty) rosters. Individuals who are recognized as WIA, WILD, or IILD are considered recognized, from date of joining, date of casualty, or date of recognition of the unit, whichever is appropriate. Individuals who are recognized in any type of casualty roster will be considered recognized from the date of recognition of the unit, or from date of joining, whichever is later, except that if an individual entered into a casualty status prior to date of recognition of his unit, he may be considered recognized on the date of casualty. Dates of casualty may be indicated on the Casualty Roster or Letters of individual casualty recognition. If convincing evidence shows this date to be in error, a deviation may be made. In all casualty recognitions, the object is twofold; namely recognition as a guerrilla as well as recognition of the injury or death, so as to give it prima facie presumption of service connection.

4. There are two types of Troop Rosters, the Reconstructed Initial Troop Roster and the Reconstructed Revision Troop Roster. The reconstructed initial troop roster contains the names of all recognized members of a unit, exclusive of recognized casualties and those individually recognized. Any individual other than those recognized as a casualty or individually recognized, whose name is not listed on the initial reconstructed troop roster is not recognized, and has no recognized guerrilla standing. The other type of troop roster is the reconstructed revision roster which contains the names of recognized members of a guerrilla unit who are entitled to a revision or extension of their recognition dates. This revision of recognition date is limited to such guerrilla organizations whose dates of recognition had been revised, that is, set back or extended. Not all recognized guerrilla units had their dates of recognition revised. Originally, the recognition of guerrilla units was set as of a certain date, generally commencing on the date of attachment of the guerrilla unit to a using unit of the United States Liberation Forces in 1944 and 1945, although there are certain units whose original dates of recognition date back to 1943. This original date of recognition was later revised so as to grant members of the unit recognition from an earlier date. In some units, like those of the Zambales Military District, the revision of recognition was not a setting back, but an extension from a given date up to another given date. This was because the recognition date of the units affected were limited to a fixed period. These are the Terminal Date Guerrilla units. A terminal date guerrilla organization is one that has been recognized for a fixed period with an initial date of recognition, and a terminating date of recognition. Units that have no terminating dates of recognition fixed were, like regular components of the Commonwealth Army, considered in the service of the Armed Forces of the United States up to 30 Jun 46, unless sooner deactivated.

5. There are certain units that have only one troop roster which serves both as a reconstructed initial roster and a reconstructed revision roster. Most units whose recognition dates have been revised have the two rosters. In determining the period of recognition of an individual who is listed on a reconstructed initial troop roster, reference will be made to the letter of recognition and to the list of recognition dates of all recognized guerrilla units. In cases where a unit has both a reconstructed initial troop roster and a reconstructed revision roster, the appearance of an individual's name on the reconstructed revision roster only, without the name appearing on the reconstructed initial troop roster is not considered sufficient to grant him recognized guerrilla standing, because the reconstructed revision roster is merely a roster of members already recognized, who are entitled to a revision of recognition. Similarly, an individual whose name is listed on the initial reconstructed troop roster only will be entitled to recognized guerrilla service for the period of service which may be indicated on the reconstructed initial troop roster or in the absence thereof, for the period established by evidence, but in no event earlier than the original date of recognition of the unit. For those individuals who are also listed on the reconstructed revision roster, the period of their recognized guerrilla service will be that indicated as the

period of service on the reconstructed revision roster, or in the absence, thereof, that period established by evidence, but in no event prior to the date of recognition or date of activation of the component unit in which he served, whichever is later. In the case of individuals listed on the reconstructed initial rosters of the 7th and 10th Military District, recognized guerrilla service will not be accorded for any period unless their names are also manifested on authentic archive records of the unit concerned which may be included in the file or in the custody of the Records Branch. The reason for this added requisite is the fact that the Reconstructed Initial Troop Rosters of these two commands were compiled from their archive records-organizational rosters, orders, payrolls, vouchers, etc. - kept by the organization and which have been recovered. It is therefore SOP to verify names of individuals listed on the reconstructed initial troop roster of these two units for archive records. Note however, that an individual's name may appear on an archive record of the 7th or 10th MD, but if he is not carried on the approved roster, he is not recognized.

Where a member of the 7th or 10th MD is listed on a casualty roster of the unit or is individually recognized, the existence of archive records is not a prerequisite for valid recognition, i.e., the casualty roster or letter of individual recognition, as the case may be, is a sufficient criterion for recognition. Unlike the reconstructed initial troop rosters of the 7th and 10th MD, the casualty rosters and letters of individual recognition for these commands were acted upon and considered by GAD independently of the archive records. However, archives check should also be made on each individual listed on the casualty roster or letter of individual recognition. Archive records will provide reliable information regarding the incidents of the veteran's service. In a number of instances, archive records have definitely shown that certain individuals listed on the casualty roster were civilians, not military personnel.

6. In cases of civilian guerrillas recognized with a terminal date of recognition, the terminal date is considered the date of discharge or separation from the service, unless the individual concerned was, on the terminal date, confined in a military hospital. In the latter case, credit will be given for the period up to date of discharge from the service but in no event later than 30 June 1946.

USAFFE-Guerrillas

1. A USAFFE-Guerrilla is one whose identity as a USAFFE as well as a recognized guerrilla has been established in accordance with preceding paragraphs.

2. A claim for USAFFE-Guerrilla service which is valid as a recognized guerrilla but fails to establish the identity of the individual as a USAFFE, will be treated as a Civilian Guerrilla claim and will be adjudicated accordingly.

Current Enlistees

Current enlistees are individuals who enlisted in the Philippine Commonwealth Army in the service of the Armed Forces of the United States during or subsequent to the liberation in 1944-1945 but not later than 30 June 46. They were generally enlisted for service in the Military Police Command. These individuals had no prior service in the Armed Forces of the United States and their service is purely current service. They are considered as regular members of the Philippine Commonwealth Army during the term of their enlistment. Since they had never been members of the Armed Forces of the United States, they were not recovered nor processed like members of the USAFFE and recognized guerrillas into the Philippine Army. These individuals should be distinguished from recognized civilian guerrillas in that the latter are listed on approved guerrilla rosters or letters of individual recognition. They should also be distinguished from

civilian guerrillas who were once recognized and processed into the Commonwealth Army as such, but whose recognition had been subsequently revoked. Evidence of service of current enlistees should consist of enlistment records and military orders. The enlistment records should be verified from Headquarters, National Defense Forces. Secondary evidence of enlistment in the form of affidavits should not be accepted.

Identity of Veteran

1. Certain records mentioned above which are in the custody of this headquarters are sufficient proof of military status, either as a USAFFE or as a recognized guerrilla. These are the NSLI Records, Military Orders, Approved Guerrilla Rosters, POW Records, etc. In a majority of cases, it is not difficult to identify these individuals, that is, to determine whether or not a name pertains to an individual for whom a claim is filed. When some identifying data are of record, like the grade, organization, serial number, home address, name of next of kin, etc., the identification is facilitated. When these are absent, it becomes difficult to make the determination, and in cases of doubt, a positive identification should not be made.

2. Discrepancies in names of veterans may occur. These present no difficulty when the discrepancy is minor, and an on the spot determination may be made. However, when the discrepancy is so great that it cannot be attributed merely to a clerical error, evidence should be required in the form of affidavits of at least 2 disinterested persons who knew the veteran, and who could certify that the various names refer to veteran only, giving an explanation or reasons for the discrepancy. The reasons or explanation should be accepted only if plausible. Affiants should also be required to state that they will hold themselves pecuniarily liable in the event that payments are made on the claim of that wrong person whom they have identified.

3. Some individuals claim to be listed on approved guerrilla rosters under alias names. An individual who claims an alias name will not be granted recognized guerrilla status and no determination as to the true name of the alleged alias name will be made unless the roster itself contains information which would prove that the alias name refers to the individual claiming the same. A previous arrears in pay determination which gave an individual recognized status under an alias name but which does not conform with this requirement will be brought to the immediate attention of the Chief, Veterans Branch.

4. In all cases where aliases or discrepancies in names are involved, a records check for the existence or non-existence of claims under the various names should always be made, and results thereof made of record in the 201 file. Determinations as to the identity of a veteran in cases involving aliases or wide discrepancies in spelling of names of alleged veterans will be submitted to the Chief, Veterans Branch for approval in a Memo for Record, outlining the circumstances of the case and giving appropriate recommendations. In making determinations as to the identity of an individual so as to grant him military status either as USAFFE or guerrilla in these types of cases, extreme caution should be exercised so as to

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forestall unscrupulous attempts to identify undeserving individuals with names of those whose military status is officially of record.

SECTION IV - PROOF OF DEATH

Death of a soldier may be established by conclusive proof or reasonably conclusive proof of death.

Proof of death is considered conclusive when, upon consideration of information, the unanimity of evidence establishes an absolute certainty as to the fact and circumstances of death, and identity of the individual. The following may be considered conclusive proof of death if uncontradicted in any material aspect:

1. Certified true copies of Death Certificates issued by Local Civil Registrars when it is evident on their face that the original entries were made on or shortly after the date of death.

2. Certificates of death issued by duly established medical institutions based on existing records accompanied by a statement signed by the custodian thereof that the original records were made by one whose official duty was to record such events and that the entries thereon were made on or shortly after the date of death.

3. Affidavits signed by the medical officer or physician who attended the deceased at the time of death, giving the date, place and cause of death.

4. Affidavits of at least two disinterested persons who personally knew the deceased in life, and who actually saw and positively identified the dead body, or were present at the burial. The affiants must state the circumstances surrounding the death and the circumstances under which these circumstances came to affiants' knowledge, and these circumstances must be such as to have been likely in the normal course of events.

5. A death certificate or casualty report issued by HNDF showing that veteran died after being processed into the Philippine Army and while still in the service thereof will be considered as an official report of death.

6. Any of the proofs outlined in paragraphs 3 & 4 below, corroborated by a statement of the next of kin that he was present at the time of death, or saw the dead body of the deceased.

Proof of death is considered only reasonably conclusive when the evidence, considered in its entirety does not establish an absolute certainty as to the fact and circumstances of death, and the identity of the individual, but warrants a reasonable and logical conclusion as to the fact of death identity of the individual. Reports of death based on records whose accuracy have not been fully established, or statements of actual perception of the fact of death known under circumstances not fully explained are only reasonably conclusive. Where the totality of evidence in the case is not unanimous as to particulars of date, place, cause and other circumstances of death, though unanimous as to the fact of death, the proof is only reasonably conclusive. The following are by themselves alone considered only

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reasonably conclusive proofs of death:

1. Death certificates and Casualty reports issued by the Veterans Affairs Division, HAP (VNDP), or by the Philippine Executive Commission and Bureau of Public Welfare. These must be checked against the list of casualties on file in this branch for authenticity. Unless the certificate or casualty report can be verified for authenticity, it should be disregarded.

2. Official Guerrilla Casualty Rosters of KIA, KILD, and DILD.

3. Burial Certificates (Church records).

4. Affidavits or statements of persons based on actual perception of death not strictly in conformity with par 2 (d) above.

Where the evidence does not indicate actual death, but leaves a possibility of survival, a finding of death is justified and the individual may be presumed dead. In such cases, the following are necessary:

1. Date and place where he was last seen or heard from after 7 Dec 41 must be shown either in official records or affidavits of two or more disinterested persons who personally knew the deceased together with

2. Affidavits of two or more disinterested persons from the soldier's locality, certifying to the fact that soldier has not returned home nor has been heard of up to the present.

Aside from the fact of death, the circumstances as to date, place and cause of death are necessary in the certification of information to the VA. The cause of death is especially vital for determining its service connection, if any, under the rules and regulations of VA. Every effort therefore should be exerted to obtain this information, and except in findings of death, the information "Unknown cause" or "Unknown sickness" should not be certified to VA. If a veteran died of unnatural causes while in a status that is considered active service under VA rules and regulations a field investigation may be resorted to, to determine the detailed circumstances surrounding death, and if a veteran died of unnatural causes while under military control, a report of investigation or findings of a Board of Officers would be necessary. When death or injury was incurred in action or thru enemy action a field investigation or a report of a Board is not necessary; however, there must be evidence proving that death or injury was incurred in action or through enemy action. For the periods of veteran's status considered by VA as active service or inactive service refer to VA TB 8-106 dated 6 Jan 49 (Appendix D).

SECTION V - DETERMINATION OF DEATH

A determination of death is made upon a person absent in a casualty status or in a "No Casualty Status" when an official report of death is lacking but when information and circumstances are deemed reasonably conclusive evidence of death and lead to no other logical conclusion. (Refer to Proof of Death).

Statements of affiants which do not indicate actual perception of the fact of death of an individual, but leaves a possibility of survival will not warrant a Determination of Death but will justify a Finding of Death. (See Findings of Death, below). Such statements as "he was hit by bombs", "he was machine-gunned", "he was bayoneted by Japs", and the like, are by themselves insufficient to support a Determination of Death.

The affidavit or certificate of one individual, if deemed reliable may be sufficient to support a Determination of Death.

SECTION VI - FINDINGS OF DEATH

A finding of death is made at any time after the expiration of twelve months' absence in any case of a person absent, missing, or missing in action (whereabouts unknown), when information is received or when a lapse of time without information is deemed to establish a reasonable presumption that the person in the missing status is no longer alive. It is the means of establishing death by presumption when the evidence does not warrant official report of the fact and date of death. The circumstances which might have surrounded the presumed death are not attempted to be determined. (Refer to Proof of Death).

The authority for making a finding of death is Section 5, Missing Persons Act (Public Law 490, 77th Congress, as amended). Since this Act applies to members of the Commonwealth Army while they were in the service of the Armed Forces of the United States, a Finding of Death may not be made if a veteran entered into an absent status after discharge or separation from service in the Armed Forces of the United States. In such a case VA will be informed of the date when the veteran was last seen, heard from, or accounted for, and that the absence began after veteran's discharge or separation from the service.

In no case shall the presumed date of death be subsequent to the date the finding is made or earlier than the day following the expiration of twelve months' absence. The presumed date of death shall be fixed in accordance with the following rules:

1. An individual who was last seen, heard from, accounted for, or reported to be alive prior to 23 Oct 43 shall be presumed dead on 23 Oct 44.
2. An individual who was last seen, heard from, accounted for, or reported to be alive on or after 23 Oct 43 shall be presumed dead on the day following the expiration of twelve (12) months from the date he was last heard from, accounted for, or reported to be alive.

Where the individual was determined to be in a status with entitlement to pay (Beleaguered, PCW, Missing, Recognized Guerrilla or Regular PA Service) on the date of disappearance, he will be carried in a Missing Status and entitled to pay up to the date of presumed death. If, however, he was in a No Casualty Status, he will be carried in a No Casualty Status and not entitled to pay during the entire period of absence.

EXAMPLES

1. Two returnees stated in their affidavits that the deceased soldier belonged to their unit, and was ill with malaria and dysentery on the fall of Bataan. That on or about 14 Apr 42, while they were resting in

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barn at Lubao, Pampanga during the Death March, the deceased became unconscious and was on the "verge of death". A Jap guard dragged him behind the barn, and that was the last time they saw him. They were sure that the guard killed the deceased because when the guard returned, he was wiping a bloody bayonet.

a. This is a finding of death. The affiants had no direct perception of the fact of death of the individual. Their statement about the soldier's death was only a conclusion of fact, which though highly probable, still leaves a possibility that the soldier may not have died. His status will be:

Beleaguered	8 Dec 41	9 Apr 42
POW	10 Apr 42	14 Apr 42
Missing	15 Apr 42	23 Oct 44

2. An individual was last seen in the firing line at Agac, Bataan, on 15 Mar 42. His status will be:

Beleaguered	8 Dec 41	15 Mar 42
Missing	16 Mar 42	23 Oct 44

a. He is presumed dead on 23 Oct 44. He is carried in a Missing Status and entitled to pay during the period of absence.

3. An individual escaped from Bataan during the surrender and returned home 15 Apr 42. He lived a normal mode of life and was last seen in his farm on 1 Sep 43. His status will be:

Beleaguered	8 Dec 41	9 Apr 42
Missing	10 Apr 42	14 Apr 42
No Casualty Status	15 Apr 42	23 Oct 44

a. He is presumed dead on 23 Oct 44. He is carried in a No Casualty Status and not entitled to pay up to the date of presumed death.

4. From 1 Jan 43, a USAFFE soldier, not being a spy, was employed in a Japanese-controlled agency. On 14 Nov 43, while still employed, he was arrested by the Japanese Military Police in his home for anti-Japanese activities. That was the date he was last seen. His status for the period will be:

No Casualty Status	1 Jan 43	13 Nov 43
POW	14 Nov 43	14 Nov 43
Missing	15 Nov 43	14 Nov 44

a. The presumed date of death is 15 Nov 44. The Missing Status from 15 Nov 43 to 15 Nov 44 is with entitlement to pay.

5. In the same example, given in 4 above, if the soldier was not arrested by the Japanese but merely disappeared for unknown reasons on 14 Nov 43, his status for the same period will be:

No Casualty Status	1 Jan 43	15 Nov 44
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a. He is presumed dead on 15 Nov 44, but since his whereabouts became unknown while he was in a No Casualty Status, he will be carried in a No Casualty Status, he will be carried in a No Casualty Status until the presumed date of death.

6. a. Where an individual is listed in a casualty roster of KIA,

KILD, or DILD, a Finding of Death may be made if evidence of death is not available, but the evidence on file shows that the veteran did not actually die. A finding of death may also be made in cases where the individual disappeared prior to the revised date of recognition of the unit. In such cases, the individual will be considered recognized on the date of disappearance and in a missing status with entitlement to pay up to the presumed date of death provided that the individual disappeared while in a status with entitlement to pay. A finding of death may also be made in cases of individual casualty recognition. Where the evidence shows that the individual disappeared after the date of his recognition, the case will be forwarded to the Chief, Veterans Branch.

b. EXAMPLES

- (1) Veteran, a civilian guerrilla, joined the Rei-Zar Regt, recognized 1 May 44, on 1 Apr 44. He is listed in the Casualty Roster of the Unit as KIA on 31 May 44. Evidence shows that he was merely missing in action against the enemy on 31 May 44. His status will be:

Recog Guer Serv	1 May 44	30 May 44
Missing	31 May 44	1 Jun 45

- (2) Veteran, a civilian guerrilla joined the Zambales Military District, recognized 15 Oct 44, on 1 Mar 43. He is listed in the Casualty Roster of the unit as KILD on 1 Oct 44. Evidence shows that he was captured on 1 Oct 44 by the Japs, and has not been heard of since then. His status will be:

POW	1 Oct 44	1 Oct 44
Missing	2 Oct 44	2 Oct 45

Note that even if his unit was recognized only from 15 Oct 44, subject veteran is considered recognized on the date he entered a casualty status, 1 Oct 44.

- (3) Veteran, a civilian guerrilla, is individually recognized as from 1 Jan 44 to 31 Dec 44. Evidence shows that on 31 Dec 44, he was captured by Japs and has not been heard of since. His status will be:

Recog Guer Serv	1 Jan 44	30 Dec 44
POW	31 Dec 44	31 Dec 44
Missing	1 Jan 45	1 Jan 46

c. In the same example, if veteran was captured by the Japs on 2 Jan 45, he entered into a Casualty Status (POS) after the date of terminal recognition. Since he has no longer any military standing on the date of disappearance, the case should be referred to the Chief, Veterans Branch, for decision.

- (4) Veteran, a USAFFE, on 1 May 44, joined Rei-Zar Regt, recognized 1 May 44. He is listed on the Casualty Roster of the unit as DILD on 15 May 44.

Evidence shows that on 10 May 44, he was arrested by Japs but was released on 12 Mar 44 and returned home. On 15 May 44, while in his home, he was kidnapped by unknown persons and has never been seen again. His status from 1 May 44 will be as follows:

Recog Guer Serv	1 May 44	9 May 44
POW	10 May 44	11 May 44
No Casualty Status	12 May 44	16 May 45

SECTION VII - LINE OF DUTY STATUS IN DEATH CASES

Any line of duty status of death reported by this Division must be determined upon the basis of the facts surrounding the death and in accordance with appropriate Army Regulations, irrespective of the determination of the casualty status for purposes of entitlement to benefits under the Missing Persons Act. Par 63, AR 40-1025, 12 Dec 44, provides in pertinent part:

"b. Basic provision for determining line of duty - A disease or injury that a militarized person contracts or sustains, while in the active military service of the United States, will be presumed to have been incurred in line of duty, unless there is substantial evidence to show that such disease or injury ---

- (1) Occurred under circumstances indicating the presence of the individual's misconduct or willful neglect and unless it is established by a fair preponderance of evidence that such misconduct or willful neglect was the proximate cause of the disease or injury (d below).
- (2) Occurred while the individual was absent from duty without official permission (e below).
- (3) Occurred as the result of the individual's outside activities, not of a class authorized or encouraged by the War Department (f below).
- (4) Existed prior to the individual's current active service and was not aggravated by the service (g below).

c. General inference -- Lacking evidence to the contrary, a disease or injury of a militarized person will be presumed to have been service-connected, and therefore, in line of duty. - (See also Par 18 F (1), AR 600-500, 23 Dec 44). "---

Where an individual died while in the service of a Japanese or Puppet Government Agency, the case will be forwarded to the Director for decision as to line of duty status of death.

The line of duty status of death of a veteran will always be certified

to the Veterans Administration if it has not yet been correctly certified before. This information is indicated on Veterans Branch Form 32 (Rev Nov 49).

SECTION VIII - DATE OF DISCHARGE AND CHARACTER OF DISCHARGE

The date, kind and place of discharge of the veteran from the service can be extracted from either his discharge certificate, Form 55, SO of Discharge, WD AGO Form 40, WD AGO Form 100, Clinical Records, or Service Records. Every effort should be made to obtain copies of the Special Orders of Discharge from the claimant or from HNDF. In case of discrepancy between one record and another in the date of discharge, the date shown on the Special Orders will be followed.

If the veteran was discharged from the Philippine Army after the separation of the Commonwealth Army from the Armed Forces of the United States, the date of separation will be 30 Jun 46. This date also applies to patients confined in the hospital on and after 30 Jun 46 who were still in the service as of 30 Jun 46. The same date will be used when there is authentic evidence (not the claimant's statement) that a veteran was still in the service after 30 Jun 46. However, if a veteran was discharged prior to 30 Jun 46, and later entered a military hospital for treatment or reports to a Replacement Battalion without having been reenlisted or recalled to duty, he would be considered separated on the first discharge. Because of the automatic character of the separation, the character of separation is not evidenced. To aid the Veterans Administration in determining that character of separation, it will be necessary to obtain information from HNDF regarding Court Martial Proceedings, if any, against veteran which might affect the character of separation from the service. If veteran reported to military control in the Philippine Army after 30 Jun 46, and he is still in the service of the PA, a request for Court Martial Proceedings will be made to HNDF to determine if charges are pending against him for having reported too late. Regardless of the result of the inquiry, he will be considered separated from the service of the Armed Forces of the United States on 30 Jun 46, but the character of the separation may be affected by the results of the Court Martial proceedings, if any. A similar situation results if a veteran returned to military control prior to 30 Jun 46, but was absent without authority on 30 Jun 46 and later returned to duty in the PA. If in this case, Court Martial charges were made and the veteran was also honorably discharged by the Philippine Army, a statement will be certified to VA to the effect that despite the fact that veteran was absent without authority as of 30 Jun 46 and for a time prior thereto, veteran was honorably discharged by the Philippine Army and no court martial charges were filed against him.

A discharge may be honorable, dishonorable, other than dishonorable, etc. The kind of discharge is found in the veteran's discharge certificate or Special Orders of Discharge, Form 55, WD AGO Form 40, WD AGO Form 100, Clinical Records, Service Records, regardless of whether or not the discharge was prior to or after 30 Jun 46. If the veteran was discharged dishonorably after 30 Jun 46, the case will be suspended and a request to HNDF for Board or Court Martial Proceedings will be made to determine whether the act affecting dishonorable discharge was committed on or prior to 30 Jun 46.

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*Sec VIII - Date of Discharge and
Character of Discharge*

If the veteran died after discharge, and from the evidence on file, the date and character of discharge cannot be determined, the case will be placed in suspense and a letter will be sent to The Adjutant General, HNDP, requesting Special Orders of Discharge of the veteran. Upon receipt thereof, the case may be adjudicated. / In any case where a veteran left the service prior to 1 Jul 46, or was allegedly separated from the service prior to 1 Jul 46, ~~or was allegedly separated from the service prior to 1 Jul 46,~~ but it unable to present proof thereof, his case will be submitted to HNDP where a Board will pass upon his case to determine the propriety of issuing a discharge. Photostat copies of all documents, including Form 23 or Form 49 which would aid in determining the last date of veterans' service should be sent to HNDP. The same procedure will be followed if an individual failed to be processed into the PA prior to 1 Jul 46 and having been discharged, cannot present evidence of discharge. / This is necessary in order to help VA determine the character of his separation from the service as of 30 Jun 46.

A veteran may have been discharged from the service as evidenced by a Certificate of Discharge, but the date thereof is not shown. The date of last payment of current pay, if any, as shown on records of the Finance Service, HNDP, may be considered the date of discharge or separation.

The place of discharge should be the place where veteran was last serving at the time of separation from the Armed Forces of the United States. If the exact locality cannot be ascertained, the place should be "Philippines".

Certain problems in connection with the determination of the date of discharge, and incidentally the last date of entitlement to pay of veteran, are encountered from the various types of discharge papers that are on file. The following may be used as guide in determining the date of discharge as well as the last date of entitlement to pay:

1. Honorably discharged from the service at (time indicated), 15 June 1945.
 - a. Date of discharge to be shown in VA 3101 series and Vets Branch Form 32 will be 15 June 1945.
 - b. Entitlement to pay period will terminate 15 June 1945.
2. Honorably discharged from the service and directed to proceed home on 15 June 1945. (EDCMR 16 June 1945)
 - a. Date of discharge in VA 3101 series and Vets Branch Form 32 will be 16 June 1945.
 - b. Entitlement to pay period terminates 16 June 1945.
3. Honorably discharged from the service and directed to proceed home. (EDCMR 15 June 1945).
 - a. Date of discharge in VA 3101 series and Vets Branch Form 32 - 15 June 1945.

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- b. Entitlement to pay period terminates 15 June 1945.
- 4. Honorably discharged from the service effective 15 June 1945.
 - a. Date of discharge in VA 3101 series and Vets Branch Form 32 - 15 June 1945.
 - b. Entitlement to pay period terminates on 15 June 1945.
- 5. Certificate of Discharge (or Certificate of Relief). Paid in full or paid current pay until discharge dated 15 June 1945. Given at Camp Murphy 16 June 1945.
 - a. Date of discharge in VA 3101 series and Vets Branch Form 32 - 15 June 1945.
 - b. Entitlement to pay period terminates on 15 June 1945.
- 6. Certificate of Discharge (or Certificate of Relief). Paid current pay to discharge dated none. Given at Camp Murphy on 15 June 1945.
 - a. Date of discharge in VA 3101 series and Vets Branch Form 32 - 15 June 1945.
 - b. Entitlement to pay period terminates on 15 June 1945.
- 7. Terminal Date Guerrillas and Individual letter of recognition (civilian guerrillas only) (no hospitalization after terminal period). Recognized for the period 9 January 1945 to 26 September 1945.
 - a. Date of discharge in VA 3101 series and Vets Branch Form 32 - September 1945.
 - b. Entitlement to pay period terminates on 26 September 1945.

SECTION IX - BREAKDOWN OF MILITARY SERVICE

From beginning date of military service in the Armed Forces of the United States to its termination, it is usual that the service consist of various phases or stages. In order that a clear picture of the veteran's military history may be furnished the VA, the service history is broken down into its various phases. These may be any or all of the following:

1. Pre-War Service - That period served in the Armed Forces of the United States, prior to 8 Dec 41, the outbreak of the war. Only members of the USAFFE who were inducted into the service of the Armed Forces of the United States prior to 8 Dec 41 can have pre-war service.
2. Beleaguered Status - Period of active service in an organized USAFFE unit between 8 Dec 41 and 6 May 42. Only members of the USAFFE may have beleaguered status. See discussion on the subject below.

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3. POW Status - See discussion on POW status below.
4. Missing Status - See Missing Status below. For a detailed discussion of the subject refer to instruction on the accomplishment of Veterans Branch Form 32 (Rev Nov 49).
5. No Casualty Status - See discussion below.
6. Recognized Guerrilla Service - See Military Identity. In the determination of the inclusive periods of recognized guerrilla service refer to the letters of recognition, and the list of recognition dates of the various recognized guerrilla units. In case of individual recognition refer to the letter of recognition.
7. Regular PA Service - This is service in a regular component of the PA during or subsequent to the liberation but not later than 30 Jun 46. Members of the USAFFE and recognized civilian guerrillas will be considered to have regular PA service from the date of their processing into the PA or from the date of service in a regular component of the PA, whichever is earlier. Hospitalization in a military hospital or detention by the CIC, U.S. Army is considered regular PA service. Current enlistees can only have regular PA service.
8. AWOL and Desertion - See AWOL and Desertion.

SECTION X - BELEAGUERED STATUS

Between 8 Dec 41, the date war was declared, and 6 May 42, the official date of surrender, the USAFFE and later USFIP had organized resistance against the enemy. A veteran will be considered in a beleaguered status during periods of active service in an organized USAFFE unit between these inclusive dates, except as provided for in par 4, below.

Commencement of beleaguered status - Beleaguered Status of members of the Philippine Army and Philippine Constabulary whose USAFFE status have been satisfactorily established will commence on the following dates:

1. Where evidence of actual induction into the USAFFE is available, 8 Dec 41 or date of induction, whichever is later.
2. Where evidence of actual induction into the USAFFE is not available:
 - a. For members of the Philippine Army, 8 Dec 41 or date of commencement of active service, whichever is later.
 - b. For members of the Philippine Constabulary, 17 Dec 41 or date of commencement of active service, whichever is later. The entire Philippine Constabulary was inducted into the USAFFE on 17 Dec 41.
3. Where evidence of induction into the USAFFE is not available and the date of commencement of active service cannot be determined from

evidence on file:

- a. For members of the Philippine Army, 8 Dec 41.
- b. For members of the Philippine Constabulary, 17 Dec 41.
- c. Where it cannot be determined whether the individual belonged to the Philippine Army or Philippine Constabulary, 8 Dec 41.

4. In cases where a member of the Philippine Constabulary ceased to be in active service prior to 17 Dec 41 by reason of death in action, disability in action, or missing in action against the enemy or being taken Prisoner by the enemy, and evidence of induction into the USAFFE is not available, beleaguered status will commence on 8 Dec 41 or date of commencement of active service, whichever is later. Where the date of commencement of active service cannot be determined, beleaguered status will commence on 8 Dec 41. *See Vets. Br. Memo #6, 12 May 52.* *the induction of the individual (or his unit) into the USAFFE*

5. The 14th Inf and 121st Inf, USAFIP NL were inducted into the Armed Forces of the United States on 5 January 42 and 8 Apr 42, respectively. Beleaguered status of members of the 14th Inf and members of the 121st Inf will not commence earlier than 5 January 1942 or 8 April 1942 as the case may be.

6. Civilian drivers and mechanics inducted into the USAFFE will be considered in a beleaguered status from 8 Dec 41 or date of actual induction, whichever is later.

Beleaguered status may be interrupted or terminated by any of the following causes:

1. Death
2. Capture by the enemy.
3. Surrender to the enemy.
4. Separation from one's unit (other than authorized) including Missing in Action (whereabouts unknown).
5. Disbandment of unit or disintegration of unit in combat.

Beleaguered status interrupted in any of the above given cases except 3a, may be regained upon rejoining any organized USAFFE unit prior to 6 May 42. An individual who was separated from his unit in accordance with orders from competent authority in order to carry out an official mission will be determined in a beleaguered status as long as he was engaged in accomplishing that mission, but in no event after 6 May 42.

Ordinarily, beleaguered status will not extend beyond 9 Apr 42, date Bataan officially fell, for those who were in Bataan, and 6 May 42 for

An individual will be determined to be in a POW status and entitled to pay during periods when he was held under physical restraint, that is, concentration, confinement, or internment, by the Japanese or their controlled agencies, by reason of his previous military status or suspected anti-Japanese activities.

The status of an individual immediately prior to his capture and detention by the Japanese or their agencies is not necessarily the determining factor in deciding whether or not he was a POW.

Veterans who had no anti-Jap or guerrilla activities and even veterans who were puppet government officials or employees, may, in some cases be determined to be POWs even though, prior to capture, their status is properly determinable as NCS.

Such cases as those of veterans who were seized in the general roundup of former high ranking USAFFE officers in the latter part of 1944 and very early 1945, or of those veterans who were seized in a general roundup of USAFFE personnel, such as was staged in Cusdalupe in December 1944, are examples of situations wherein, although the captured veterans may have been in an NCS status because employed by the puppet government, or because following civilian pursuits, there is historical backing for the presumption that such seizure was due to their former military status.

On the other hand, veterans who were seized in a general roundup of inhabitants, wherein all persons (or all male persons) of an area were seized by the Japs or their agents, are not properly determinable as Prisoners of War, even if they had former USAFFE status. They may, however, be properly determined as POW where seized in such a mass roundup if it is shown that they were engaged in guerrilla activities and that it was in retaliation for these guerrilla activities that the roundup was conducted.

Individuals who were selected as guerrillas or USAFFEs by the "magic eye" during a general confiscation may also be determined as POW, even though, at the time of seizure, they were no longer engaged in anti-Jap activities.

An individual held under physical restraint by any guerrilla unit or by the United States Army on suspicion of disloyalty is not a POW. Prisoners of irregular armed bands and bandit groups such as that of Emilio Escobar ("Sagad") are also not POWs, even though their USAFFE or guerrilla status may have been the cause of their seizure.

The POW register and Death Roster of those concentrated at Camp O'Donnell, Capas, Tarlac, Malabonlay, Old Bilibid, etc., which are available in this headquarters will conclusively determine the POW status of an individual regardless of evidence submitted to the contrary. In the event an individual's name is not carried in either of these records, or if it is claimed for having been confined somewhere else, his POW status will be determined to be such as may be established by satisfactory evidence.

When the date when an individual was captured at a Concentration Camp, and the date when his POW status began cannot be determined from the evidence, he will be presumed to have been a Prisoner of War from 7 May 42. Similarly, when the date of termination of his POW status cannot be determined, he will be presumed to have been a Prisoner of War until 25 Jan 43, the last date when that Concentration Camp existed as such.

There can be no set rule in all POW cases. Each claim must be determined on the basis of evidence on file and known historical data.

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those elsewhere in the Philippines, and where the place of service cannot be determined, beleaguered status will not extend beyond 6 May 42. However, in cases when there is evidence to indicate that the individual was engaged in actual combat operations against the enemy while serving in an organized USAFFE unit after those dates and up to 15 Apr 42 for those in Bataan and 24 May 42 for those elsewhere in the Philippines, beleaguered status may be extended up to 15 Apr 42 or 24 May 42, as the case may be. In the event that the evidence shows that actual combat operations against the enemy extended beyond 15 Apr 42 or 24 May 42, as the case may be, the individual case will be referred to the Chief, Veterans Branch for decision as to the termination of beleaguered status. A USAFFE unit will be considered an organized unit even if cut off or separated from its mother organization as long as it continued active resistance against the enemy.

✓ *see change # 5 - dated - 17 Aug 80*
SECTION XI - POW STATUS

An individual will be determined to be in a POW status and entitled to pay during periods when he was held under physical restraint, that is, concentration, confinement, or internment, by the Japanese or their controlled agencies, by reason of his previous military status or suspected anti-Japanese activities.

An individual held under physical restraint by any guerrilla unit or by the United States Army on suspicion of disloyalty is not a POW.

The POW register and Death Roster of those concentrated at Camp O'Donnell, Capas, Tarlac, Malaybalay, Old Bilibid, etc., which are available in this headquarters will conclusively determine the POW status of an individual regardless of evidence submitted to the contrary. In the event the individual's name is not carried in either of these records, or POW status is claimed for having been confined somewhere else, his POW status will be determined to be such as may be established by satisfactory evidence.

Where an individual was concentrated at O'Donnell Concentration Camp, and the date when his POW status began cannot be determined from the evidence, he will be presumed to have been a Prisoner of War from 7 May 42. Similarly, when the date of termination of his POW status cannot be determined, he will be presumed to have been a Prisoner of War until 25 Jan 43, the last date when that Concentration Camp existed as such.

SECTION XII - - -MISSING STATUS

Missing Status is the period during which an individual is determined to be in a casualty status with entitlement to pay during enemy occupation other than while a POW, or a Recognized Guerrilla. The following are considered in a Missing Status:

1. A person who evaded capture, or fled to the hills, or remained in hiding to avoid capture, until his return to military control, will be determined to be in a Missing Status with entitlement to pay for such period.

2. Period of Illness: A person will be determined to be in a Missing Status with entitlement to pay during periods of service-connected illness provided that such illness seriously impaired the earning power of the individual and caused deprivation and hardship to an extent greater than that generally suffered by the other residents incident to the Japanese occupation. It is realized that this determination will be very difficult to make in most cases. It can be assumed that such illnesses as Dysentery, Beri-Beri, Malaria, and Malnutrition are service-connected. Where a soldier died of any of these diseases within six months after escape from Bataan or after release or escape from the Concentration Camp, he may, lacking evidence to the contrary, be presumed to have been ill with that disease from the time of escape or release until his death. In all cases, the fact of such illness must be established by affidavit of the attending physician or by statement of an established medical institution. However, where an individual was treated in a military hospital, he will be determined to be in a Missing Status with entitlement to pay during the period of hospitalization, unless there is evidence showing that illness was not service-connected.

3. Disability - An individual suffering from a service-connected disability such as loss of or loss of the use of any one or more limbs, loss of sight of one eye, etc., will be determined to be in a Missing Status with entitlement to pay. The requirements of proof outlined in the preceding paragraph will apply. Affidavits of commissioned officers who by reason of their duties were in a position to know the facts, may be accepted to substantiate a claim for disability resulting from injury in the battlefield.

4. Unrecognized Guerrilla Activities - A person will be determined to be in a Missing Status and entitled to pay during periods of unrecognized active guerrilla service or active participation in the Anti-Japanese movement. Guerrilla service will be proven by affidavits or certificates of the guerrilla unit commander or any two members, preferably commissioned officers, belonging to the same unit who will identify themselves as such in the affidavits or certificates, and state the periods of active service and a general description of the duties performed. Credit will not be given for guerrilla service of a person who claimed to be an agent of the guerrillas when such claim is merely based on the fact that he provided a meager amount of information to another authentic agent. In order to claim service as an agent of a guerrilla unit, it must be clearly shown that the person was duly appointed as an agent and ordered by competent authority to perform these duties.

5. Spy Status - USAFFE-Guerrilla personnel who were employed by the Japanese or Japanese-controlled agency in any capacity other than as Prisoners of War will be determined to be in a Missing Status and entitled to pay for the entire period of employment if satisfactory evidence is presented in the form of affidavits that they were "planted" as spies in that agency for the purpose of gathering and furnishing their guerrilla unit with information of military importance and that they had complied with instructions of their superior officers. Such affidavits, in order to be accepted as proof, should be executed by their guerrilla commanders

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who must be at least a Battalion or similar unit commander. Units similar to a battalion are squadrons, separate companies, separate troops, separate batteries, or separate detachments. The affiants must describe themselves in the affidavit as the individual's battalion or similar unit, or higher commander. In order to establish spy status it is essential that the claimant was a member of a guerrilla unit under the command of the officer who executed the above-described affidavit before he was "planted". In the event an arrears in pay determination which does not comply with this requirement has been made in the case, it will be referred to the Chief, Veterans Branch for decision.

6. Civilian Employment during the Liberation - An individual who was employed by the United States Army or Philippine Commonwealth Government during the liberation and prior to return to military control, in any capacity other than military, whether or not a regular salary was received therefore, will be determined to be in a Missing Status with entitlement to pay for the period of such employment.

7. Confinement by Guerrilla Unit - A person who was held in confinement or under physical restraint by a guerrilla unit will be determined in a Missing Status and entitled to pay for the period of confinement, provided he was released and was not tried by Court Martial, or if tried by Court Martial, he was not convicted. If the individual was killed or executed without trial, the case will be decided on its merits, taking into account the cause or causes of the confinement.

8. Period of Absence, Missing or Missing in Action (whereabouts unknown) in Findings of Death Cases - Refer to Findings of Death.

SECTION XIII - NO CASUALTY STATUS

No Casualty Status is the period during which an individual is determined not entitled to pay prior to return to military control. The following are considered in a No Casualty Status:

1. A person whose active service in or for the military forces of the United States was terminated as a result of the enemy occupation and who returned, or was permitted to return to his home and pursue a normal mode of living, will be determined to be in a No Casualty Status and not entitled to pay after the date of termination of such active service until he actively joined a guerrilla unit or actively participated in the Anti-Japanese movement or returned to military control.

2. A person who evaded capture, but returned to his home and continued a normal mode of living, will be determined to be in a No Casualty Status and not entitled to pay from the day he returned home until he actively joined a guerrilla unit, or actively participated in the Anti-Japanese movement or returned to military control.

3. A person who was captured and imprisoned or interned by the enemy but was thereafter released will be determined to be in a No Casualty Status and not entitled to pay from the date of his release until he actively joined a guerrilla unit or actively participated in the Anti-Japanese

movement or returned to military control.

4. A person who was employed by the Japanese or any Japanese controlled agency in any capacity other than as a Prisoner of War, will be determined to be in a No Casualty Status and not entitled to pay during the entire period of employment, unless he can prove a "Spv Status" (See Missing Status). The status and entitlement to pay during the period of employment, will be determined without regard to the findings of the Loyalty Status Board, HNDF, if any.

SECTION XIV - DESERTION AND ABSENCE WITHOUT LEAVE (AWOL)

Desertion - Absence from duty without competent authority accompanied by the intention not to return, or to avoid hazardous duty, or to shirk important service. During the period of desertion, the veteran is not entitled to pay.

1. The only competent evidence that a veteran was a deserter is a final sentence by a Court Martial finding him guilty of desertion. When the facts of a case indicate that veteran was a deserter, a request for any court martial findings pertaining to the veteran will be sent to Headquarters, National Defense Forces, giving the circumstances of the case as they appear on file.

2. The inclusive periods during which the veteran was absent in desertion will be the period so stated in the final sentence.

Absence Without Leave (AWOL) - AWOL is absence from duty, without competent authority. A veteran will be considered not entitled to pay during the period of unauthorized absence.

1. When a veteran has been tried by a competent Board or Court Martial for AWOL, his acquittal or conviction constitutes a conclusive determination of the question. In the absence of a finding or decision by a Board or Court Martial, a determination that veteran was AWOL and not entitled to pay may be made in the following cases:

a. When the veteran is listed on the records of his organization as AWOL.

b. When the veteran so admits in a statement which is part of the evidence on file.

c. When statements of veteran's superior officers or other members of his unit who were in a position to know, indicate that he was AWOL.

d. When veteran was absent and not performing active military service for unexplained or unjustifiable reasons.

2. If convincing evidence is on file showing that while the absence was unauthorized, it was excusable and justifiable, no determination

of AWOL will be made. Mere lack of intent, however, is not sufficient excuse.

3. A veteran who is listed on the records of his organization as a deserter, or who in fact was a deserter, but who has not been tried for desertion will be considered on AWOL and not entitled to pay for the period of unauthorized absence. A veteran may also be determined on AWOL and not entitled to pay if after being tried by a competent Court Martial for desertion, was acquitted on a technicality, or if convicted the sentence was disapproved by the reviewing authority on a technicality provided that the findings show that veteran was absent without authority but not under circumstances amounting to desertion. The Court Martial findings should be furnished VA.

4. A veteran who is arrested and confined by civil authorities for a civil offense will be considered on AWOL and not entitled to pay from the date of his arrest if he was convicted and sentenced. If released without trial or not prosecuted, or if tried, was acquitted, he is restored to pay from the date of arrest. In any event, the fact that veteran was confined by civil authorities should be explained to VA.

A USAFFE veteran who joined a guerrilla organization and who absented himself from duty without authority may be determined AWOL and not entitled to pay during the period of absence, provided that his organization is a recognized unit, or if not, his unit commander is individually recognized, regardless of whether or not the veteran is himself recognized. In such cases, a period of AWOL will only be determined during the period of recognition of the unit or of the unit commander.

Determination of Period of AWOL -

1. A veteran will be determined on AWOL from the commencement date of unauthorized absence up to a day prior to his arrest by or surrender to military authorities, or reporting to duty.

2. If a USAFFE veteran joins a guerrilla unit and goes on AWOL as provided in par 3, above, his period of AWOL will be terminated upon entry into a POW status or into a Missing status by joining another guerrilla unit, whether or not the latter is a recognized unit.

3. In the determination of the period of non-entitlement to pay Absence Without Leave not exceeding 24 hours will not be considered a period of non-entitlement to pay. Exception will be cases where the veteran goes on AWOL and dies before the lapse of 24 hours. In such cases, veteran will be considered not entitled to pay on the date of death. Where a veteran dies or is injured while on AWOL for less than 24 hours, a finding of not in Line of Duty is proper, (See Line of Duty Status) and VA should be informed that death or injury was incurred while veteran was AWOL.

SECTION XV - RETURN TO MILITARY CONTROL

Members of the USAFFE were under the control of the US Forces from date of induction up to the end of the Beleaguered period. Such control

was interrupted by enemy occupation, but was resumed during or subsequent to the liberation of the Philippines. A member of the USAFFE is considered to have returned to military control on the date he became subject to the orders of the US Liberation Forces. Civilian guerrillas were not under the control of the US Forces prior to liberation. Therefore, they are not considered to have returned to military control when they became subject to the orders of the US Forces during the liberation. The date of return to military control of members of the USAFFE will be determined as follows:

1. A veteran who has no recognized guerrilla service will be considered to have returned to military control on the date he reported to a replacement battalion for processing, not on the date his processing actually began or was completed.

2. A veteran who has recognized guerrilla service will be considered to have returned to military control on the date he reported to a replacement battalion for processing or on the date his guerrilla unit came under the operational control of the 6th or 7th Army, whichever is earlier. The date when a member of a recognized guerrilla unit came under the operational control of the 6th or 8th Army is the date when the veteran was first attached to any unit of the liberation forces. If this date cannot be ascertained, the date he commenced receiving current pay will be considered as the date of attachment. The date of return to military control cannot be earlier than the date of initial landings of liberation forces in the Island where his unit operated, this being the date when he could have first been possibly attached to the US Army. The first landings of US Liberation Forces were made in Leyte on 20 Oct 44. In the Island of Luzon, landings were made on 9 Jan 45. For dates of landings in other Islands of the Philippine Archipelago, refer to the letter of recognition of the guerrilla unit that operated in each Island.

3. A veteran who was confined by the CIC or in a US Army Evacuation or Station Hospital will be considered to have returned to military control on the date his confinement began, unless he had previously returned to military control in accordance with par a or b above.

4. A member of the USAFFE, a recognized civilian guerrilla or a current enlistee who while under military control became absent from duty without authority and subsequently reported or is returned to duty will be considered to have returned to military control on the date he reported or was returned to duty.

5. A member of the USAFFE who reported to military control in the Philippine Army after 30 Jun 46 will not be considered to have returned to military control under the Armed Forces of the United States. However, the fact that he so reported to the Philippine Army after 30 Jun 46 should be explained to VA. (See also Sec VIII on Discharge).

SECTION YVI - LAST DATE OF ENTITLEMENT TO PAY

The last date of entitlement to pay of a deceased veteran will be determined as follows:

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1. When the veteran returned to military control, last date of entitlement to pay will be the date of death (determined or presumed), date of discharge, or 30 Jun 46, whichever is earliest. Cases where the veteran after returning to military control and without having been officially discharged, returned home or became absent from his unit without authority, except in cases of Missing in Action against the enemy (MIA), and dies while absent, will be referred to the Chief, Veterans Branch for decision not only as to Line of Duty Status of Death, but also as to last date of entitlement to pay.

2. Where the individual died without returning to military control:

a. Where the veteran died (determined or presumed death) while in non-pay status (NCS, AWOL or Desertion), last date of entitlement to pay will be one day prior to date commencement of the non-pay status.

b. Where the veteran died while in a pay status (Beleaguered, POW, Missing, Recognized Guerrilla or Regular PA Service) on or after 23 Oct 44, last date of entitlement to pay will be date of death (determined or presumed), date of discharge, or 30 Jun 46, whichever is the earliest.

c. Where the veteran died while in a pay status prior to 23 Oct 44, last date of entitlement to pay will be:

(1) 23 Oct 44 where proof of death is only reasonably conclusive.

(2) On the date the nearest of kin had personal knowledge or official notice of death, or 23 Oct 44, whichever is earlier, where proof of death is conclusive.

3. In deceased cases which had been adjudicated for arrears in pay, the arrears in pay determination should be taken into account in determining the last date of entitlement to pay to be certified to VA. This date should be the last date of entitlement to pay determined for arrears in pay purposes, or the last date of entitlement to pay as determined under this Section, whichever date is later. If the date determined for arrears in pay purposes is the date adopted, an explanatory note should be added in certifying the information to the VA stating that arrears in pay were paid up to that date under a previous arrears in pay determination.

SECTION XVII - GRADES AND PROMOTIONS

Original Grades:

1. An individual's grade as of 8 Dec 41 or date of call to active duty, whichever is later, will be determined from the grade shown in Special Orders of Call to Active Duty; NSII Record; Casualty Report, issued by HAP; Extract Slip of an archive on file in this Division; promotion orders issued by authorized headquarters prior to 7 May 42; or

from affidavits of persons who, by reason of their official military position, may be presumed to know the facts. Such persons include, but are not limited to unit commanders, executive officers, personnel officers, first sergeants, platoon sergeants, squad leaders, and company clerks.

2. Where the USAFFE status of a deceased soldier has been established, but no satisfactory evidence of grade is shown, he shall be determined to be in the lowest grade possible, that is private, provided however, that where the evidence clearly shows that he was a commissioned officer, he shall be determined to be a 3rd Lt.

3. Grades may not be determined on the basis of military position held, except that civilian drivers and mechanics inducted into the USAFFE shall be determined in grades not to exceed the following:

Ambulance Drivers - - - - -	Pvt
Drivers (other than Ambulance Drivers) - - -	Pfc
Mechanics - - - - -	Cpl

4. When official records and affidavits conflict, official records generally prevail. However, where affidavits show a lower grade or rank than that appearing in POW record of Death Certificate is claimed, the claim must be supported by affidavits of persons who, by reason of their official military position, may be presumed to know the facts.

Promotions prior to 7 May 42:

1. Officers - All cases of officers who claim for USAFFE promotion, all cases of enlisted men who claim appointment to the commissioned grade prior to 7 May 42, and whose promotions or appointments have not yet been acted upon by the Promotion Section, PA Br, this Division, or confirmed by appropriate orders HPA with authority from the Commanding General, AFPAC, AFWESPAC, or PHILRYCOM, will be forwarded by checknote to the Promotion Section prior to adjudication. Claims for promotions or appointments in the commissioned grade that had been disapproved or confirmed will be adjudicated accordingly.

2. Enlisted Men - All enlisted men's promotions prior to 7 May 42 within the enlisted grade will be determined by the adjudicators. Evidence of USAFFE enlisted men's promotion may be any of the following:

- a. Special Orders issued by Hq, USAFFE or USAFIP, Fort Mills, Corregidor.
- b. Regimental Special Orders for non-commissioned officers.
- c. Company Orders - only for enlisted men claiming promotion to or demotion from the grade of Private First Class.
- d. Confirming Orders issued by Headquarters, Army of the Philippines, with authority from the Commanding General, AFPAC, AFWESPAC or PHILRYCOM.

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e. Affidavits of persons who, by reason of their official military position, may be presumed to know the facts, stating that orders were in fact issued promoting the enlisted men to the grade in question.

f. When a POW Record or Death Certificate issued by HAP shows a grade higher than that shown in the NSLI Record, the deceased will be presumed to have been promoted to the higher rank effective on the first day of the month next following the date of effectivity of the Insurance Policy. However, where the effective date of promotion will be after the termination of his Beleaguered Status, or where the effect will be promotion from an enlisted to a commissioned grade, the promotion will not be considered, and the lower rank will prevail. Promotions of officers prior to 7 May 42 will not be presumed under this policy.

Guerrilla Ranks of USAFFE-Guerrilla Personnel:

1. A guerrilla rank held by a USAFFE-Guerrilla personnel higher than his USAFFE rank will be considered in the determination of the claim provided that the individual is either individually recognized in that rank or his name and rank appear on the recognized roster of his guerrilla unit. Such grade will commence from the date of recognition or effective date of promotion, whichever is later. All guerrilla promotions subsequent to the date of recognition or date of induction, whichever is later, will be considered provided that the last promoted grade is not higher than that shown on the recognized roster. The only instance a grade higher than that shown on the recognized roster will be considered, is when that grade has been confirmed by Headquarters, Army of the Philippines, with authority from the Commanding General, AFPAC, AFWESPAC, or PHILRYCOM.

2. When there exists a discrepancy in the grade held, the following rules will govern:

a. In case an individual is carried on a recognized roster in different grade, the lower grade shall be considered his recognized grade.

b. If his name appears in more than one roster with different grades, and the rosters bear the same date of recognition, the lower grade shall be considered his recognized grade, and he shall be considered to belong to the unit in whose roster his name appear with a lower grade.

c. In case his name is carried on different rosters with different grade, his grade on the roster that was approved earliest shall be considered his recognized grade.

3. In the event that a USAFFE-Guerrilla is carried in a recognized roster of a guerrilla unit with a grade lower than his USAFFE grade, his USAFFE grade will prevail.

Promotions after Date of Death - Where an individual was recommended for promotion prior to his death, but such recommendation was approved, and appropriate Promotion Orders were issued after his death, he shall not be entitled to the pay and allowances corresponding to the higher grade. However, such grade will be considered the highest grade held by him.

SECTION XVIII-DATES OF LAST PAYMENT PRIOR TO SURRENDER

The last date of payment prior to the surrender in 1942 will be the date conclusively proved by the claimant to be the last date veteran was paid in 1941 or 1942 prior to the surrender. If the date cannot be proved, the "fixed date" of last payment will be followed as shown in the following list:

<u>Place of Surrender or Escape</u>	<u>Last Paid to Include</u>
<u>LUZON</u>	
Apariti - - - - -	30 Nov 41
Gonzaga- - - - -	30 Nov 41
Vigan- - - - -	30 Nov 41
Legaspi- - - - -	30 Nov 41
Tuguegarao - - - - -	30 Nov 41
Sar. Fernando (Lingayen Gulf) - - - - -	30 Nov 41
Mauban-Atimonan Area - - - - -	30 Nov 41
Manila - - - - -	31 Dec 41
Olongapo - - - - -	31 Dec 41
Bataan - - - - -	28 Feb 42
Corregidor - - - - -	31 Mar 42
<u>MINDANAO</u>	
Davao- - - - -	30 Nov 41
Zamboanga- - - - -	28 Feb 42
Parang- - - - -	31 Mar 42
Cotabato- - - - -	30 Apr 42
All Mindanao - - - - -	30 Apr 42
<u>CEBU</u>	
Cebu City - - - - -	31 Mar 42
Toledo- - - - -	31 Mar 42
Argao - - - - -	31 Mar 42
Pinamungajan - - - - -	31 Mar 42
Naga- - - - -	31 Mar 42
Talisay - - - - -	31 Mar 42
<u>PANAY</u>	
Iloilo - - - - -	31 Mar 42
Capiz - - - - -	31 Mar 42
San Jose de Buenavista - - - - -	31 Mar 42
Lambunao - - - - -	31 Mar 42
<u>MINDORO</u>	
Calapan - - - - -	28 Feb 42
<u>PALAUAN</u>	
Puerto Princesa - - - - -	30 Apr 42
<u>LUBANG</u>	
- - - - -	30 Nov 41
<u>JOLO</u>	
- - - - -	31 Dec 41

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MASBATE - - - - - 31 Jan 42
ROMBLON - - - - - 28 Feb 42
BUSUANGA - - - - - 30 Apr 42
BOHOL - - - - - 30 Apr 42
BASILAN - - - - - 30 Apr 42
NEGROS - - - - - 30 Apr 42

In any case where the place of escape or surrender is one not listed above, the deceased soldier will be considered to have been last paid to include 31 Mar 42.

Claims that the soldier had been last paid to include a date earlier than that stated in the foregoing list must be supported with an affidavit to this effect from one of the following:

1. Soldier's Commanding Officer.
2. Soldier's Executive Officer.
3. The Finance Officer who last paid him.

If the claimant states that the soldier was last paid to include a date later than that shown in the aforementioned list, his statement to that effect will be taken.

SECTION XIV - DETERMINATION OF DEATH WHEN EVIDENCE DOES NOT SHOW EXACT DATE

When evidence does not show exact date of death, of joining a guerilla unit etc., as illustrated by the list in Column 1 below, the determined dates in Column 2, shall, in each or similar cases, be used as guide in the determination of arbitrary dates.

- | 1. <u>Dates According to Evidence</u> | 2. <u>Determined Dates</u> |
|--|----------------------------|
| a. In 1942 | a. 31 Dec 42 |
| b. On or about the beginning of 1942- | b. 1 Jan 42 |
| c. On or about the middle of 1942. | c. 30 Jun 42 |
| d. On or about the end of 1942. | d. 31 Dec 42 |
| e. In November 1942 | e. 30 Nov 42 |
| f. On or about the beginning of November 1942. | f. 1 Nov 42 |

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- | | |
|--|--------------|
| g. On or about the middle of
November 1942. | g. 15 Nov 42 |
| h. On or about the end of November
1942. | h. 30 Nov 42 |
| i. On or about the first week of
November 1942. | i. 7 Nov 42 |
| j. On or about the last week of
November 1942. | j. 30 Nov 42 |

SECTION XY - CLEARING OF SUSPENSE CASES

A case may be placed in suspense if it is not adjudicable that is, no decision can be made on the merits of the case for lack of evidence of some essential fact. As previously explained, there must be proof that the subject of a claim is a veteran. This implies proof of veteran's military service as a USAFFE, a guerrilla, or current enlistee, and proof of death or separation from the service. A case may be placed in suspense because the military status, or lack of it, cannot be decided. Likewise, even if military status is established, the circumstances of the separation of the individual from the service either by death, discharge, or automatic release (30 Jun 46) cannot be determined. Lacking evidence to resolve these points, evidence thereof will have to be obtained from the claimant or from other sources. While awaiting receipt of the necessary evidence for the adjudication of the case will be held in abeyance. When the evidence is to be obtained from the claimant, a maximum of 4 months time within which the claimant should comply is allotted. Normally, if the information desired from a claimant is proof of military identity and the claimant fails to submit the same within the time limit, the case is determined negative for military status and returned to the VA as negative. However, in a case where an individual is determined to be a recognized guerrilla because of the appearance of his name on a casualty roster, reconstructed initial roster, or individual letter of recognition but the claimant failed to submit additional evidence which would be necessary in order to determine the length of his guerrilla service, the 3101 will not be completed but may be returned to VA unaccomplished for failure of the claimant to cooperate. A form letter which is available in the Sections will be used in returning the uncompleted 3101. Similarly, the military identity of a veteran may be satisfactorily established but the claimant failed to submit the necessary evidence to establish the death or separation of the veteran from the service. The 3101 may also be returned to VA uncompleted for failure of the claimant to cooperate. Under evidence of death are included evidence of date, place, cause of death, and, in certain instances, findings of a Board of Officers on the Line of Duty Status of Death. Under evidence of discharge are included the date, character, and place of discharge. There might be cases where the claimant is unable to submit the necessary evidence in good faith. In these cases, a field investigation may be resorted to, to obtain the necessary information. The case may be submitted to the Investigation Branch for necessary action, outlining the information that is desired. The following may be

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followed as guide in the disposition of this type of suspense case.

1. Cases qualifying for field investigation.

a. Wherein claimant has made a generous and positive effort to provide data required, and

b. Wherein only one or two verifications of status are required for completion of the case, i.e., proof of non-return, proof of death; proof of USAFFE status (where proof is not locally available from records) and

c. Wherein claimant, after 4 months, has not responded to our requests for additional proof.

NOTE: Each of the above three elements must be present to warrant field investigation.

2. Cases qualifying for return, incomplete, to US VA MRO.

a. Wherein claimant has made little effort to provide the data required, over and above the submission of basic application, and

b. Wherein the evidence lacking is of such extent and detail as to place an investigator assigned to the case in the position of an attorney for the claimant, procuring, determining and setting forth the facts and documents in the claimant's behalf, thus placing the burden of proof on AGRD, rather than on the claimant, and

c. Wherein the claimant, after 4 months, has not responded to our requests for additional proof.

NOTE: Each of the above three elements must be present to warrant closing and returning the case to US VA MRO.

3. Cases qualifying for retention in suspense files.

a. Wherein the claimant has not, in point of time, had the opportunity to answer our last request for additional proof, or

b. Wherein the case has been in suspense less than 4 months.

The above criteria are necessarily broad, indicating that cases must generally be decided on the basis of individual merits. No detailed measures of hard and fast nature can be applied without variance to all cases. Nevertheless, in deciding when cases will be referred for field investigation or closed-out to US VA, use the policy of being liberally inclined toward the close-out. Only those cases which appear to possess potentialities of valid and complete claims should be sent to Investigation Branch for field investigation. In toss-up cases, close-out to the US VA. The case must be substantial and promising before it merits the time and expense of the Investigation Branch. In certain instances, especially those where it is

necessary to determine the true circumstances surrounding the death or injury of a veteran in order to protect the interests of the government or of the claimant, a field investigation may be in order. With reference to information like proof of USAFFE status, death, POW, etc., which may be available in this headquarters or other accessible sources every effort should first be made to exhaust these sources before writing the claimant and suspending the case.

A claim may contain satisfactory evidence of military identity and separation from the service. However, certain information which would be material to determine basic eligibility for veterans benefits may be lacking or is in question. For example: A veteran while in a recognized guerrilla service (which is active service under VA policies) died of unnatural cause, like murder, accident, or any cause which would indicate the possibility of misconduct. Although evidence of the date, the place and the immediate cause of death are available, it becomes necessary to determine the other circumstances surrounding the death so that a clear picture thereof may be certified to the VA which would enable the latter to determine the line of duty status of death. The case will be placed in suspense until the necessary information is obtained thru correspondence or field investigation. By information material to the determination of basic eligibility is meant such fact or facts which if established would result either in the allowance or disallowance of the claim. Thus, information which would establish the military identity of an individual is material; so is any information which would prove or disprove the line of duty status or the service connection or non-service connection of death or injury.

Operating personnel should have a working knowledge of VA TB 8-106, the criterion for determining active service. This headquarters is not authorized to apply this technical bulletin (Appendix D). However knowledge of its application would aid in resolving cases which would otherwise be placed in suspense. The VA grants compensation only for service-connected death or disability, and this technical bulletin provides the criteria for determining what is active service. In the determination of service-connection, information which would establish the correct status of the individual at the time the disability, death or injury was incurred assumes a matter of vital importance. For example: In a disability case, an individual claims USAFFE as well as guerrilla service. USAFFE status is not proved, but recognized guerrilla status is determined positive. Injury is known to have been incurred within the period of recognized guerrilla service. Should the case be suspended pending receipt of proof of USAFFE status? In resolving cases similar to this the following may be used as guide:

1. USAFFE service and guerrilla service are claimed by the veteran. Evidence of USAFFE identity is not available. His name is listed on the Reconstructed Roster, Casualty Roster, or letter of individual recognition.

Situation A. The 3101 indicates that the disability was incurred during recognized guerrilla service.

Action: If evidence of length of guerrilla service is available, adjudicate the case as a civilian

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guerrilla and place the following remarks on the 3101:

"USAFFE status has not been established. Disability incurred during period of recognized guerrilla status."

DO NOT SUSPEND THE CASE FOR LACK OF PROOF OF USAFFE IDENTITY. If evidence of length of guerrilla service is not available, suspend the case.

Situation B. The 3101 indicates that disability was incurred during Regular PA Service. Checkage indicates that the individual listed on the Reconstructed Roster, Casualty Roster, or letter of Individual Recognition, as the case may be, and the claimant are one and the same person.

Action: Adjudicate the case as a civilian guerrilla. If evidence of length of guerrilla service is not available, give him recognized guerrilla service for one day, such day being the day prior to Regular PA Service. Place the following remarks on the 3101:

"USAFFE service has not been established. Disability incurred during period of Regular PA Service."

DO NOT SUSPEND THE CASE FOR LACK OF PROOF OF USAFFE IDENTITY OR LACK OF PROOF OF LENGTH OF GUERRILLA SERVICE.

Situation C. Disability was incurred prior to recognized guerrilla service. Evidence of length of guerrilla service is on file.

Action: Suspend the case pending receipt of proof of USAFFE Identity. If claimant fails to cooperate, adjudicate the case applying existing policies on guerrilla service. Include the following remark on the 3101:

"Claimant failed to furnish proof of USAFFE Status."

Situation D. The 3101 does not indicate the date disability was incurred.

Action: Suspend the case for proof of USAFFE identity and/or proof of length of guerrilla service.

Similarly, when death or injury is claimed to have been incurred while the veteran was in a POW status, it becomes important to have adequate proof

of POW status as claimed. Action on this type of cases may be in accordance with the following:

1. POW status is claimed by the veteran. Evidence of having been a POW is not available in this headquarters.

Situation A. The 3101 indicates that the disability was incurred during POW status.

Action: Write the claimant and very plainly explain what is required and that he must comply within a certain period.

If the veteran fails to answer by the suspense date, or if he fails to furnish the evidence requested, take the following action:

Completely adjudicate the case giving NCS or AWOL, as is deemed most appropriate, for the claimed period of POW. Write no further letters to the claimant. If, however, at a later date the claimant furnishes proof of POW status, reopen the case and submit, recertification to VA, Manila. State on 3101 "Claimant failed to comply with our request for proof of POW status."

Situation B. If the 3101 indicates the disability occurred during a period other than POW and that the disability is not a result of having been a POW and further that proof of POW status is the only thing holding up the adjudication of the case, take the following action:

Complete adjudication of the case; place the following remark on the 3101:

"POW status has not been established. Disability incurred during _____ status."

Write for, but do not suspend for lack of Proof of POW status. If and when proof of POW status arrives, certify same to VA, Manila.

SECTION XXI - FRAUDULENT CASES

Operating personnel should exercise diligent care in screening cases for adjudication in order to determine the validity of claimed service. The authenticity of certain documents and signatures that are suspected of fraudulent nature may be verified through examination made by the Document examiner of Investigation Branch. Certain claims are now considered closed cases and kept in a separate file. Many of these cases had been so classified as fraudulent cases. The cause for the classification of these records should be inquired into from the Investigation Branch because it may have a bearing in the final adjudication of the case. A basic form like the Form 23, 49, Form 9 or Form 48 that is determined to be fraudulent in certain

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aspects may be admitted in its good parts. Documentary evidence submitted in support of any fact which is determined false may be disregarded in its entirety. When the proof of military status of an individual depends on a piece of evidence which is determined false a negative determination of the case may be summarily made and the 3101 certified to VA as a negative case. When the proof of death is based on a fraudulent document the case may be suspended awaiting more proof, or may be subjected to field investigation, as the case warrants.

Service data will be certified to VA as long as military status is established, even if certain incidents of the service were misrepresented. The data certified to VA should be that determined after disregarding the misrepresentation.

Where fraud or attempted fraud is discovered in a case, the whole 201 should be reclassified and filed in the closed files, for fraudulent cases. Likewise, 201 files of individuals who made fraudulent affidavits, certificates, etc., should be sent to the Closed Files. A Memo for Record signed by the Section Chief, explaining the action taken should be made part of the file. *(See VB Memo # 4, 16 Mar 51 and Vets Br Memo # 5 30 Mar 51 on 'In Acceptable Affidavits')*

SECTION XXII - REVOCATION OF PREVIOUS DETERMINATION

A case may have been adjudicated in the past for Arrears in Pay or for VA purposes. If the previous VA adjudication is in error a redetermination should be made. This redetermination will supersede that previous determination.

When a purely USAFFE case was determined favorably for Arrears in Pay as shown by a file copy of a determination sheet sent to HNDF but the case is now determined negative for military status, the determination sheet sent to HNDF will be revoked using, a Form letter addressed to the Chief of Staff revoking that determination. The claimant will likewise be sent a letter notifying him of the revocation. Copies of these Form letters are available in the Sections. The 3101 will of course be returned to VA as a negative case. The letter to Chief of Staff and the letter to the claimant will be dated on the same date as the 3101. This action is necessary so that there will be only one existing determination as to the military status of an individual.

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HEADQUARTERS
ADJUTANT GENERAL RECORDS DEPOSITORY
PHILIPPINES COMMAND (AIR FORCE) AND THIRTEENTH AIR FORCE
APO 900

November 25, 1949

ACCOMPLISHMENT OF VA FORM 3101 (NOV. 45)

All service information on members of the Commonwealth Army, including recognized guerrillas, will be certified on this form supplemented by Veterans Branch Form 32, (revised Nov. 1949). This form will be accomplished in 3 copies. In death cases, two will be sent to VA and one retained in our file. In disability cases, only the original copy need be sent to VA.

Attention is directed to the division of the form into two sections: the left hand side headed "To be completed by Veterans Administration" and the right hand side headed "To be completed by the War Department" (by this headquarters). The VA will enter information in the numbered boxes under their column. The boxes under our column will be filled in in the following manner:

Box 1. Last name, First name, Middle initial. If the name entered by VA in their box is correct, entry on the corresponding box under our column will be "C", meaning correct; otherwise, the correct last name, first name, and middle initial of the veteran will be indicated. Refer to instructions on accomplishment of Form 32, (revised Nov. 1949), for proper entry on veteran's name.

Box 2. Army serial number. Indicate the army serial number or numbers of the veteran. If this is not of record, enter "NR". If the army serial number entered by VA in their box is correct, enter "C" in our box.

Box 3. This refers to the VA claim number. If VA indicated the VA claim number in their box, copy the number so indicated into our box. If no number was indicated by VA, leave this box unfilled.

Boxes 4 & 5. Leave these boxes unfilled.

Box 6. Enter "See attached Form 32."

Box 7. Enter "See attached Form 32."

Box 8. Enter "See attached Form 32."

Box 9. Enter the last grade and organization that veteran had in the military service, to the smallest unit known.

Boxes 10 & 11. In death cases, enter "See attached Form 32" so as to cover both boxes. In disability cases, entry should be in box number 11 only; do not fill box number 10. For place of discharge (11), indicate the locality where veteran was at the time of separation of the service of the Armed Forces of the United States. If the exact locality can not be ascertained, indicate "Philippines".

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a. If the VA attached certain documents to the 3101, they should be returned to the VA. Such documents should be returned with the statement "_____ (naming the documents) herewith returned". (NOTE WELL: If the documents furnished by VA were used as bases of determination in the case but there are no copies in our files, copies should be made and placed in the AGRD file before the documents are returned to VA.)

b. The VA may also request specific information. If this information is covered in the Form 32, place the remark: "See attached Form 32". If the specific information requested by VA is not covered in Form 32, the desired information should be given in this space.

c. In death cases, where a determination or presumption of death has been made, the three statements pertaining to determination or presumption of death will be entered in this space as follows:

"Veteran is determined (or presumed, as the case may be) to have died on: _____."

"Determination (or presumption) of death was made on: _____."

"Last date of entitlement to pay: _____."

NOTE: The date cited as last date of entitlement to pay in the above remark will be the last date of actual entitlement to pay as determined under par 2, Section XVI, (page 29) Adjudication Policy, Veterans Branch.

d. If the individual on whom service information is requested has no military status, the only information to be given to the VA will be the individual's name (Box 1), and VA claim number, if any, (Box 3), together with the following remarks on the space for Additional Information:

"Subject individual has no recognized guerrilla service, nor was he a member of the Commonwealth Army in the service of the Armed Forces of the United States."

e. If a prior certification has been made to VA and current policies or additional evidence require a redetermination, this space will bear the Redetermination stamp.

f. If a prior certification has been made to VA and current policies or additional evidence indicate that this prior certification was correct and complete, this space will be used for the remark:

"Prior certification dated _____ reviewed.
No change warranted."

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Box 12. Indicate the home address of veteran if known. If VA has indicated the correct information in their box, enter "C" in our box. If home address is not known, indicate "NR".

Box 13. Date of birth. Indicate the date of birth, if known. If VA has indicated the correct information in their box, enter "C" in our box. If the date of birth is not known, but the age may be determined as of a certain date, indicate his age as of that date. If neither the date of birth nor the age can be determined, indicate "NR".

Box 14. Place of birth. Indicate the place of birth, if known. If VA has indicated the correct information in their box, enter "C" in our box. If veteran's place of birth is not known, indicate "NR".

ADDITIONAL INFORMATION:

*See changes No. 4, Vets B Memo # 10,
16 Aug 51 and Disp. Form dtd 18 Aug 50*

If the VA attached certain documents to the 3101, they should be returned to the VA. Such documents should be returned with the statement " (Naming the documents) herewith returned." NOTE: "If these documents sent by the VA were used as bases of determination by this division and no copies are in our files, they should be copied before being returned. The VA might also ask for specific information. If said information is covered in Form 32, place the remarks: "See attached Form 32." On the other hand, if the information is not covered in Form 32, the desired information should be stated on this space. In death cases, indicate on this space the three statements pertaining to determination or presumption of death as follows:

"Veteran is determined (or presumed, as the case may be) to have died on: ."

"Determination (or presumption) of death was made on: ."

"Last date of entitlement to pay: ."

If the individual on whom service information is requested has no military status, the only information to be given to the VA will be the individual's name, (Box 1) and VA claim number, if any, (Box 3), together with the following remarks on the space for Additional Information:

"Subject individual has no recognized guerrilla service, nor was he a member of the Commonwealth Army in the service of the Armed Forces of the United States."

P. M. BAKEN

P. M. BAKEN
Major Inf
Chief, Veterans Branch
S & C Division

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HEADQUARTERS
 ADJUTANT GENERAL RECORD DEPOSITORY
 PHILIPPINES COMMAND (AIR FORCE) AND THIRTEENTH AIR FORCE
 APO 900

25 November 1949

ACCOMPLISHMENT OF VETERANS BRANCH FORM #32 REVISED 1949

Veterans Branch Form 32 (revised 1949), is designed to supplement VA Form 3101 (Nov 45) in the certification of service information to the VA on members of the Philippine Commonwealth Army and recognized guerrillas. This form will be accomplished only in positive cases together with VA Form 3101 (Nov 45). No other VA Forms will be utilized. If the request for information from VA is contained in a form other than VA Form 3101 (Nov 45), initiate a Form 3101 (Nov 45) and on the 3101 containing the request from VA, state on the space for additional information that the information requested is being forwarded on the attached Form 3101 (Nov 45) and Form 32. Veterans Branch Form 32 (revised) will be accomplished in triplicate. In death cases 2 copies will be sent to the VA and a copy retained for our files. In Disability cases, the original copy only need be sent to VA. The form will be accomplished in the following manner:

Date - No entry will be made on the blank for date.

Name - On the blank provided for name, enter Surname, First Name, and middle initial if any. The middle initial of the veteran, if it can be determined from any evidence of the mother's family name, will always be entered; otherwise no middle initial will be shown. In order to avoid confusion, where the surname of the mother is composed of more than one word, the middle initial will be written in a way similar to the following examples:

Surname of Mother	Middle Initial should be:
a. Dela Cruz - - - - -	Dela C.
b. Delos Santos - - - - -	Delos S.
c. Del Mar - - - - -	Del M.
d. San Agustin - - - - -	San A.
e. Sta/Santa Romana - - - - -	Sta/Santa R.

ASN- Refer to the 201 file of veteran for his ASN. Where two or more ASNs are shown, indicate all of them. Where the ASN is not of record, entry will be "NR!"

VA Claim Number- Indicate the VA Claim number as indicated on the 3101 received from VA. This information is usually found on item

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3 of the 3101 series. If the VA Claim number is not shown on the 3101, enter "None."

Last grade and organization. USAFFE- If veteran was a member of the USAFFE, show his last grade in the USAFFE and the bonafide USAFFE organization to which he belonged. Check his organization against the list of bonafide USAFFE units. If veteran has no USAFFE status, indicate "None!" Guerrilla- If veteran is a recognized guerrilla, show his last grade in the guerrilla, together with the exact name of the guerrilla organization in which he is recognized as shown in the roster or letter of recognition. This information will be obtained from the guerrilla verification form issued by the Administrative Section, Veterans Branch. If veteran is not a recognized guerrilla, indicate "None." If the veteran was a member of the USAFFE as well as a recognized guerrilla, the last grade and organization in the USAFFE and in the guerrilla must be shown. If veteran is a current enlistee, indicate "None" after both items, and place the remark: "Current Enlistee". By current enlistee is meant one who entered into a valid enlistment in the Commonwealth Army during or subsequent to the Liberation but prior to 1 Jul 46.

1. Beginning date of veteran's service in the Armed Forces of the United States:

a. For members of the USAFFE, entry will be date of induction into the USAFFE (Not date of call to active duty). Where there is no evidence of such date, but USAFFE status is satisfactorily established, entry will be commencement date of Beleaguered status as determined in accordance with the policy on Beleaguered status.

b. For civilian guerrillas, entry will be the beginning date of recognized guerrilla service. For those individually recognized, this date is the beginning date of recognition as stated in the letter of recognition. For those listed on reconstructed troop rosters, this date is the date of joining, date of recognition of the organization, or in some guerrilla commands, the date of organization or activation of the unit, whichever is the latest. Refer to the instructions for the unit concerned. For those listed on Casualty Rosters (KIA, KIJD, DIJD, WIA, MIA, etc), this date is the date of induction, date of recognition of the unit, or date of casualty, whichever is appropriate. Where the beginning date of recognized service as determined differs from the date shown on the Roster or letter of individual recognition, add the remark: "Deviation from _____ roster (or letter of individual recognition)!"

c. For current enlistees, enter date of enlistment.

2. Date of separation from service: Entry will be date of death, discharge, or 30 Jun 46, whichever is earliest. Note: Civilian guerrillas who are members of terminal date guerrilla units are considered discharged on the terminal date of recognition, except those confined in Army hospitals on the termination date of recognition. They are not discharged on that date, but are still considered in the service, but in no event after 30 Jun 46. Whenever the veteran was separated from the Philippine Army by discharge as evidenced by Special Orders or Certificate of Discharge, copies of all the evidence of discharge should be forwarded to

the VA, enumerating them under this item. Such evidence must be forwarded to the VA even if the veteran was discharged from the Philippine Army after 30 Jun 46.

3. Character of separation from service:

a. If veteran died while in the service of the Armed Forces of the United States, entry will be "Death."

b. If veteran was separated from the service prior to 30 Jun 46, entry will be "Honorable Discharge," "Dishonorable Discharge," "Discharge under conditions other than dishonorable," or whatever character of discharge or separation is stated in the discharge papers.

c. If veteran was still in the service of the Armed Forces of the United States on 30 Jun 46, entry will be:

"Veteran while still a member of the Philippine Commonwealth Army was released from the service of the Armed Forces of the United States on 30 Jun 46. See item 21 below!"

(Item 21 refers to CM proceedings).

4. The entire period of veteran's service in the Armed Forces of the United States will be entered in this item, broken down into veteran's determined status. The beginning date will always be the date shown on item 1, above, and the last date will be the date shown on item 2, above. Veteran's status will be entered in chronological order without overlapping or omission of dates. The following are the possible statuses of a veteran which may be entered:

a. USAFFE

- (1) Pre War Service- Service in the USAFFE prior to 8 Dec 41. Only those inducted into the USAFFE prior to 8 Dec 41 may have Pre-War service.
- (2) Beleaguered Status- Generally between 8 Dec 41 and 6 May 42. Refer to policy on Beleaguered Status.
- (3) POW Status- Periods of actual physical restraint by the enemy or by their agents by reason of a veteran's previous status as a member of the Armed Forces of the United States or by reason of Anti-Japanese activities. This does not include imprisonment for a purely civil offense. Refer to policy on POW status.
- (4) Missing Status- See policy on Missing Status; also par. 6, below.

- (5) No Casualty Status- See policy on No Casualty Status.
- (6) Recognized Guerrilla Service- A veteran is a recognized guerrilla if his name is listed on a reconstructed roster, casualty roster or letter of individual recognition. The determination of the inclusive periods of recognized guerrilla service will be made in accordance with instructions pertaining to the guerrilla unit concerned.
- (7) Regular PA Service- This is service in a regular PA unit after liberation, as contrasted from service in irregular or non-standard PA Units (the recognized guerrilla units). In all cases, this service will commence on the date veteran reported to a Replacement Battalion for processing or on the date he was transferred to any other regular PA unit, whichever is earlier. Periods during which a veteran was confined by the CIC or in a US Army hospital will be considered regular PA service, and a statement about such confinement will be indicated in the item for "Remarks."
- (8) AWOL and Desertion- Refer to policy on AWOL and Desertion.

b. Civilian Guerrillas- Civilian guerrillas may have any of the above statuses except Pre-War service and Beleaguered Status.

c. Current enlistee- Service of current enlistees will always commence as "Regular PA Service."

5. Entry in this item will be inclusive dates of periods of non-entitlement to pay (No Casualty Status, AWOL and Desertion). Under reasons, state veteran's activities during that period, including the place where he stayed, if known. For example: "Farming at home", "Fishing at home," or "Civilian at home". If NCS is determined for other reasons, state such reasons briefly and in such phraseology as to describe accurately veteran's activities. In case of AWOL or desertion, state "AWOL" or "In Desertion", as the case may be. This should be self explanatory.

6. This item will explain veteran's activities during all periods of Missing Status shown in item 4, above, if any. Refer to the policy on Missing Status for the different situations during which a veteran may be considered in a Missing Status. If necessary, periods of Missing Status will be broken down into the different situations described below. Reasons will be as brief and as descriptive of veteran's activities as possible. The following examples may be used as guides:

Situation a. - Period while veteran was evading capture or in hiding to evade capture by the enemy: "Evading capture by enemy" or "In hiding to evade capture by enemy."

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Situation b. - Period of travel after veteran evaded capture during surrender of USAFFE and while returning home - "Enroute home after evading capture by enemy."

Situation c. - Period of travel while returning home after veteran escaped as POW from Death March (or Concentration Camp or other place of confinement by enemy): "Enroute home after escape from Death March."

Situation d. - Period after 9 Apr 42 or 6 May 42, as the case may be, while veteran was with unit awaiting formal surrender or before disbandment of unit, but there is no evidence of active resistance against enemy: "With unit awaiting formal surrender to enemy" or "With unit awaiting disbandment." If there is evidence showing that veteran's unit was still actively resisting the enemy, he might be considered still in a Beleaguered Status. (See policy on Beleaguered Status).

Situation e. - Period of service connected illness: "Sick of _____ at home or while enroute home (and in _____ hospital); illness contracted while _____."

Situation f. - Period of service-connected disability: "Suffered loss of or loss of the use of _____; disability incurred while _____."

Situation g. - Period of unrecognized guerrilla service or anti-Japanese activity other than that outlined in Situation b, below: "Unrecognized anti-Japanese activity" Note: This is applicable only to members of the USAFFE.

Situation h. - Period of unrecognized guerrilla service under a commissioned officer of the US Army, Navy or Marine Corps; or under a commissioned officer of the Commonwealth Army recognized by and cooperating with the US Forces: "Unrecognized guerrilla service under _____ (Name and rank), who is listed on the (Reconstructed Guerrilla Roster) (of immediate commander) (Casualty Roster) of _____ (Guerrilla unit in whose roster Commander was _____ and _____ is recognized from _____ to _____ recognized

Proof Attached." Note: This is applicable only to members of the USAFFE. If the immediate commander is a commissioned officer of the U. S. Army, Navy or Marine Corps, his period of recognition need not be shown since such commander need not be a recognized guerrilla. (See discussion and examples below).

In order that a veteran may be considered to have guerrilla service under a commissioned officer, it is necessary that he served in a guerrilla unit under an immediate commander who was a commissioned officer of the U.S. Army, Navy or Marine Corps or who is a recognized commissioned officer of the Commonwealth Army. Evidence of this type of service

may be authentic archive records, affidavits, certificates, or other evidence proving the fact of guerrilla service in accordance with the policy on guerrilla service. Evidence on which the determination is based should be furnished the VA.

By immediate commander is meant the person occupying the military position of direct responsibility for, and control over the veteran's acts. The term is elastic and may mean the platoon leader and up, along the chain of command, depending on who was occupying the position of immediate responsibility for and control over the veteran's acts. If a veteran was a member of a company, or a similar unit, his immediate commander should normally be his platoon leader, or company commander (or similar unit commander). If veteran was in a battalion or regimental staff, his immediate commander would be the battalion commander or regimental commander, as the case may be.

If the immediate commander was a commissioned officer of the US Army, Navy, or Marine Corps, it is not necessary that such commander be a commissioned officer all the time, nor is it necessary that he be a recognized guerrilla officer. It is enough that he was occupying the position of immediate commander even if he was not legally a commissioned officer at the time, as long as he was subsequently commissioned for his guerrilla activities. Veteran's service under a commissioned officer of the US Army, Navy, or Marine Corps will begin on the date such officer became veteran's immediate commander. For example:

- (1) Veteran, a member of the USAFFE, served as personal messenger to Lt Col John Doe, AUS, from 1 Jun 42 to 25 May 43, when veteran was killed in action. Said Lt Col Doe was the overall commander of Y guerrilla division, recognized on 16 Sep 42. He was commissioned in the AUS only on 1 Feb 43. Veteran is not carried on the Casualty Roster of the unit. Veteran's service under Lt Col Doe from 1 Jun 42 to 25 May 43 will be considered service under a commissioned officer of the US Army.
- (2) In the same example, if veteran is listed on the casualty roster of the unit as having been killed in action on 25 May 43, veteran will have recognized guerrilla service from 16 Sep 42, date unit was recognized, to 25 May 43, date of death. However, from 1 Jun 42 to 15 Sep 42, he will be considered to have rendered guerrilla service under a commissioned officer of the US Army.

If the immediate commander was a commissioned officer of the Commonwealth Army, such commander must be a recognized guerrilla commissioned officer. It is not necessary that such commissioned officer

be recognized as a commissioned officer throughout his period of recognized guerrilla service. He may be recognized in the enlisted grade for a period and later as a commissioned officer. However, he must occupy the position of immediate commander with respect to veteran during the period of his (commander's) recognition. Veteran's service under such a recognized commissioned officer of the Commonwealth Army will begin on the date the recognized guerrilla service of the immediate commander begun, or on the date such commander became veteran's immediate commander, whichever is later. Where veteran died or became a casualty due to enemy action prior to the beginning date of his immediate commander's recognized guerrilla service, veteran may be considered to have served under such a commissioned officer on the date of casualty only. Adjudicators should bear in mind that in determining the length of service under a commissioned officer of the Commonwealth Army, a veteran may not be placed in a better position than he would be had his guerrilla service under such commander been actually recognized. In other words, the unrecognized guerrilla service of a veteran under a commissioned officer of the Commonwealth Army can never begin prior to, or extend beyond the period of recognition of his immediate commander except in cases where veteran died or became a casualty due to enemy action prior to the recognition of his immediate commander. It is emphasized that if the immediate commander is a commissioned officer of the Commonwealth Army, such immediate commander must be recognized as a guerrilla officer. Thus, a commissioned officer of the USAFFE who was the immediate commander of a veteran in a guerrilla unit will not be considered a commissioned officer of the Commonwealth Army recognized by and cooperating with the US Forces, if such commissioned officer was not recognized as a guerrilla commissioned officer. Examples:

- (1) Veteran, a member of the USAFFE served in 1st Platoon, A Co, 1st Bn, Y Guerrilla Regiment. He joined said unit on 1 Apr 43 and served until 1 Jan 45 when he was killed in action. His superior officers during the period, were, among others, 2d Lt Jose Cruz, platoon leader, 1st Lt P. Santos, Company Commander, Capt A. Reyes, battalion commander, and Lt Col M. Garcia, regimental commander. The unit was recognized as of 1 Oct 43 and all the foregoing officers were recognized as commissioned officers from 1 Oct 43 up to 26 Sep 45. Veteran's name is not listed in any roster of the unit. In this case, either the platoon leader or the company commander may be considered veteran's immediate commander. Since both were recognized as commissioned officers, veteran will be considered to have served under a commissioned officer of the Commonwealth Army recognized by the US Army from 1 Oct 43 (date immediate commander was recognized) to 1 Jan 45 (date of veteran's death).

In this example, if neither 2d Lt Cruz, nor 1st Lt Santos, platoon leader and company commander, respectively, was recognized veteran will not be considered to have served under a commissioned officer of the Commonwealth Army, recognized by and cooperating with the US Forces, even if all the other officers of the unit were recognized, for the reason that veteran's immediate commander was not recognized.

(2) Veteran, a member of the USAFFE joined B Company, 1st Bn, W Guerrilla Regiment on 1 Nov 43 and served until 1 Apr 45 under D Martin, company commander. B Company was not recognized, but the 1st Bn, W guerrilla regiment was recognized from 16 Oct 44 to 30 Jun 45. D Martin was recognized as a member of said 1st Bn in the grade of Sgt from 1 Nov 44 to 8 Jan 45, and in the grade of 2d Lt from 9 Jan 45 to 30 Jun 45. Veteran will be considered to have served under a commissioned officer of the Commonwealth Army from 1 Nov 44, beginning date of immediate commander's recognition, to 1 Apr 45 last date veteran served under said immediate commander. In this example, if the whole W guerrilla regiment was not recognized, but D Martin was recognized by letter of individual recognition for the same period, and under the same conditions, veteran will likewise be reconsidered to have served under a commissioned officer of the Commonwealth Army from 1 Nov 44 to 1 Apr 45. On the other hand, if D Martin was recognized only in the grade of Sgt throughout the period of his recognized guerrilla service, veteran will not be considered to have served under a commissioned officer of the Commonwealth Army, recognized by and cooperating with the US Forces, because veteran's immediate commander was never recognized as a commissioned officer of the Commonwealth Army.

(3) Veteran, a member of the USAFFE, joined C Company, Independent Patriots Guerrillas on 1 Jan 43, and served with that unit until 5 Apr 45. His immediate commander was Capt Jose Perez. Capt Perez was a Capt in the PA (USAFFE) since 1941. This guerrilla unit is not recognized nor was any member thereof individually recognized. Although Capt Perez was a commissioned officer of the Commonwealth Army, he is not a commissioned officer recognized by and cooperating with the US Forces. Therefore veteran will not be considered to have served under a commissioned officer of the Commonwealth Army during the period he served under Capt. Reyes.

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In entering the service under a commissioned officer on this item, the inclusive dates of veteran's service will be shown. If the immediate commander was a commissioned officer of the Commonwealth Army, the period of recognized guerrilla service of the immediate commander, and the organization in which he was recognized will always be indicated. If the immediate commander was a commissioned officer of the US Army, Navy, or Marine Corps, the period of such commander's recognition is not material, and need not be shown but his status as a commissioned officer of the US Army, Navy or Marine Corps will be indicated after his name. The commissioned status of such an officer may be verified from Project "J" or from the appropriate office in the United States. In the case of the example given above of the veteran, who served under Lt Col John Doe, AUS, entry will be:

FROM	TO	REASONS
1 Jun 42	25 May 43	Unrecognized guerrilla service under Lt Col John Doe, AUS, X Guerrilla Division. Proof attached.

When the immediate commander is a commissioned officer of the Commonwealth Army as in the example given above of the veteran who served under 2d Lt J Cruz, (or 1st Lt P. Santos), entry will be:

FROM	TO	REASONS
1 Oct 43	1 Jan 45	Unrecognized guerrilla service under 2d Lt J Cruz (or 1st Lt P. Santos) who is listed on the RGR, A Co, 1st Bn, Y Guerrilla Regt and who is recognized from 1 Oct 43 to 26 Sep 45. Proof attached.

If veteran served successively under two or more commissioned officers, the period served under each commissioned officer will be indicated in chronological order. If the space is not sufficient, utilize the space for additional information.

Situation i. - Period of confinement by a guerrilla organization: "Confined by Guerrillas".

Situation j. - Period of employment in a civilian capacity by the Philippine Commonwealth Government or United States Army: "Employed as civilian by _____."

Situation k. - Period of Missing Status (whereabouts unknown) under Section V, MPA. "Section V, MPA, Last seen (heard from, accounted for, or known to be alive) on _____ (Date) while in a _____ status". If the specific date is not established by evidence, but was arbitrarily determined, the determination should be explained and clarified, citing the evidence which is the basis of the determination.

7. If veteran became POW as defined under the policy on POW status, indicate the inclusive periods, the reason for the physical restraint

imposed by the enemy and cite or state the evidence from which the determination was based. On all cases where the veteran became POW immediately after or on the occasion of the termination of Belaguered Status, it may be safely assumed that the reason for the restraint imposed by the enemy was his USAFFE status. Thus, in all cases where veteran was concentrated by the enemy in Concentration Camps like Capas, Malaybalay, Cabanatuan, etc., the reason to be indicated is "USAFFE Status", unless evidence shows the contrary. For instance there were some guerrillas from the northern provinces of Luzon who were captured and concentrated by the Japanese in Capas or Cabanatuan. Assuming that they have military status, the reason for their concentration would be: "Guerrilla activities." Inasmuch as our policy on POW status requires that the reason for physical restraint should be former USAFFE status or anti-Japanese activity, the reason to be indicated should be along these requirements, otherwise, there would be no POW status. Under basis of determination cite or state the evidence on which the determination is based and that it is attached. All evidence on which the POW status was based should be forwarded to the VA.

Example:

Veteran was POW at the Concentration Camp, Capas, Tarlac from 10 Apr 42 to 29 Jun 42; then again he was determined a POW from 1 Mar 44 to 6 May 44. The evidence on which the first POW status is based on the appearance of veteran's name on the list of POW concentrated in Capas, Tarlac. The second POW status is evidenced by a joint affidavit of Juan dela Cruz and Mario Santos who stated that veteran was arrested by the Japanese for his guerrilla activities. Entries on this item should be as follows:

FROM	TO	REASON	BASIS
10 Apr 42	29 Jun 42	USAFFE Status	List of POW, Capas Concentration Camp. Extract attached.
1 Mar 44	6 May 44	Guerrilla Activities.	Affidavits of Juan dela Cruz and Mario Santos attached.

8. If veteran had recognized guerrilla service, indicate the type of recognition and delete the words inapplicable to the case. If veteran is carried in a casualty roster indicate the type of casualty roster, that is, KIA, KILD, DILD, MIA, VIA, etc. If veteran has no recognized guerrilla service, no deletions should be made, and entry on the first blank (a) will be "No recognized guerrilla service". If veteran was individually recognized, a photostat or true copy of the letter of individual recognition will be attached, if it has not been previously forwarded, and a statement to this effect will be added in this paragraph. Entry in (a), Name of guerrilla unit, will be the exact organization in which he was recognized as shown in the recognized roster or individual letter of recognition. The organization should not be determined merely from evidence on file. Entry in (b) will be the revised date of recognition of the unit in which veteran is recognized, if the unit's recognition date has been revised; otherwise, it will be the original date of recognition. If a unit

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is TDG, the inclusive dates of recognition will be entered. TDG units are those whose periods of recognition are limited within specified inclusive dates. Reference will be made to the letter of recognition of such guerrilla units. In cases of individual recognition, the inclusive dates of recognition stated in the letter will be indicated. Entry in (c) will be beginning date of recognized guerrilla service. When the date of joining determined by AGRD is different from the date shown on the recognized roster, or letter of individual recognition, such determined date will be entered in this item followed by the remark: "Deviation from _____ Roster (or Letter of Recognition)." Under (d) indicate the veteran's exact name as listed on the roster or letter of recognition. Refer to the guerrilla Verification Form. If there is a discrepancy between the correct name of the veteran and the name as listed on the roster, add: "It has been determined that the names _____ and _____ refer to one and the same person whose correct name is _____." If the name under which veteran is listed on the roster is an alias name, indicate after the name on this item "Alias Name", and add the above statement together with the remarks "See attached affidavits", and furnish the VA copies of all the evidence proving that said alias name belongs to veteran. For example:

"d. Veteran's name is listed as: Matang Lawin - Alias name. It has been determined that the names Matang Lawin and Juan dela Cruz refer to one and the same person whose correct name is Juan dela Cruz. See attached affidavits".

If the space on the item is not sufficient, utilize the space for Remarks.

9. Delete inapplication word or words. Refer to policy on return to military control. If veteran so returned, indicate date or dates thereof. Note: If veteran, after returning to military control became absent from duty without authority, and subsequently returned, he will also be considered to have returned to military control on the date he returned to duty.

10. Entry on this item will be the date determined in accordance with the policy on last date of payment prior to surrender in 1942. Note: This item is applicable only to members of the USAFFE. If a veteran was a civil/guerrilla or current enlistee, or if a member of the USAFFE, he did not receive any pay prior to surrender in 1942, entry will be "None".

11. In death cases, entry in this item will be the last date of entitlement to pay. Refer to the policy on last date of entitlement to pay in deceased cases. If veteran died while in a no pay status or otherwise his services under the Armed Forces of the United States was terminated while he was in a no pay status, entry will be the last date of his last pay status. In disability cases, entry will be "Not applicable".

Arrears on pay pay thru _____ as per Arrears on Pay Determination. This is the 3rd item that we use the Arrears on Pay sheet for.

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12. In disability cases, this item will not be filled in. In death cases, indicate whether veteran died or did not die in the service of the Armed Forces of the United States. A veteran will be considered to have died while in the service as long as he has not been discharged or separated therefrom. A veteran who died while in a No Casualty Status, while AWOL or in desertion would still be considered to have died while in the service. Indicate line of duty status by deleting inappropriate word or words. (Refer to policy on LOD status of death). Enumerate evidence of death (actual or presumed) to be sent to VA. Under circumstances of death, indicate the date, cause and place of death on the proper item as determined from the evidence. In cases of recognized guerrilla casualties where the date of death differs from the date shown on the casualty roster, add the remark: "Deviation from Casualty Roster". Delete Actual or presumed, as the case may be. Where cause of death is not known, or in findings of death, cause of death will be indicated as "Unknown". Place of death will always be indicated to the exact locality if possible. If place of death is not shown by evidence, or in findings of death cases, place of death will be "Philippines". Exceptions may be where veteran was outside of the Philippines at the time of death or of disappearance, in which case every effort should be made to determine the place of death.

13. When veteran died, became Missing or was injured in the service after return to military control under unnatural or suspicious circumstances like accident, suicide, homicide, or murder, etc., a request for a report of investigation or report of a Board of Officers will be requested from HNDF. If any report is available, it should be sent to the VA. If veteran died, became Missing or was injured in action or died of disease while under military control, a report of a Board of Officers covering LOD status death or injury need not be requested from HNDF. Similarly, when veteran died or was injured from any cause before return to military control, a report of a Board of Officers cannot be expected from HNDF. Therefore, the report need not be requested and the appropriate entry on this item should be "None".

14. Marital Status of veteran: Enter "Married", "Single", "Widower" or "Widow", or "Divorced" as the case may be. If veteran is alleged to be married to someone but no valid evidence of marriage is on file state that fact.

15. Next of Kin - List the next of kin as shown by evidence in the 201 file, even if such next of kin is different from the VA claimants indicated in Form 508 which may be attached to Form 3101, or the names which may be shown on the 3101. Indicate their relationship to veteran and their corresponding addresses if known. The next of kin is the nearest surviving relative. If the veteran was single, his next of kin will be his parents; if both are dead, his grandparents, brothers and sisters. If veteran was married, his next of kin will be his wife; if the wife is dead, the eldest child, if any. If without surviving children, his parents; if both are dead, his grandparents, brothers or sisters. If the nearest surviving relative is other than the above relatives, list their names. If the next of kin is unknown, entry will be "Unknown".

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16. List the names of veterans and the VA claimants. After each name indicate their relationship to veteran and the result of loyalty check which would be either "No D/I" or "With D/I attached". There is D/I (Derogatory information) if an individual's loyalty is in question and/or there are Loyalty Status Board Proceedings against him as shown by the results of the Loyalty Check from Investigation Branch. If the result shows that an individual has no D/I, but the 201 file shows that veteran served in a Japanese or puppet agency, or otherwise there is some indication that he committed acts which reflect unfavorably on his loyalty, send the file to Investigation Branch, calling attention to the available information.

17. Insurance data will be determined from Insurance Verification Form from Administrative Section, Veterans Branch, this Division. If veteran has no NSLI application, entry will be "None". If veteran is insured, enter the amount of policy and monthly premium in dollars. The policy number and effective date of policy will be as shown in the insurance record. The date premium was last paid should be shown if of record; otherwise, enter "NR". List names of beneficiaries, if any, relationship to veteran and present addresses, if known. If the verification form does not show any beneficiaries, enter "NR".

18. Record of Physical Examination.

a. At entrance: If available, state "Attached". If not available, state "If made, lost or destroyed as a result of the war", when subject is a USAFFE or recognized guerrilla. If subject is a Current Enlistee, every effort should be made to obtain record of physical examination; if not available, state "Not Available".

b. On return to military control: If available, state "Attached". If subject did not return to military control state "Not Applicable". If subject returned to military control but the record is not available, state "Not Available".

c. At discharge: If available, state "Attached". If the subject was not discharged or if he died prior to discharge, state "Not Applicable". If subject was discharged but the record of physical examination is not available, state "Not Available".

In some instances, 201 files will contain records of physical examination made at time of processing. When subject was not a USAFFE, but a recognized guerrilla only, or when, although subject was a USAFFE, this physical examination was not made as a part of his return to military control but as part of a later processing or reprocessing, a subparagraph d will be added to this item by typewriter, as follows:

d. At processing (or reprocessing): Record of physical examination at processing (or reprocessing) attached.

19. If veteran did not return to military control state "Not Applicable". If veteran returned to military control but his Form 23 is not available, state "Form 23 not available". If the veteran returned to military control and has a Form 23 on file, but he did not claim any illness or injury in Par 5 of his Form 23, state "No illness or injury claimed". If veteran claimed illness or injury in Par 5 of his Form 23,

21. an extract thereof should be attached and entry should be "Extract attached."

20. Forward to VA photostatic copies of all available clinical and other medical records pertaining to veteran. These photostatic copies will be marked "On loan to VA". No original medical record will be forwarded to VA. The photostatic copies of medical records being transmitted need not be enumerated one by one, but the number of sheets and the source or sources thereof should be indicated, thus: "Photostatic copies of clinical records, 1st General Hospital, PA, 20 sheets attached". Include also evidence of treatment for illness or injury other than medical records like affidavits and other sworn statements. If no medical record or affidavit is attached, state "None". If VA asked for specific medical records and they are not available state that they are not available or if they had been previously sent to VA, state that fact.

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21. If veteran was still in the service as of 30 Jun 46, check will be made for Court Martial Proceedings which may effect the character of his separation from the service. If there were such proceedings at HNDP the records should be obtained and forwarded to VA. In all cases where there are no proceedings, including those where the veteran was separated or died prior to 30 June 1946, entry will be "None".

22. Enter on this item any additional information which will be of assistance in explaining any of the above items or any material information which may be of value to VA not covered by any of the preceding items.

It is to be noted that a number of supporting documents will be attached to this form. If the lower left-hand space on the second page of the form is adequate, list all inclosures thereon; otherwise, prepare a separate "List of inclosures", and indicate on this space "See attached list of inclosures".

P. M. BAKEN

P. M. BAKEN

Major INF

Chief, Veterans Branch

Service & Certification Division

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NOTES ON THE PHILIPPINE ARMY
1941 - 1942

1. The Tydings - McDuffie Act, passed by the Congress of the United States in 1935, provided for the establishment of the Commonwealth of the Philippines as a government for the Philippine Islands under certain measures of United States control until 4 July 1946, on which date the Philippines were to become completely independent. This Act provided that the President of the United States might call into the service of the armed forces of the United States in the Philippines all military forces organized by the Commonwealth of the Philippines.

2. Commonwealth Act No. 1, 21 December 1935, the first legislative action by the new Commonwealth, known as the "National Defense Act," provided for the establishment of a Philippine Army, to consist of a Regular Forces and a Reserve Force. All male citizens were obligated for military service. A system of calling young men for military training at the age of 21 was prescribed.

3. Organization of the Philippine Army, under the National Defense Act, was immediately begun. Major General Douglas MacArthur, and a staff of United States Army officers, were detailed as a Military Mission to the Commonwealth. Officers of the Philippine Constabulary, which had been in existence as a military national police force for some 30 years and now became essentially a branch of the Philippine Army, provided a nucleus for a corps of officers. A small Regular Army was organized and trained, initially largely under the supervision of United States Army instructor personnel. This Regular Army constituted essentially an agency for the training of the Reserve Force. Troops units were constituted at reduced strengths, with trainees attached for training as reservists. Training cadre units, for training reservists, were organized and stationed at various camps throughout the islands.

4. The Philippine Commonwealth was organized, for military purposes, into 10 military districts, of approximately equal population. Functions were comparable to the pre-war corps areas of the continental United States. The general area of the military districts were as follows:

- 1st MD - Northern Luzon
- 2d MD - North central Luzon
- 3d MD - Central Luzon north of Manila
- 4th MD - South central Luzon including Manila; Mindoro and Palawan
- 5th MD - Bicol peninsula of Luzon, and Masbate
- 6th MD - Panay and Romblon Is.
- 7th MD - Negros and Siquijor Is.
- 8th MD - Cebu and Bohol
- 9th MD - Leyte and Samar
- 10th MD - Mindanao and Sulu archipelago-

5. A plan for the organization of 30 Infantry Divisions of the

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Reserve Force, as well as certain Coast Guard Artillery regiment and other sub-divisional units, was adopted, with personnel to be trained and assigned and equipment available by 1946.

6. By January, 1937, instructors had been trained and training camps constructed and the first group of about 18,000 trainees was called for 5 and 1/2 months of training. Infantry and machine gun trainees were trained at cadre camps throughout the Philippines. Field Artillery trainees were concentrated at Camp Del Pilar (originally Camp Dau) near Fort Stotsenburg, on Luzon. Trainees of certain other branches were trained at a special camp on the Fort William McKinley reservation. On completion of the 5 and 1/2 months, about 15 percent were selected for an additional 5 and 1/2 months of training to be non-commissioned officers. Certain of this personnel, plus individuals selected from other sources, attended Officer Candidate Schools. Senior ROTC units in colleges and universities were established as an additional source of reserve officers.

7. Beginning with 1937, approximately 35,000 men annually received trainee instruction and became reservists on completion thereof. By the early part of 1941, personnel had been trained and assigned to the first Infantry Division of each Military District and some personnel had been assigned to the subsequent divisions.

8. On 26 July, 1941, the President of the United States, under the provisions of the Tydings-McDuffie Act, issued an Executive Order calling all military forces organized by the Commonwealth of the Philippines into the service of the armed forces of the United States in the Philippines, at such times as General MacArthur (who was at the same time designated as commander of a new command, "United States Army Forces in the Far East") might direct. Units of the Philippine Army were not made a part of the United States, but retained their status as Philippine Army, under the command of the Commanding General, United States Army Forces in the Far East, or of commanders designated by him.

9. The Philippine Army Air Corps was called on 15 August 1941 and was accepted for service at an "induction" ceremony on that date.

10. Orders were issued by Headquarters, United States Army Forces in the Far East, from time to time calling other elements of the Philippine Army into the service of the United States Forces. Under such calls, Headquarters, Philippine Army, issued mobilization orders directing reservists to report to their assigned mobilization stations. Headquarters, Philippine Department (U. S. Army) provided officers and enlisted men of the United States Army (including Philippine Scouts) to induct these units and to act as instructors. The general basis was at least two such officers per battalion and at least one NCO per company. On 1 September, one complete infantry regiment of each of the 10 organized reserve divisions was inducted. In addition to these regiments, cadres consisting of all officers; all sergeants, clerks and cooks; and all NCO's radio and telegraph operators of communications units were called for training on the same date.

11. Until facilities in divisional training areas could be constructed,

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units were trained in existing Philippine Army training camps. As facilities were provided in divisional training areas, completely mobilized units were moved to such areas and additional units were mobilized and moved to the training camps.

12. On the outbreak of the war, the mobilization was not yet complete, the last units having been called for 15 December, 1941. The mobilization date, for all remaining units was at once set as "immediately."

13. Philippine Army Infantry Division, Reserve, had a triangular organization somewhat similar to that of the United States Army, but with smaller units; the division strength was about 8,000; strength of company units was in most cases about 100 enlisted men. Complete equipment, except transportation was already on hand in unit mobilization center warehouses. Infantry weapons consisted of the United States Enfield rifle, the Browning automatic rifle, and caliber .30 and .50 machine guns, and 3-inch Stokes mortars. Field Artillery units were only partly equipped with weapons. One battalion (2 batteries) each regiment had 2.95-inch pack howitzers; the other battalions had 3-inch mortars and caliber .50 machine guns. Plans were under way to equip all batteries with 3-inch guns, but these were not yet available. Transportation was provided, to a limited extent, by administrative vehicles at Philippine Army training camps and by vehicles which began to arrive from the United States. This was supplemented by hired commercial buses, with civilian drivers. Many of these drivers accompanied units into combat and remained with them throughout.

14. In addition to the Air Corps, and the 10 Reserve Divisions, certain Coast Artillery Corps units were mobilized and some non-divisional service units were called before the outbreak of war or organized from available personnel thereafter. The 1st and 2d Regiments, Philippine Constabulary were inducted prior to the war. The 1st Regular Division which in peace time consisted mainly of cadres for training reservists, was filled up with available personnel and inducted.

15. After the outbreak of war, all reservists were ordered to report to the nearest unit or mobilization center. Some units as a result were overstrength and some additional units were hastily organized in the Manila area and later on Bataan.

16. Outside Luzon, where there were no enemy landings except at Davao and later at Jolo and Zamboanga, numerous provisional units were organized by local commanders. These were armed to the extent practicable by train-weapons in the Philippine Army training camps and by some excess equipment at mobilization centers. In many cases, these provisional units were given the numerical designations of reserve units only partially manned by reservists in 1941, such as the "62nd Division", "64th Infantry", etc. In other cases they were known by such names as the "Leyte Provisional Infantry Regiment", the "Surigao Provisional Battalion", etc. No attempt to list these units has been made except where definite information of their status is available. Such units consisted of reservists not called to regularly mobilized units or who did not report when initially called, of ROTC cadets and of volunteers.

17. Guerrilla units, organized after the formal surrender in May, 1942, have in many cases continued using the designations of regularly mobilized Philippine Army units; in others, various designations or titles bearing no relation to Philippine Army nomenclature have been used. In most cases, the nucleus of these units has been personnel of the United States Army and Navy, the Philippine Army and the Philippine Constabulary who refused to surrender or who escaped. These have been supplemented by released prisoners and volunteers.

18. The attached tables give available information as to the units of the Philippine Army mobilized or organized without formal mobilization, during 1941 - 1942. Most of the data is based on official documents; in some details, however, they are based only on memory of personnel connected with the mobilization. Where known, a brief narrative of the combat service of the unit is added.

19. It is believed that the foregoing summary, supplemented by the attached tables, will be of material assistance to personnel charged with the reconstitution of the Philippine Army, with determination of the status of former Philippine Army and Philippine Constabulary personnel, and with the settlement of pay and disability claims.

1ST REGULAR DIVISION (REGULAR)
(1941-1942)

Commander: (1) Brig Gen Fidel V Segundo, PA (2) Col Kearie L. Berry, AUS
 Training Area: None
 Combat Service: Elements dispatched as organized to S. Luzon Force, to delay enemy advance along Manila South Road. Withdrawn to Bataan with S. Luzon Force. Assigned to I Philippine Corps, 7 Jan 42. Held position on left center of I Corps sector of Abucay-Moron line. Sector penetrated about 22 Jan (?). Withdrawn to and held sector of Pilar-Bagac line.

Component Units

<u>Designation</u>	<u>Mobilized at</u>	<u>Mobilized on</u>	<u>Remarks</u>
1st Div Hq	Manila Area	19 Dec 41	Source unknown
1st Inf Regt	Manila Area	19 Dec 41	Existing RA unit, expanded
Hq Bn			
Hq & Hq Serv Co			
Combat Co			
Medical Co			
3 1st Bn			
Hq & Hq Co			
Cos A, B, C, & D (MG Co)			
4 2d Bn			
Hq & Hq Co			
Cos E, F, G & H (MG Co)			
5 3rd Bn			
Hq & Hq Co			
Cos I, K, L & M (MG Co)			
6 2d Inf Regt			Phil RA units, originally stationed Parang, Cotabato. In Lanao Sector 6 Mar 42. Absorbed by 81st Div.
(Same components as those of 1st Inf less Cos G & H & 3d Bn)			
7 3d Inf Regt	Manila Area	19 Dec 41	Source unknown
(Same components as those of 1st Inf)			
8 1st Sig Co	Manila Area	19 Dec 41	Existing RA unit, expanded
9 1st Engr Bn	Manila Area	19 Dec 41	Existing RA unit, expanded
Hq & Serv Co			
Cos A, B & C			
10 1st Serv tps	Manila Area	19 Dec 41	Source unknown
11 1st Hq Co Serv Tps . .	Manila Area	19 Dec 41	Source unknown
Co Hq			
MP Sec			
Ordn Sec			
Mess & Serv			

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1st Med Bn Manila Area 19 Dec 41 Existing R. unit, expanded
 Hq & Hq Co, 1st MD Co, 2d MD Co, Med Det of Div Hos.
 Collecting Cos ., B & C
 Clearing Co
 Veterinary Co
 1st QM Serv Co. Manila Area 19 Dec 41 Existing R. unit, expanded
 1st MT Co Manila Area 19 Dec 41 Existing R. unit, expanded

OFFICIAL:

25 July 1947

/s/ Alfredo C. Sese
 /t/ ALFREDO C. SESE
 Major, Inf (AP)
 Chief, Hist Sec, G-2 HAP

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2D REGULAR DIVISION (REGULAR)
 (1941-1942)

Commander: Maj Gen Guillermo Francisco, PA
 Training Area: Elements in Quezon City
 Combat Service: In Service Command Area, eastern portion, on Bataan. Details not known, but regiments probably also participated in actions on W. coast of Bataan.

Component Units

Designation	Mobilized At	Mobilized On	Remarks
19 Hq & Hq Co Serv Co		Jan 42	Div constituted 7 on Bataan. Units except those specifically shown organized from misc reservists and volunteers, Hq Phil Constabulary and other PC personnel in Manila area after 7 Dec and on Bataan.
21 1st PC Regt Hq Bn Hq & Hq Serv Co Combat Co Medical Co	Camp R Crame, QC,	15 Oct 41	
22 1st Bn Hq & Hq Co Cos A,B,C & D (MG Co)			
23 2d Bn Hq & Hq Co Cos E,F, G & H (MG Co)			
24 3d Bn Hq & Hq Co Cos I,K,L & M (MG Co)			
25 2d PC Regt (Same components as those of 1st PC Regt)	Manila	17 Nov 41	
26 27 28 29 3d PC regt			Composed of PC units in Mindanao with station at Camp Keithley, Lanao inducted into USAFFE Nov 41.

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4th PC Regt	Originally design- nated Prov. Regt, PC
(Same components as those of 1st PC Regt)	
2d FA Regt	Same 2d Hvy Wea- pons Bn in at UST, Manila.
Hq & Hq Btry	Formed from 2
Serv Btry	MG Bns and 1 AT
1st Bn 2.95 HOW	Bn. Source of
Hq & Hq Btry	these units un-
Btry C & D	known.
3d Bn (MG AA) Cal 30 & 50	
Hq & Hq Btry	
Btry E & F	
2d Engr Bn	
Hq & serv Co	
Cos A, B & C	
2d Sig Co	
2d Med Bn	
Hq & Hq Co, 1st Regt, MD, 2d Inf Regt MD, 2d FA Med Det, (Med Det, Collecting Cos A, B & C Div Hq)	
Clearing Co	
Veterinary Co	
Hq Philippine Constabulary, Manila 22 Dec 41	
2d Anti-Tank BattalionLater sent to the 71st Division.

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/t/ ALFREDO C. SESE
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11TH DIVISION (RESERVE)
(1941-1942)

Commander: Brig Gn Wm. E. Brougher, AUS
Training Area: Vicinity of San Fabian, Pangasinan
Combat Service: Opposed Japanese advance to S. from Lingayen Gulf landings.
Withdrawn to Bataan with N. Luzon Force. Assigned to II Philippine
Corps, 7 Jan 42 and disposed to protect E flank of Corps along Manila
Bay coast of Bataan. Transferred to I Philippine Corps and employed in
sector of Pilar-Bagac line from about 25 Jan 42.

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<u>Designation</u>	<u>Component Units</u>		<u>Remarks</u>
	<u>Mobilized At</u>	<u>Mobilized On</u>	
11th Div	Trinidad, Benguet	17 Nov 41	
11th Inf		1 Sep 41	
Hq Bn	Gamu, Isabela	1 Sep 41	
Hq & Hq Serv Co			
Combat Co			
Medical Company			
1st Bn	Aparri, Cagayan	1 Sep 41	
Hq & Hq Co			
Cos A, B, C, & D (MG Co)			
2d Bn	Bontoc, Mt Prov	1 Sep 41 . .	
Hq & Hq Co			
Cos E, F, G & H (MG Co)			
3rd Bn	Echague, Isabela	1 Sep 41	
Hq & Hq Co			
Cos I, K, L & M (MG Co)			
12th Inf	Laoag, Ilocos N.	2 Nov 41	
(Same components as those of 11th Inf)			
13th Inf	Vigan, Ilocos S.	24 Nov 41.	Placed on inactive status 20 Feb 42. Personnel trfd to 12th Inf.
(Same components as those of 11th Inf)			
11th FA Regt	Bangued, Abra	15 Dec 41	
Hq & Hq Btry			
Serv Btry			
1st Bn 2.95 HOW			
Hq & Hq Btry			
Btry A & B			
2d Bn MORTAR (81 mm)			
Hq & Hq Btry			
Btry C & D			
3d Bn (MG Co) Cal 30 & 50. Tuguegarao, Cagayan			
Hq & Hq Btry			
Btry E & F			
11th Sig Co	Trinidad, Benguet	1 Dec 41	
11th Engr Bn	Tuguegarao, Cagayan	1 Oct 41	
Hq & Serv Co			
Cos A, B & C			
11th Medical Bn	Trinidad, Benguet	1 Dec 41	
Hq & Hq Co 11"MD Co, 12" MD Co, 13"MD Co			
Collecting Cos A, B & C			
Clearing Co			
Veterinary Co			
11th Hq Serv Tps	Trinidad, Benguet	17 Nov 41	
11th QM Serv Co	Gamu, Isabela	17 Nov 41	
11th MT Co	Gamu, Isabela	17 Nov 41	

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21ST DIVISION (RESERVE)
(1941-1942)

Commander: Brig Gen Mateo M. Capinpin, PA

Training Area: North of Tarlac, Tarlac

Combat Service: Opposed Japanese advance to S from Lingayen Gulf landings, operating in western part of Central Luzon. Withdrawn to Bataan with N. Luzon Force. Assigned to II Philippine Corps, 7 Jan 42. In Corps Reserve during defense of Abucay-Moron position, used by regiments in reenforcement of line. Division withdrawn to and held sector in Pilar-Bagac line.

Component Units

<u>Designation</u>	<u>Mobilized At</u>	<u>Mobilized On</u>	<u>Remarks</u>
21st Div Hq	Camp Ord, Tarlac	17 Nov 41	
21st Inf	Lingayen, Pangasinan	2 Nov 41	
Hq Bn			
Hq & Hq Serv Co			
Combat Co			
Medical Co			
1st Bn			
Hq & Hq Co			
Cos A, B, C & D (MG Co)			
2d Bn			
Hq & Hq Co			
Cos E, F, G & H (MG Co)			
3d Bn			
Hq & Hq Co			
Cos I, K, L & M (MG Co)			
22d Inf	Manaoag, Pangasinan	1 Sep 41	Elements at Naguilian La Union
(Same components as those of 21st Inf)			
23d Inf	Bangad N. Ecija	24 Nov 41	
(Same components as those of 21st Inf)			
21st F. Regt	Bayambang, Pangasinan	24 Nov 41	
Hq & Hq Btry			
Serv Btry			
1st Bn 2.95 HOW			
Hq & Hq Btry			
Btry C & D			
3d Bn (MG Co) Cal 30 & 50			
Hq & Hq Btry			
Btry E & F			
21st Sig Co	Camp Ord, Tarlac	1 Dec 41	
21st Engr Bn	Bangad N. Ecija	1 Oct 41	
Hq & Serv Co			
Cos A, B & C			
21st Med Bn	Camp Ord, Tarlac	1 Dec 41	
Hq & Hq Co	21st Med Co, 22nd Med Co 23rd Med Co		
Collecting Co A, B & C			
Clearing Co			
Veterinary Co			

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21st Hq Serv Tps Camp Ord, Tarlac 17 Nov 41
 21st Hq Co Serv Tps Camp Ord, Tarlac 17 Nov 41
 21st QM Serv Co Camp Ord, Tarlac 17 Nov 41
 21st MT Co Camp Ord, Tarlac 17 Nov 41

OFFICIAL:

/s/ Alfredo C. Sese
 /t/ ALFREDO C. SESE
 Major, Inf (AP)
 Chief, Hist Sec, G-2, HAP

25 July 1947

31st DIVISION (RESERVE)
 (1941-1942)

Commander: Brig Gen Clifford Bluemel (O-2642), AUS

Training Area: San Marcelino, Zambales

Combat Service: Disposed to defend Zambales coast, under C. G., Harbor Defenses M & S Bays. Withdrawn to Bataan. Assigned to I Philippine Corps, 7 Jan 42 and disposed to protect left flank of Abucay-Moron position, with beach positions on China sea coast of Bataan. Moved about 20 Jan via Bagac-Pilar road to counterattack enemy troops penetrating in sector of 51st Div, II Philippines Corps, Philippine Army, not effective. Held sector on front II Philippine Corps on Pilar-Bagac line.

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<u>Designation</u>	<u>Component Units</u>	<u>Mobilized At</u>	<u>Mobilized On</u>	<u>Remarks</u>
✓ 31st Div Hq . . .	San Fernando, Pampanga . . .		17 Nov 41	
✓ 31st Inf Regt . . .	San Miguel, Bulacan . . .		1 Sep 41	2d Bn (?) at Balanga, Bataan
Hq Bn				3d Bn (?) at Iba, Zambales
Hq & Hq Serv Co				
Combat Co				
Medical Co				
1st Bn				
Hq & Hq Co				
Cos A, B, C & D (MG Co)				
2d Bn				
Hq & Hq Co				
Cos E, F, G & H (MG Co)				
3d Bn				
Hq & Hq Co				
Cos I, K, L & M (MG Co)				
✓ 32d Inf Regt . . .	San Fernando, Pampanga . . .		2 Nov 41	(Same components as those of 31st Inf)

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- ✓ 33d Inf Regt San Fernando, Pampanga . .24 Nov 41
(Same components as those of 31st Inf)
- ✓ 31st FA Regt. . . . Camp del Pilar, Pampanga .15 Dec 41
Hq & Hq Btry
Serv Btry
1st Bn 2.95 HOW
Hq & Hq Btry
Btry A & B
2d Bn MORTAR (81 mm)
Hq & Hq Btry
Btry C & D
3d Bn (MG AA) Cal 30 & 50
Hq & Hq Btry
Btry E & F
- ✓ 31st Sig Co San Fernando, Pampanga . . 1 Dec 41
- ✓ 31st Engr Bn San Miguel, Bulacan . . . 1 Oct 41
Hq & Serv Co
Cos A, B & C
- ✓ 31st Med Bn San Fernando, Pampanga . . 1 Dec 41
Hq & Hq Co, 31st MD Co, 32" MD Co. 33" MD Co
Collecting Co, A, B & C
Clearing Co
Veterinary Co
- ✓ 31st Hq Serv Tps . . San Fernando, Pampanga . .17 Nov 41
- ✓ 31st Hq Co Serv. . . San Fernando, Pampanga . .17 Nov 41
- ✓ 31st QM Serv Co. . . San Miguel, Bulacan . . .17 Nov 41
- ✓ 31st MT Co. San Miguel, Bulacan . . .17 Nov 41

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25 July 1947

41ST DIVISION (RESERVE)
(1941-1942)

Commander: Brig Gen Vicente Lim, PA
Training Area: Tagaytay Ridge. (Cavite-Batangas)
Combat Service: Disposed to oppose enemy landings on Cavite and Batangas coasts. Withdrawn with S. Luzon Force, thru Manila to Bataan. Assigned II Philippine corps, 7 Jan 42. Held sector (central) on Abucay-Moron line with success until outflanked by enemy breaking through in sector on its left. Withdrawn to and held sector on Pilar-Bagac line.

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<u>Designation</u>	<u>Component Units</u>	<u>Mobilized At</u>	<u>Mobilized On</u>	<u>Remarks</u>
✓ 41st Div Hq	Camp Murphy, QC17 Nov 41	
✓ 41st Inf Regt	<u>Lipa, Batangas</u>	. . . . .	2 Nov 41 ✓	
Hq Bn				
Hq & Hq Serv Co				
Combat Co				
Medical Co				
1st Bn				
Hq & Hq Co				
Cos A, B, C & D (MG Co)				
2d Bn				
Hq & Hq Co				
Cos A, B, C & D (MG Co)				
3d Bn				
Hq & Hq Co				
Cos I, K, L & M (MG Co)				
42d Inf Regt	Tres Cruses, Cavite	. . . . .	1 Sep 41 . . .	2d & 3d Bns at Batangas, Batangas
(Same components as those of 41st Inf)				
43d Inf Regt	Calapan, Mindoro	. . . . .	24 Nov 41 . . .	1st Bn mobil at Paliko, Ba- tangas; 3d Bn (Palawan) mobil at Canlubang, Laguna.
(Same components as those of 41st Inf)				
41st FA Regt	Canlubang, Laguna	. . . . .	24 Nov 41	
Hq & Hq Btry				
Serv Btry				
1st Bn 2.95 HOW				
Hq & Hq Btry				
Btry A & B				
2d Bn MORTAR (81 mm)				
Hq & Hq Btry				
Btry C & D				
3d Bn (MG Co) Cal 30 & 50				
Hq & Hq Co				
Btry E & F				
41st Sig Co	Camp Murphy, QC	. . . . .	1 Dec 41	
41st Engr Bn	Camp Murphy, QC	. . . . .	1 Oct 41	
Hq & Serv Co				
Cos A, B, & C				
41st Med Bn	Camp Murphy, QC	. . . . .	1 Dec 41	
Hq & Hq Co, 41st Med Co, 42" MD Co 43" MD Co				
Collecting Co A, B & C				
Clearing Co				
Veterinary Co				
41st Hq Serv Tps	Camp Murphy, QC	. . . . .	.17 Nov 41	
41st Hq Co Serv Tps	Camp Murphy, QC17 Nov 41	
41st QM Serv Co	Camp Murphy, QC17 Nov 41	
41st MT Co	Camp Murphy, QC17 Nov 41	

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25 July 1947

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Authority: NND883678

51ST DIVISION (RESERVE)
(1941-1942)

Commander: Brig Gen Albert M Jones, AUS

Training Area: San Pablo-Lipa Area, Batangas

Combat Service: Disposed to oppose enemy landings on south and east coasts. Tayabas including Lucena, Atimonan and Mauban. Opposed and delayed landings at two latter points. Withdrawn thru Manila to Bataan. Assigned II Philippine Corps, 7 Jan. 42. Held sector on left of II Corps front on Abucay-Moron line. Sector penetrated by enemy and division disorganized. Reorganized as "51st Regimental Combat Team" in late January or early February, 1942 and held sector of II Corps on Pilar-Bagac line.

<u>Designation</u>	<u>Mobilized At</u>	<u>Mobilized On</u>	<u>Remarks</u>
51st Div Hq	Daraga, Albay	17 Nov 41	
51st Inf Regt	Lucena, Tayabas	2 Nov 41	
Hq Bn			
Hq & Hq Serv Co			
Combat Co			
Medical Co			
1st Bn			
Hq & Hq Co			
Cos A, B, C & D (MG Co)			
2d Bn			
Hq & Hq Co			
Cos E, F, G & H (MG Co)			
3d Bn			
Hq & Hq Co			
Cos I, K, L & M (MG Co)			
52d Inf Regt	Rili, Camarines Sur	1 Sep 41	Elements at Daet ✓ Camarines Norte
(Same components as those of 51st Inf)			
53d Inf Regt	Sorsogon, Sorsogon	24 Nov 41	1st Bn at Virac, Catanduanes Is; 3d Bn at Masbate,
(Same components as those of 51st Inf)			
51st FA Regt	Lucena, Tayabas	15 Dec 41	Masbate
Hq & Hq Btry			
Serv Btry			
1st Bn 2.95 HOW			
Hq & Hq Btry			
Btry A & B			
2d Bn MORTAR (81 mm)			
Hq & Hq Btry			
Btry C & D			
3d Bn (MG Co) Cal 30 & 50			
Hq & Hq Btry			
Btry E & F			
51st Sig Co	Daraga, Albay	1 Dec 41	
51st Engr Bn	Daraga, Albay	25 Oct 41	
Hq & Serv Co			
Cos A, B & C			

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51st Med Bn Daraga, Albay 1 Dec 41
 Hq & Hq Co, 51" MD Co, 52" MD Co, 53" MD Co
 Collecting Cos, A, B & C
 Clearing Co
 Veterinary Co
 51st Hq Serv Tps Daraga, Albay 17 Nov 41
 51st Hq Co Serv Tps Daraga, Albay 17 Nov 41
 51st QM Serv Co Daraga, Albay 17 Nov 41
 51st Mt. Co Daraga, Albay 17 Nov 41

OFFICIAL:

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25 July 1947

61ST DIVISION (RESERVE)
 (1941-1942)

Commander: Brig Gen Bradford G. Chynoweth (03499). ..US

Training Area: Dingle, Iloilo and Iloilo

Combat Service: Assigned defense missions as part of Visayan-Mindanao Force. 61st & 62d Inf & 61st FA moved to Mindanao prior to 3 Feb and disposed as follows: 61st Inf, Lanao Sector; 61st FA, Cagayan sector; 62d Inf, Force reserve, South. Action in defense of Mindanao unknown. Remainder of division part of Visayan Force from 3 Mar 42. Dispositions and action not known.

<u>Designation</u>	<u>Component Units</u>		<u>Remarks</u>
	<u>Mobilized At</u>	<u>Mobilized On</u>	
61st Div Hq	Iloilo City	17 Nov 41	
61st Inf Regt	Miagao, Iloilo	1 Sep 41	
Hq Bn			
Hq & Hq Serv Co			
Combat Co			
Medical Co			
1st Bn			
Hq & Hq Co			
Cos A, B, C & D (MG Co)			
2d Bn			
Hq & Hq Co			
Cos E, F, G & H (MG Co)			
3d Bn			
Hq & Hq Co			
Cos I, K, L & M (MG Co)			
62d Inf Regt	Panitan, Capiz	17 Nov 41	
(Same components as those of 61st Inf)			

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63d Inf Regt San Jose, Antique. 15 Dec 41 . Activated in Panay & left behind to garrison the Is. Unit was commanded by Capt Lyle Fitzpatrick.
 (Same components as those of 61st Inf) (1st Bn at Banga, Capiz; 3d Bn at Odiongan, Romblon)

64th Inf Regt Activated as reserve for the Is. of Panay. CO of this unit was Col Juan Quimbo & later Capt January Antiquio.
 (Same components as those of 61st Inf)

65th Inf Regt Activated together with 64th Inf & command by 1st Lt Juan Cortio. Ex O was Lt Angel Salazar.
 (Same components as those of 61st Inf)

61st FA Regt Dingle, Iloilo . 24 Nov 41
 Hq & Hq Btry
 Serv Btry
 1st Bn 2.95 HOW
 Hq & Hq Btry
 Btry A & B
 2d Bn MORTAR (81 mm)
 Hq & Hq Btry
 Btry C & D
 3d Bn (MG AA) Cal 30 & 50
 Hq & Hq Btry
 Btry E & F

61st Sig Co Iloilo City 1 Dec 41
 61st Engr Bn Dingle, Iloilo. . 1 Oct 41
 Hq & Serv Co
 Cos A, B & C

61st Med Bn
 Hq & Hq Co, 61st MD Co, 62d MD Co, 63d MD Co
 Collecting Cos A, B & C
 Clearing Co
 Veterinary Co

61st Hq Serv Tps Iloilo City 17 Nov 41
 61st Hq Co Serv Tps. Iloilo City 17 Nov 41
 61st QM Serv Co Iloilo City 17 Nov 41
 61st MT Co Iloilo City 17 Nov 41

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See Change #7: ADDED: Guerrilla + Sabatuga unit

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25 July 1947

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71ST DIVISION (RESERVE)
(1941-1942)

Commander: (1) Brig Gen Clyde A. Selleck (O-2481) ..US
(2) Brig Gen Clinton A. Pierce (O-4937) ..US

Training Area: Camp O'Donnell, Capas, Tarlac

Combat Service: Units moved from Negros at various dates to Camp O'Donnell except for 73d Inf which could not be moved to Luzon. Assigned to S. Luzon force, 1 Nov 41. Transferred to N. Luzon force, 25 Nov. 41. Engaged in action against Japanese after Lingayen Gulf landings. Withdrawn to Bataan with N. Luzon force. Assigned to I Philippine Corps, 7 Jan 42. Combat elements attached to 91st Div; Div Hq and service elements in SW part of Bataan, peninsula, with other troops attached defending W coast in Service Area. 73rd Inf moved to Mindanao and was (on 6 Mar 42) attached to 81st Div in Lanao Sector. Further action unknown.

<u>Designation</u>	<u>Component Units</u>		<u>Remarks</u>
	<u>Mobilized At</u>	<u>Mobilized On</u>	
71st Div Hq	Binalbagan, Neg Occ .	17 Nov 41.	
71st Inf Regt	"	1 Sep 41 . . .	*Fabrica, Murcia, Magallon, Mambucan, Neg Occ (?)
Hq Bn			
Hq & Hq Serv Co			
Combat Co			
Medical Co			
1st Bn			
Hq & Hq Co			
Cos A, B, C & D (MG Co)			
2d Bn			
Hq & Hq Co			
Cos E, F, G & H (MG Co)			
3d Bn			
Hq & Hq Co			
Cos I, K, L & M (MG Co)			
72nd Inf Regt. . . .	Isabela, Neg Occ . . .	2 Nov 41 . . .	.3d Bn & 1 Plat Mobil at Guihulngan, Neg Or
(Same components as those of 71st Inf)			
73d Inf Regt. . . .	Tanjay, Negros Occ. . .	15 Dec 41* . . .	*Date advanced. Never joined Division.
(Same components as those of 71st Inf)			
74th Inf Regt . . . . .	. . . . .	. . . . .	. Activated around mid Dec 41 activated with 75th Inf to garrison Is of Negros after 73d Inf trfd to Mind. CO was Maj Sam C Jones
(Same components as those of 71st Inf)			
75th Inf Regt	Inducted with 74th Inf. CO was Lt Col Ballesteros, later reld by Maj Roque. Offs of these 2 units came fr 61st Div plus offs who failed to catch up with 71st, 72d & 73d Regts. Professional & teachers later commissioned to complete Off Corps. These 2 units surrendered to Japs when enemy landed.
(Same components as those of 71st Inf)			

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71st F. Regt Isabela, Neg Occ. . 24 Nov 41 . 3d Bn at Tanjay Bay or
 1st Bn 2.95 HOW
 Hq & Hq Btry
 Serv Btry
 Btry A & B
 2d Bn MORTAR (81 mm)
 Hq & Hq Btry
 Btry C & D
 3d Bn (MG AA) Cal 30 & 50
 Btry E & F
 71st Sig Co Binalbagan, Neg Occ. 1 Dec 41
 71st Engr Bn. Binalbagan, Neg Occ. 1 Oct 41
 Hq & Serv Co
 Cos A, B & C
 71st Med Bn Murcia, Neg Occ. . . . 1 Dec 41
 Hq & Hq Co 71st MP Co, 73d MD
 Collecting Cos A, B & C
 Clearing Co
 Veterinary Co
 71st Hq Serv Tps. . Binalbagan, Neg Occ. 17 Nov 41
 71st Hq Co Serv Tps Binalbagan, Neg Occ. 17 Nov 41
 71st QM Serv Co Binalbagan, Neg Occ. 17 Nov 41
 71st MT Co. Binalbagan, Neg Occ. 17 Nov 41

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25 July 1947

81st DIVISION (RESERVE)
 (1941-1942)

Commander: Brig Gen Guy O Fort, PA
Training Area: Carmen, Bohol, 1 Regt - Wright, Samar (latter never occupied)
Combat Service: Initially disposed in Visayan Is. Division, less 82d (less 2d Bn). 83d Inf moved to Mindanao prior to 4 Feb 42. Elements on Mindanao disposed as of 6 Mar 42 as follows: Div (less 3 Inf Regts and FA Regt). Lanao sector; 81st FA, Cagayan sector; 81st Inf, Agusan sector; 2d Bn 82d Inf Communications zone. Further action unknown. Elements remaining in Visayas transferred to Visayan Force, 3 Mar 42. Further action and disposition unknown.

Component Units

<u>Designation</u>	<u>Mobilized At</u>	<u>Mobilized On</u>	<u>Remarks</u>
1st Div Hq	Cebu City	17 Nov 41	*Elements mobil at

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81st Inf Regt *	1 Sep 41	Pinamungahan and Madellin, Cebu (and Sebu City.
Hq Bn			
Hq & Hq Serv Co			
Combat Co			
Medical Co			
1st Bn			
Hq & Hq Co			
Cos A, B, C & D (MG Co)			
2d Bn			
Hq & Hq Co			
Cos E, F, G & H (MG Co)			
3d Bn			
Hq & Hq Co			
Cos I, K, L & M (MG Co)			
82d Inf Regt. . . . Argao, Cebu		24 Nov 41	
(Same components as those of 81st Inf)			
83rd Inf Regt . . . Tagbilaran, Bohol		15 Dec 41 . . .	Date advanced. 2d Bn at Tubigon, Bo- hol; 3d Bn at Ubay, Bohol
(Same as components as those of 81st Inf)			
81st FA Regt. . . . Cebu City		24 Nov 41 . . .	Bn at Tagbilaran, Bohol
Hq & Hq Btry			
Serv Btry			
1st Bn 2.95 HOW			
Hq & Hq Btry			
Btry A & B			
2d Bn MORTAR (81 mm)			
Hq & Hq Btry			
Btry C & D			
3d Bn (MG AA) Cal 30 & 50			
Hq & Hq Btry			
Btry E & F			
81st Sig Co. Cebu City.		1 Dec 41	
81st Engr Bn Cebu City.		25 Oct 41	
Hq & serv Co			
Cos A, B & C			
81st Med Bn			
Hq & Hq Co 81st MD Co, 82d MD Co, 83d MD Co			
Collecting Cos A, B & C			
Clearing Co			
Veterinary Co			
81st Hq Serv Tps . . Cebu City.		17 Nov 41	
81st Hq Co Serv Tps Cebu City.		17 Nov 41	
81st QM Serv Co. . . Cebu City.		17 Nov 41	
81st MT Co Cebu City.		17 Nov 41 .	

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25 July 1947

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91ST DIVISION (RESERVE)
(1941-1942)

Commander: Brig Gen Luther Stevens, PA

Training Area: Vicinity of Cabanatuan, Nueva Ecija (Luzon)

Combat Service: Division (less 93d Inf) moved on various dates to training areas on Luzon. Assigned to USAFFE reserve. Released to N. Luzon Force about 20 Dec 41 and opposed Japanese advance from Lingayen Gulf landings in eastern part of Central Luzon valley. Part of division cut off in night action near Cabanatuan and dispersed to mountains to east. Balance withdrawn to Bataan with N. Luzon Force. Assigned I Philippine Corps, 7 Jan 42. Held sectors on I Corps front in Bataan, with infantry of 71st Div attached. 91st Inf inactivated 20 Feb 42. Personnel transferred to 92d Inf.

93d Inf moved to Mindanao and was on 6 May disposed as "Force Reserve North" of Mindanao Force. Further action unknown.

<u>Designation</u>	<u>Components Units</u>		<u>Remarks</u>
	<u>Mobilized At</u>	<u>Mobilized On</u>	
91st Div Hq	Tacloban, Leyte	17 Nov 41	
91st Inf Regt	*	1 Sep 41.	*Elements at Ormoc and Matalom (?), Leyte & at Tacloban (?), Leyte
Hq Bn			
Hq & Hq Serv Co			
Combat Co			
Medical Co			
1st Bn			
Hq & Hq Co			
Cos A, B, C, & D (MG Co)			
2d Bn			
Hq & Hq Co			
Cos E, F, G, & H (MG Co)			
3d Bn			
Hq & Hq Co			
Cos I, K, L & M (MG Co)			
92d Inf Regt	Malitbog, Leyte	2 Nov 41.	
(Same components as those of 91st Inf)			
93d Inf Regt	Catbalogan, Samar	15 Dec 41*.	*Date advance. 2d Bn at Calbayog, Samar.
(Same components as those of 91st Inf)			
91st FA Regt	Tacloban, Leyte	24 Nov 41.	3d Bn at Catbalogan, Samar
Hq & Hq Btry			
Serv Btry			
1st Bn 2.95 HOW			
Hq & Hq Btry			
Btry A & B			
2d Bn MORTAR (81 mm)			
Hq & Hq Btry			
Btry C & D			
3d Bn (MG AA) Cal 30 & 50			
Hq & Hq Btry			
Btry E & F			

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91st Sig Co Tacloban, Leyte . . 1 Dec 41
 91st Engr Bn Tacloban, Leyte . . 1 Oct 41
 Hq & Serv Co
 Cos A, B & C
 91st Med Bn Tacloban, Leyte . . 1 Dec 41
 Hq & Hq Co, 91st MD Co, 92d MD Co, 93d MD Co.
 Collecting Cos A, B & C
 Clearing Co
 Veterinary Co
 91st Hq Serv Tps. Tacloban, Leyte . . 17 Nov 41
 91st Hq Co Serv Tps Tacloban, Leyte . . 17 Nov 41
 91st QM Serv Co Tacloban, Leyte . . 17 Nov 41
 91st MT Co Tacloban, Leyte . . 17 Nov 41

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25 Jul 1947

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101ST DIVISION (RESERVE)
(1941-1942)

Commander: Brig Gen Joseph P Vachon (O-3233) AUS

Training Area: Malaybalay, Bukidnon

Combat Service: Disposed for defense of Mindanao. Elements (probably of 102d Inf) interned Japanese at Davao and, on Jap landing there, delayed and held advance inland towards Cotabato. On 6 Mar 42, disposition as follows: Division (less elements - Cotabato-Davao sector; 103d Inf - Cagayan sector; 1st Bn, 102d Inf - Zamboanga sector; 1 Plat, 10st FA - Force reserve. Further action and disposition unknown.

Component Units

<u>Designation</u>	<u>Mobilized At</u>	<u>Mobilized On</u>	<u>Remarks</u>
101st Div Hq	Camp Overton, Lanao	17 Nov 41.	
101st Inf Regt *		1 Sep 41.	*Elements at Badas, Surigao, _____, Misamis Occ; _____ (?)
Hq Bn			
Hq & Hq Serv Co			
Combat Co			
Medical Co			
1st Bn			
Hq & Hq Co			
Cos A, B, C & D (MG Co)			
2d Bn			
Hq & Hq Co			
Cos E, F G & H (MG Co)			
3d Bn			
Hq & Hq Co			
Cos I, K, L & M (MG Co)			
102d Inf Regt	Davao, Davao	24 Nov 41.	3d Bn at Butuan, Agusan
(Same components as those of 101st Inf)			
103d Inf Regt	Zamboanga City	15 Dec 42.*	*Date advanced. Co A at Dolo. Sulu; 3d Bn at Cotabato, Cotabato.
(Same components as those of 101st Inf)			
106th Inf Regt			Among offs of this unit are 3d Lt Gregorio Monzon, Capt Paterno Serrano & 1st Lt Lope Tolosa.
(Same components as those of 101st Inf)			
101st Sig Co	Camp Overton, Lanao	1 Dec 41	
101st Engr Bn	Cagayan, Misamis Or	20 Oct 41	
Hq & Serv Co			
Cos A, B & C			
101st Med Bn	Cotabato, Cotabato	1 Dec 41	
Hq & Hq Co, 101st MD Co, 102d MD Co, 103d MD Co			
Collecting Cos A, B & C			
Clearing Co			
Veterinary Co			

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101st Hq Serv Tps Camp Overton, Lanao . 17 Nov 41
 101st Hq Co Serv Tps Camp Overton, Lanao . 17 Nov 41
 101st QM Serv Co Camp Overton, Lanao . 17 Nov 41
 101st MT Co Camp Overton, Lanao . 17 Nov 41

~~302d Engr Bn~~ among offs of
 this unit are *Change # 7*
~~Capt Pablo Se-~~
~~bastian & 1st~~
~~Lt Candido R~~
~~San Luis.~~

101st FA Regt Malaybalay, Bukidnon. 15 Dec 41*
 (Components unknown) *Date advanced.
 Grades from Lu-
 zon never joined.
 Used as infantry.

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25 July 1947

NON-PROVISIONAL AND PROVISIONAL UNITS
 (1941-1942)

<u>Designation of Unit</u>	<u>Mobilized At</u>	<u>Mobilized On</u>	<u>Remarks</u>
<u>PAAC (USAFFE):</u>			
Zablan Field Unit. 1st School Squadron 2d Depot Squadron 3d Depot Squadron 4th Air Base Squadron 5th Photo Squadron	Zablan Field, QC	15 Aug 41	Inducted by Gen MacArthur
Maniquis Field Unit. 7th School Squadron 8th Air Base Squadron 10th Bombardment Squadron Navigators School	Cabanatuan, N. E.	15 Aug 41	Inducted by Lt Col Charles Backes, Chief of AC
Batangas Field Unit. 6th Pursuit Squadron	Lipa, Batangas	15 Aug 41	Inducted by Gen MacArthur
Lahug Field Unit. 9th Observation & Attack Squadron 11th Air Base Squadron	Lahug, Cebu	15 Aug 41	Inducted by Lt Paymund Sloan AC (USA)
Anti-Sabotage Regiment, Far Eastern University		21 Dec 41	Auth: SO #298 Par 8, Army Hq, Commonwealth of Phil.
Prov Bn, PAAC.	Bataan	26 Jan 42	Formed as Inf Bn from: 40 Inf offs & 190 EM from PAAC. Trng cadres; 410 EM PAAC. Employed on W coast of Bataan and later (in part at least) atchd 4th Regt USMC on Corregidor.

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1st CA Regt:

Hq & Hq Bu & 1st Bn. Fort Wint, Zambales. 31 Oct 41. Adv Det, 7 Oct; Off & cadres, 10 Oct.

2d Bn. Fort Wint. Zambales . 1 Dec 41

1st Bn, 2d CA Fort Area, Manila . 13 Dec 41. Reorg'd as 2d CA (MA) 21 Dec 41.

Prov Btries, CA Bataan Feb 42 . 2-btries orgd & composed part of 1st prov Bn (CA) which also included Btrys B & H, 92d CA (PS)

301st MT Bn. Port Area, Manila. 15 Dec 41) Questionable if

301st Engr Depot Co. . Port Area, Manila. 15 Dec 41) actually

301st Chem Co Depot. . Camp Murphy, QC . . 15 Dec 41) organized

201st Ord Co (MM). . . Camp del Pilar . . 18 Dec 41. Personnel fr PA Ord dets at locality of mobilization.

202d Ord Co (MM) . . . Manila 18 Dec 41 . Ditto

203d Ord Co (MM) . . . Cebu City 18 Dec 41 . Ditto

201st Engr Bn Combat (Corps) . Bataan 13 Feb 42 . From misc PA personnel available on Bataan; Officers chiefly AUS.

202d Engr Bn Combat (Corps) Bataan 13 Feb 42 . Ditto

301st QMS Co Cebu 15 Mar 42 . No details known.

302nd QMS Co Cebu 15 Mar 42 . No details known.

303rd QMS Co Cebu 15 Mar 42 . No details known.

304th QMS Co Cebu 15 Mar 42 . No details known.

301st FA Regt. Bataan ? Jan 42 . 155 mm. Orgd from personnel available on Bataan.

Off-shore Patrol Manila 8 Dec 41 . RA personnel. Manned & operated 3 motor patrol boats in Manila Bay, Chiefly along E coast Bataan.

302nd Engr Bn Added - Change #7
CEBU MP Regt - See VB Memo 17

OFFICIAL:

/s/ Alfredo C. Sese
 /t/ ALFREDO C. SESE
 Major, Inf (AP)
 Chief, Hist Sec, G-2, HAP

25 July 1947

SPECIAL PROVISIONAL AND IRREGULAR UNITS - MINDANAO FORCE
 (1941 - 1942)

<u>Designation of Unit</u>	
1st Bn (Provisional) Zamboanga, Zamboanga.	Unknown. In existence 6 Mar in Zamboanga sector.
Hq & Hq & Serv Co (Prov) . Zamboanga, Zamboanga.	(?) . Same as above.
1st Sulu Constabulary Co. (Provisional)	(?) (?) . In existence as provisional unit prior to 6 Mar 42. Activated formally 15 Mar 42 in Lanao Sector.

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2 Labor Cos (80 men ea)	(?)	(?)In existence 6 Mar 42 in Lanao Sector.
Brigade Hq (Prov)	(?)	(?)In existence 6 Mar 42 in Cagayan Sector.
Med Collecting Co . . . . .	(?) . . . . .	(?) . . . . .	.Same as above.
1st Provisional Bn . . . . .	(?) . . . . .	(?) . . . . .	.In existence 6 Mar 42 in Cotabato-Davao Sector.
2d Provisional Bn . . . . .	(?) . . . . .	(?) . . . . .	.Same as above.
General Serv Co, PC . . . . .	(?) . . . . .	(?) . . . . .	.Presumably pre-war PC units,
2d Inf (PA) (less Cos G & H and 3d Bn)** . . . . .			.Phil RA units, originally stationed Parang(?), Cotabato, In Lanao Sector, 6 Mar 42.
	**(Included in list of component units under the 1st Reg Div (Regular).		
2d Regt PC	Mobilized at Camp . . . . .		.Asgd to Visayan-Mindanao
	Lahug, Lanao	9 Dec 41.	Force Reg PC unit expanded
3d Inf Regt PC	(?)	(?)	Organized pre-war. In Agusan Sector, 6 Mar 42.
Surigao Prov Bn	Surigao (?) . . . . .	(?) . . . . .	.In existence 6 Mar 42 in Agusan Sector.
Agusan Prov Bn	Agusan (?) . . . . .	(?) . . . . .	.Same as above.
1st Depot Co (Prov) . . . . .	(?) . . . . .	(?) . . . . .	.At Hq Mindanao Force, 6 Mar 42
Force Hospital . . . . .	(?) . . . . .	(?) . . . . .	.Same as above.

Following units activated effective 15 March 1942, in Mindanao Force, per USAFFE General Order 43, 15 March 1942:

Hq 102d Div . . . . .			.From Brig Hq(Prov). Cagayan Sector.
Hq Serv Tps, 102d Div . . . . .			.From Brig Hq(Prov). Cagayan Sector & Agusan Prov Bn.
Hq Co Serv Tps, 102 Div . . . . .			.From Agusan Provisional Bn.
102d Engr Bn . . . . .			.Personnel from Surigao Provisional Bn.
102d MT Co . . . . .			.From Agusan Prov Bn.
102d QM Serv Co . . . . .			.From Agusan Prov Bn & 2d Prov Bn, Cotabato.
203d MT Co			Source unknown.
204th MT Co /			Source unknown.
Cos A & B, 104th Inf			Source unknown.
2d Bn, 104th Inf			Source unknown.
3d Bn, 104th Inf			Source unknown.

OFFICIAL:

/s/ Alfredo C. Sese
/t/ ALFREDO C. SESE
Major, Inf (AP)

25 July 1947

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Authority: NND883678

HEADQUARTERS ARMY OF THE PHILIPPINES
Camp Murphy, Quezon City
Office AC of S, G-2

Historical Section

HEADQUARTERS, PHILIPPINE ARMY
(1941 - 1942)

Commander: Major General BASILIO J. VALDES
Training Area: Bonifacio Drive, Port Area, Intramuros, Manila
Combat Service: After induction in Manila, withdrew to Bataan.
Some personnel was left in Manila to form Anti-Sabotage Regiment under Colonel Buenconsejo. Some changes while in Bataan were as follows: (1) Functions of G-1 given to the Adjutant General. (2) G-2 became MIS under Brigadier General Simeon de Jesus. (3) G-3, Colonel Pastor Martelino became Chief of Staff of the 31st Division with General Blummel. (4) G-4 functioned with Quartermaster. (5) War Plans Section dissolved, and members were absorbed by either the 1st Regular Division (PA) or the Anti-Sabotage Regiment.

COMPONENT UNITS

<u>DESIGNATION</u>	:MOBILIZED AT:	INDUCTED ON	: REMARKS
Central General Staff:	:	:	:
Office of the Chief of Staff	:Manila Area:	19 Dec 1941:	
Office Deputy Chief of Staff	: " " :	" " :	
Office Adjutant General	: " " :	" " :	
Office Sec. General Staff	: " " :	" " :	
	:	:	:
G-1 Section	: " " :	" " :	
G-2 "	: " " :	" " :	
G-3 "	: " " :	" " :	
G-4 "	: " " :	" " :	
G-5 (Budget Division)	: " " :	" " :	
	:	:	:
Special Staff Section:	:	:	:
Office Signal Corps	:Manila Area:	19 Dec 1941:	
Office Corps of Engineers	: " " :	" " :	
Office Quartermaster Service	: " " :	" " :	
Office Supt ROTC	: " " :	" " :	
Office Judge Advocate Gen	: " " :	" " :	
Office Medical Service	: " " :	" " :	
Office Inspector Gen Serv	: " " :	" " :	
Office Ordnance Service	: " " :	" " :	
Office Finance Service	: " " :	" " :	
GHQ Company	: " " :	" " :	:Later became Detached Enlisted Men's List (DEML)

OFFICIAL:

/s/ Alfredo C. Sese
/t/ ALFREDO C. SESE
Major, Inf (AP)

Chief, Hist Sec, G-2 Div

30 July 1947

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Authority NND 883078

(To be attached to list appended to "Notes on Philippine Army" now in the hands of all adjudicating and reviewing personnel)

121st INFANTRY REGIMENT

Commander: Colonel HORAN

Training Area: Mountain Province

Combat Service: Mobilized in the Mountain Province on April 10, 1942 upon receipt of letter of authority to organize from General Wainwright. Disposed of to harass Japanese units operating in the Mountain Province during the enemy occupation. Responsible for the liberation of several towns in the Mt Province and Cagayan.

COMPONENT UNITS

(Finally became part of the USFIP, NL)

<u>Designation</u>	<u>Mobilized at</u>	<u>Mobilized On</u>	<u>Remarks</u>
1st Bn	Southern part of Mt Province	12 Apr 42	
2nd Bn	Angaki, Mt Prov	12 Apr 42	
3rd Bn	Lagangilang	12 Apr 42	
HQ & SV Co	Kalinga, Mt Prov.	12 Apr 42	

88th FIELD ARTILLERY (PS)

(Mobilized under Philippine Division)

201st PROVISIONAL CO

(No records available)

301st ANTI-TANK

(No records available)

OFFICIAL:

/s/ C. Z. Barbero
/t/ C. Z. BARBERO
Major, FI
Chief, Hist. Div

19 August 1947

NOTE:

Persons who claim induction into this organization on and after 7 May 1942 must be recognized in USFIP, NL, i.e. name must appear on the recognized guerrilla roster.

/s/ J. R. G.
/t/ J. R. G.

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Authority NND893678

HEADQUARTERS ARMY OF THE PHILIPPINES
Camp Murphy, Quezon City

Office AC of S, G-2

7 August 1947

SUBJECT: USAFFE

TO : Director, RPD, PHILRYCOM
ATTENTION: Capt G L Mendoza
C, PARPD

1. The following list of American Units, in addition to the Philippine Army Units, composed the USAFFE:

PHILIPPINE DEPARTMENT

- (1) HQ Philippine Department
 - (2) 31st Infantry, USA
 - *(3) 59th CA, USA
 - *(4) 60th CA, USA
 - (5) 51st AAA, USA
 - (6) 200th CA, USA
 - *(7) 91st CA, PS
 - (8) 26th CAV, PS
 - *(9) 92nd CA, PS
 - (10) 192nd Tank Bn, USA
 - (11) 194th Tank Bn, USA
 - ***(12) 515th Coast Artillery (AAA) - USA (see Changes #6)**
- (*HARBOR DEFENSE COMMAND)

PHILIPPINE DIVISION

- (1) HQ Philippine Division
- (2) 43rd Infantry, (PS)
- (3) 45th " "
- (4) 57th " "
- (5) 23rd FA PS
- (6) 24th " "
- (7) 86th " "
- (8) 88th " "
- (9) 12th Signal Regt (PS)
- (10) 14th Engineers (PS)
- (11) 12th QM Regt (PS)
- (12) 96th CA (PS)

FAR EAST AIR FORCE

- (1) 5th INTERCEPTOR COMMAND
24th Pursuit Group of:
3 Squadrons at Nichols Field
1 Squadron at Iba, Zambales
1 Squadron at Clark Field
- (2) 5th BOMBARDMENT COMMAND which was basically the
19th BOMBARDMENT GROUP
3 Squadrons at Clark Field
2 Squadrons at Mindanao
803rd Aviation Engineers
Air Corps Ordnance
2nd Observation Squadron
- (3) 27th BOMBARDMENT GROUP at Clark Field, later
transferred to Del Monte, Mindanao.

MISCELLANEOUS UNITS

- *(1) 4th US Marine
- (2) Chemical Warfare Troops
- (3) 65th QM Pack Train
- (4) Provisional Naval Bn, Taken and organized from
the 16th Naval District.
- (5) Provisional Air Corps Regiment - Taken and organ-
ized from the Air Corps personnel
and pilots.
- (6) Misc Air Corps Ground Unit
- (7) Crews of the USS Mary Anne, Panay, Canopus, Fish-
eries II and PT-35 which were organized for com-
bat purposes.

(* HARBOR DEFENSE COMMAND)

FOR THE AC OF S, G-2.

/s/ Ismael D. Lapuz
/t/ ISMAEL D. LAPUZ
Ex O, G-2 Div

CERTIFIED TRUE COPY:

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

ACS:cbv

List of United States Army Units Stationed in the
Philippines on 7 December 1941

Authority: Organization and Directory Section
Operations Branch, A. G. O.
17 May 1944

Hq, United States Army Forces in Far East

Headquarters, Philippine Department

Hq Company, Philippine Department

808th Military Police Company

Philippine Division (PS)

Division Headquarters

Headquarters, Special Troops (PS)

Headquarters Company (PS)

12th Military Police Company (PS)

12th Ordnance Company (PS)

12th Signal Company (PS)

43rd Infantry (PS)

45th Infantry (PS)

57th Infantry (PS)

24th Field Artillery (PS)

23rd Field Artillery (PS)

14th Engineers (PS)

12th Medical Regiment (PS)

12th Quartermaster Regiment (PS)

31st Infantry

1st and 2nd Battalions, 88th Field Artillery (PS)

86th Field Artillery Battalion (PS)

4th Veterinary Company (PS)

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5th Chemical Service Company
1st Platoon, 2nd Chemical Company, Service (Avn)
Decontamination Detachment 2nd Chemical Company, Service (Avn)
Chemical Company (Depot) (PS)
Supply Section, 2nd Chemical Company, Service (Avn)
Decontamination Detachment, 3rd Chemical Company, Service (Avn)
DP Section, 3rd Chemical Company, Service (Avn)
Detachment, 1st Platoon, 3rd Chemical Company, Service (Avn)
Decontamination Detachment, 4th Chemical Company, Service (Avn)
745th Ordnance Company (Avn) (AB)
698th Ordnance Company (Avn) (Comp)
724th Ordnance Company (Avn) (AB)
701st Ordnance Company (Avn) (AB)
440th Ordnance Company (Avn) (Bomb)
454th Ordnance Company (Avn) (Bomb)
680th Ordnance Company (Avn) (pur)
75th Ordnance Company (Depot)
2nd and 3rd Platoons, 693rd Ordnance Company (Avn) (Pur)
17th Ordnance Company (Armd)
Detachment, 2nd Quartermaster Company, Supply (Avn)
19th Quartermaster Company (Truck)
30th Quartermaster Company (Light Maint)
Company C, 33rd Quartermaster Regiment (Truck)
2nd Platoon, Company C, 89th Quartermaster Battalion (Light Maint)
Det, 2nd Platoon, Company A, 91st Quartermaster Battalion (Light Maint)
34th Separate Quartermaster Company (LM) (PS)

74th Separate Quartermaster Company (Bakery) (PS)

65th Separate Quartermaster Troop (Pack) (PS)

66th Separate Quartermaster Troop (Pack) (PS)

803rd Engineer Battalion (Avn)

409th Signal Company (Avn)

17th Signal Platoon (AB)

429th Signal Company (Maint) (Avn) (Sep)

228th Signal Operations Company

252nd Signal Construction Company (PS)

200th Coast Artillery (AA)

Headquarters, Provisional Tank Group

192nd Tank Battalion

194th Tank Battalion (less Co B)

Hq & Hq Battery, Harbor Defenses of Manila and Subic Bays

59th Coast Artillery (HD)

60th Coast Artillery (AA)

91st Coast Artillery (HD) (PS)

92nd Coast Artillery (155 mm gun) (PS)

US Army Mine Planter "Harrison"

Hq & Hq Sq, Far East Air Force

2nd Observation Squadron

Tow Target Detachment

Hq & Hq Sq, Far East Air Service Command

Hq & Hq Sq, 20th Air Base Group

19th Air Base Squadron

27th Materiel Squadron

28th Materiel Squadron

Air Corps Detachment, Weather

Hq & Hq Sq, 5th Air Base Group

7th Materiel Squadron

48th Materiel Squadron

Hq and Hq Sq, 5th Bomber Command

Hq and Hq Sq, 19th Bomb Group (H)

14th Bomb Squadron (H)

30th Bomb Squadron (H)

28th Bomb Squadron (H)

93rd Bomb Squadron (H)

Hq and Hq Sq, 27th Bomb Group (L)

16th Bomb Squadron (L)

17th Bomb Squadron (L)

91st Bomb Squadron (L)

Hq and Hq Sq, 24th Pursuit Group (L)

3rd Pursuit Squadron (I)

17th Pursuit Squadron (I)

20th Pursuit Squadron (I)

21st Pursuit Squadron (I)

34th Pursuit Squadron (I)

Philippine Air Depot

5th Air Corps Squadron, Communications

5th Airways Squadron

5th Air Corps Squadron, Weather

HEADQUARTERS NATIONAL DEFENSE FORCES
Camp Murphy, Quezon City
HISTORICAL DIVISION

8 June 1949

SUBJECT: Pre-War Philippine Constabulary Units

TO : The Commanding Officer
Adjutant General Records Depository
PHILCOM, US Army

Attached is a list of Philippine Constabulary units inducted into the USAFFE on 17 December 1941 in accordance with the orders from HQ USAFFE dated 15 December 1941, in compliance with your request dated 16 May 1949.

FOR THE CHIEF HISTORICAL DIVISION:

/s/t/ SOFRONIO Z CONCEPCION
Captain AGS
Deputy & Ex O

COPY

PC

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PRE-WAR PHILIPPINE CONSTABULARY UNITS

FIRST GENERAL SERVICE BATTALION: HQ TONDO, MANILA

1st Company 3d Company
2d Company 4th Company

SECOND GENERAL SERVICE BATTALION: HQ LANAÓ, MINDANAO

1st Company 3d Company
2d Company 4th Company

PROVINCIAL COMPANIES AND DETACHMENTS:

I. DISTRICT OF NORTHERN LUZON:

Abra Company Nueva Vizcaya Company
Batanes Detachment Apayao Company
1st Cagayan Company Benguet Company
2d Cagayan Company 1st Bontoc Company
1st Isabela Company 2d Bontoc Company
2d Isabela Company 1st Ifugao Company
Ilocos Sur Company Kalinga Company
La Union Company

2. DISTRICT OF CENTRAL LUZON:

Bataan Company 3d Pangasinan Company
Bulacan Company 1st Nueva Ecija Company
1st Cavite Company 2d Nueva Ecija Company
2d Cavite Company 1st Tarlac Company
1st Laguna Company 2d Tarlac Company
2d Laguna Company 1st Pinal Company
Pampanga Company 2d Rizal Company
1st Pangasinan Company 1st Zambales Company
2d Pangasinan Company 2d Zambales Company

3. DISTRICT OF SOUTHERN LUZON:

1st Albay Company	1st Mindanao Company
2d Albay Company	2d Mindanao Company
1st Batangas Company	Palawan Company
2d Batangas Company	Romblon Company
Camarines Norte Company	1st Sorsogon Company ✓
Camarines Sur Company	2d Sorsogon Company ✓
Catanduanes Company	1st Tayabas Company
Marinduque Company	2d Tayabas Company
Masbate Company	3d Tayabas Company

4. DISTRICT OF THE VISAYAS:

Antique Company	1st Leyte Company
Bohol Company	2d Leyte Company
1st Capiz Company	3d Leyte Company
2d Capiz Company	1st Occidental Negros Company
1st Cebu Company	2d Occidental Negros Company
2d Cebu Company	3d Occidental Negros Company
3d Cebu Company	Negros Oriental Company
1st Iloilo Company	1st Samar Company
2d Iloilo Company	2d Samar Company
3d Iloilo Company	3d Samar Company

5. DISTRICT OF NORTHERN MINDANAO:

1st Agusan Company	4th Bukidnon Company
2d Agusan Company	1st Lanao Company
3d Agusan Company	2d Lanao Company
1st Bukidnon Company	3d Lanao Company
2d Bukidnon Company	4th Lanao Company
3d Bukidnon Company	5th Lanao Company

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5. DISTRICT OF NORTHERN MINDANAO (Cont'd)

6th Lanao Company	11th Lanao Company
7th Lanao Company	Misamis Occidental Company
8th Lanao Company	Misamis Oriental Company
9th Lanao Company	1st Surigao Company
10th Lanao Company	2nd Surigao Company

6. DISTRICT OF SOUTHERN MINDANAO:

1st Cotabato Company	1st Sulu Company
2nd Cotabato Company	2nd Sulu Company
3rd Cotabato Company	3rd Sulu Company
4th Cotabato Company	4th Sulu Company
5th Cotabato Company	5th Sulu Company
6th Cotabato Company	6th Sulu Company
7th Cotabato Company	7th Sulu Company
8th Cotabato Company	8th Sulu Company
9th Cotabato Company	9th Sulu Company
1st Davao Company	10th Sulu Company
2nd Davao Company	11th Sulu Company
3rd Davao Company	1st Zamboanga Company
4th Davao Company	2nd Zamboanga Company
5th Davao Company	3rd Zamboanga Company
6th Davao Company	4th Zamboanga Company
7th Davao Company	5th Zamboanga Company

7. All Provincial Commanders, their staffs, and service troops were also inducted into the USAFFE on or after 17 Dec 1941 in compliance with orders from HEADQUARTERS, USAFFE.

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Authority NND893678

HEADQUARTERS NATIONAL DEFENSE FORCES
HISTORICAL DIVISION
Camp Murphy, Quezon City

12 April 1949

SUBJECT: Notes on the 121st Infantry

TO : The Commanding Officer
Adjutant General Records Depository
APO 900

In compliance with your request dated 21 March 1949, attached herewith is a sketch of the 121st Infantry, PA covering period from December 1941 to September 1942. Attached to this historical sketch is a certified true copy of the General Orders issued by Col Horan, dated April 12th 1941, re - the original set-up of the said regiment.

FOR THE CHIEF OF STAFF:

For

s/ Illegible
t/ CARMELO Z BARBERO
Lt Colonel FA
Chief

Incl:
As stated above.

C O P Y

121

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THE 121ST INFANTRY (USAFFE)

1. Introduction

Between 0100 and 0700 hours, 10 December 1941 the Japanese invasion forces made simultaneous landings on two places in North Luzon: one was in Ilocos Sur from Solvec in Narvacan to San Ildefonso north of Vigan, the bulk of the force landing in Mindoro southwest of the provincial capital; the other force landed on two points on Cagayan coast, in the town-port of Aparri and in Gonzaga, a coastal town approximately 35 miles to the east of Aparri. As the friendly forces in these initial landing points comprised of a few Philippine Constabulary soldiers, the landings were effected almost unopposed.

At about this time Walter M. Cushing, an American miner in Abra, on his own volition went on a scouting expedition to Ilocos Sur and verified the veracity of the report about the large number of Japanese troops who had landed and occupied the capital town of Vigan. Returning to Abra, Cushing evolved the plan of organizing the reservists and trainees in the province into a military outfit with which to engage the Japanese in guerrilla warfare.

On 22 December 1941 the main body of the Japanese invasion forces made beachheads in southern La Union. It became inevitable that the USAFFE forces, composed of units of the 11th Division, PA, the 71st Infantry Regiment, PA and a battalion of self-propelled artillery, positioned along the La Union coastline had to be withdrawn to Central Luzon. In addition there were in Mt Province and elsewhere in North Luzon a Provisional Battalion of the 43rd Infantry, PS, Troop "C", 26th Cavalry, PS, a Detachment of the Philippine Department Air Warning Company, PS and various Philippine Constabulary units which were cut off by the enemy action.

Since the Japanese invasion forces had consolidated their beachheads and those who had landed in Damortis area had driven rapidly to the junction of National Highway No. 3 and Kennon Road, the only avenue of escape to Central Luzon was blocked and the friendly forces were forced to withdraw to Baguio via Naguilian, La Union. On December 24, 1941, Lt Col John P. Horan, then the most ranking American officer in Baguio, received word from USAFFE Headquarters to save his command and take to the mountain trail. He ordered Col. Bonnet to take all PA troops with him to Bobok by motor, thence over the easy old Spanish trail to Aritao, where USAFFE busses would meet him.

Having given the necessary orders to carry out the directive from USAFFE Headquarters, Horan initiated the withdrawal of his 43rd Inf, PS, and Troops "C", 26th Cavalry, PS so as to join the main body of USAFFE, a part of which at the time was known to be in Nueva Ecija. Horan and his men went over the mountain trails from Baguio down to Kyappa or Pampang, Nueva Vizcaya, skirted the Balete Pass which had fallen into Japanese hands and finally reached Carranglaan, Nueva Ecija on 31 December. Three days before Col Horan had given permission to Capt Praeger and his Troop "C" to follow the route taken by Bonnet from Pampang to Aritao. Later development, however, showed that Praeger was not successful in getting through the Japanese blockade.

C O P Y

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At Carranglaan upon learning that the town of San Jose, Nueva Ecija was already under Japanese control, Horan decided to turn back to Mt Province on 1 January 1942, after giving verbal permission to Capt Parker Calvert and Lt Arthur Murphy of the 43rd Inf, PS and two civilian engineers to try to get through the Japanese line to join the main body of the USAFFE.

1 - Evidently Lt Col. Donald Van Bonnet, CO 71st Inf, PA

Upon arrival in Bontoc, Mountain Province, taking a cue from some American mining engineers, Horan began to consolidate all the remnants of the USAFFE in North Luzon. With the 43rd Inf, PS as nucleus, he envisioned the organization of a striking force which could be utilized against the Japanese forces. By this time Horan heard of Major Warner, one of this junior officers at Camp John Hay, who had already been authorized by USAFFE Headquarters in Corregidor to form the USAFFE units cut off in Nueva Vizcaya into the 1st Provisional Guerrilla Regiment (later redesignated as the 14th Inf, AUS).

There was a shortage of officer personnel, so Horan commissioned a number of American mining engineers among whom were Ryan, Joel, Nicholson, Sika, Elliot, Foster and Zeigler. To justify his act, on 19 January 1942 Horan said: "I decided it would be a good thing to organize these trainees into fighting units, appoint the Americans as officers and be in a fine position to give Gen MacArthur a lot of good help when he was ready to push out of Bataan. So I swore a lot for them in as officers. Of course it was illegal, but I was out of contact with Hqrs. At least it was better to do something than just sit on my tail with the 43rd until the war was over."

On 12 February 1942 Horan contacted USAFFE Headquarters and was identified by a certain Lt Col Scherer, who had been with him in Hawaii between 1920 and 1924. Horan then gave an account of his activities since his last contact with USAFFE Headquarters on 24 December 1941. And although apprehensive of his acts, especially in having commissioned American civilians, he was actually commended by MacArthur for the splendid job he was doing. In fact, Horan's acts were legalized as MacArthur who subsequently authorized him to commission those American civilians, but none would be originally appointed above captain.

Meanwhile Walter M Cushing and his unit, informally designated as "Cushing Guerrillas", was engaged in demolition work and in ambushing the enemy along Highway No. 3 thus interrupting the free movements of Japanese troops along the coastal plain of Ilocos Sur. On 18 January 1942, after ambushing the enemy in Candon, in which around sixty Japanese Air Corps officers were killed, Radio Tokyo branded the Cushing band the "sonova bitches" of North Luzon. Thereafter, however, the name "Cushing" became a byword in the Ilocos region and in Mountain Province.

2. Horan Consolidates the North Luzon Forces

With the exception of Baguio where the Japanese maintained a strong garrison, only roving units were sent to other parts of the Mt. Province. Horan was therefore afforded valuable time to plan his defense of the region outside of Baguio and at the same time enable him to consolidate and strengthen the positions of the scattered friendly units in North Luzon.

On 26 January 1942 Horan and Cushing met in Suyoc, Mt Province and from the outset the latter had very much impressed Horan. The latter's diary on this day contained the following entry: "Capt Cushing (as everyone calls him) came in tonight from Cervantes, to see me. He was afraid that he was called down for his previous actions. But soon assured him that I was glad to see someone take charge of things. He had picked up a group of American Service men (Lt Arnold and 29 EM at Burgos when the Japs came in.) He had organized them and had already fought several engagements. I swore him as a captain. A real live wire with plenty of guts. A good organizer. will be valuable man in the field when USAFFE starts pushing out".

2 - Robert H. Arnold, later Lt Col and CO, 15th Infantry
USAFIP NL.

Cushing's organization, which was to continue to operate in the Ilocos region, was absorbed into Horan's command. "A" and "B" Companies of the 43rd Infantry, PS, were still intact and directly under Horan's control. Besides, Horan had nominal control of Praeger's Troop "C", which was operating with great success in the Apayao-Cagayan Area, and Warner's 1st Provisional Guerrilla Regiment operating in the Isabela-Nueva Vizcaya Area. With these units Horan was assured of a wider sphere of action and a larger organization with which to contend and limit the Japanese control of North Luzon.

By February 1942, the Japanese started a three-pronged assault against Horan's headquarters located at Bontoc. One punitive force came from Ilocos Sur by way of the Tagudin-Cervantes-Bontoc (Highway No. 4) road; another came from Baguio via the Mt Trail (Highway No. 11); and the third came from Bagabag, Nueva Vizcaya through Ibulao and Kiangan in Ifugao, Mt. Province.

On the 7th of February the defense position along the Mt Trail and at the southern approach of Bontoc, held by CO "B", 43rd Infantry, PS, became untenable due to the overwhelming superiority of the besieging Japanese forces from Baguio and Cervantes. The company was disbanded and its personnel were instructed to reassemble at Bontoc on call. Meanwhile, on the same day Horan received reports that his "A" Company, 43rd Inf, PS, guarding that portion of Highway No. 4 (the Bagabag-Bontoc road) was engaged with a superior enemy force which came from the town of Bagabag.

C O P Y

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Despite this new loss of ground, Horan still held high hopes of holding the Japanese from overrunning the entire Mt Province. He therefore took immediate step to defend Lubuagan, Kalinga and on 9 February he deployed along the Bontoc-Lubuagan road part of Company "B" under one Lt Sika which had rejoined him. Then two days later Horan received a heartening report that his Company "A" had repelled the Japanese attack at Ibulao, forcing the latter to move back to Bagabag after sustaining a big casualty. It became obvious that because of this unexpected resistance in Ibulao the Japanese in Bontoc failed to exploit their success and did not dare continue with the advance towards Lubuagan. Later, the Japanese had to abandon Bontoc.

In the intervening period Horan worked intensively to strengthen his organization. He had earlier reorganized the different Philippine Constabulary Companies in Mt Province, assigning them the primary mission of keeping peace and order in the unoccupied region. From time to time he received radiographic instructions from USAFFE Headquarters in Corregidor to guide him in his operations. Finally, on 22 March 1942, just as soon as Lt General Jonathan M Wainwright took over the command of the USAFFE, relieving General MacArthur, Horan received the following radiogram:

"I, WVAH V 42 MAR 22
COL HORAN
TWENTY SECOND H DASH ELEVEN SPACIALA
REURAD NINETEEN MARCH YOUR AUTHORIZED STRENGTH NOT
REPEAT NOT TO EXCEED NUMBER THAT YOU CAN EQUIP
PRESENT TIME WITH WEAPONS STOP MULTIPLY FIRST
DIGIT YOUR ASN AND RADIO TOTAL THIS HEADQUARTERS

WAINWRIGHT"

Evidently this radiogram was in reply to Horan's query as to the number of men he may be authorized for his reorganized 43rd Infantry.

3. The 121st Infantry is Authorized

Since there were many more PA reservists and trainees who had volunteered for service, Horan asked USAFFE Headquarters for authority to form another regiment with the units operating in the Ilocos region as nucleus. In passing it must be mentioned that even as early as February 1942 these Ilocos units were designated as the 121st Infantry, PA. Horan waited for several days and perhaps because of the pressing tactical situation in Bataan, Wainwright deferred his action on the matter.

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On 7 April 1942, Horan's promotion to Colonel was announced in a radiogram from Wainwright. Then three days later Horan received another radiogram which read:

COL HORAN
5 DASH TWENTY FOUR SPECIAL-A NINTH
THE ONE HUNDRED TWENTY FIRST INFANTRY IS CONSTITUTED
EFFECTIVE APRIL EIGHT BY GO NINETEEN HQ USAFIP APRIL
EIGHT AND YOU ARE ANNOUNCED AS COMMANDING OFFICER
STOP PERSONNEL TO BE ASSIGNED ARE PA TRAINEES AUTH-
ORIZED TO BE RETAINED IN THE SERVICE BY RADIO HQ
USAFFE MARCH TWENTY SECOND NINETEEN FOURTY TWO

WAINWRIGHT

On 10 April Col. Horan made this entry in his diary:
"Here it is. Received word from General Wainwright authorizing me to assemble our PA trainees into the 121st Infantry PA". Later that same day Horan added the following entry:
"Bad news. Almost upon receipt of orders to organize 121st Infantry, came the news of the fall of Bataan. Had we only had a five weeks of intensive training for the regiment we might have had a fine outfit for the USAFFE big push. But now it looks as if there might be no help for us for a long time".

Despite the disheartening news about Bataan, Horan remained as ever hopeful that with his new regiment he would be able to hold the Japanese to limited areas in the Ilocos and Mt. Province. He therefore took immediate steps to organize the 121st Infantry as per Table of Organization of the Philippine Army. On 12 April, Horan issued General Orders wherein he announced the different unit commanders of the 121st Infantry Regiment. In the same General Orders he listed, for the guidance of the different battalion and company commanders their respective sectors of operations, the internal administration of each of the battalions and companies as well as records and reports that each unit commander was to render.

Under this General Orders the set-up of the Regiment was as follows: Executive Officer, Major C. C. Heindrich; S-1 (Adjutant), Captain L. F. Gitters; S-2 (Intelligence), Capt J. T. Scholey; S-3 (Operations), Capt W. M. Cushing; S-4 (Supplies), Capt J. T. Scholey. The 1st Battalion was placed under the command of Capt S. E. Johnson and was to operate in Mountain Province; the 2nd Battalion under Capt W. Peryam was to operate in the region of La Union and Ilocos Sur; the 3rd Battalion under Capt W. M. Stephens was to operate in Abra and Ilocos Norte while the 4th Battalion consisting of Headquarters and Service Company and attached units under Capt Brown, was in the sub-province of Kalinga, Mountain Province.

C O P Y

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The Japanese, having successfully terminated their campaign in Bataan, sent big reinforcements to operate in North Luzon, whose task was to destroy the USAFFE forces remaining in the area. Although outnumbered Horan held tightly to his command and in the several minor encounters his units had with the Japanese, the former had the upper edge.

On 18 April General Wainwright, from his beleaguered headquarters in Corregidor, sent Horan detailed radiographic instructions for the latter to carry on with the training program of the 121st Infantry and to use this regiment to hamper the enemy movement to the maximum, "whether by direct attack, by destroying transportation routes or just by harassing threats".

In conformity with the directive, Horan continued with the operations against all Japanese forces and installations located in the Mt Province-Ilocos Area. The Japanese, however, countered with a much bigger punitive force. Finally, in an effort to destroy Horan, four Japanese forces were sent after him from four points: Cagayan Valley, Baguio, Ilocos Sur, and Abra, through Kalinga. About this time Col Horan felt the woeful lack of ammunition among his men and because the 121st Infantry was so scattered he could not have much control over them. On 1 May, the Japanese in Abra broke through to the Sub-province of Kalinga and were reported to be only 36 miles from the headquarters of Horan in Lubuanga, forcing him to evacuate the town.

The Japanese expedition against Horan and the other American officers who had separate commands in North Luzon was intensified soon after the fall of Corregidor. General Wainwright was forced to issue an order by radio calling on all USAFFE officers throughout the country to surrender themselves and their commands to the enemy. To implement this surrender order, Wainwright sent his staff officers as his personal emissaries to this different unsundered USAFFE officers. To North Luzon Lt Col Galbraith was sent where he contacted Horan and prevailed on him to surrender himself and his command. However, Capt Cushing and the officers and men of the 2nd and 3rd Battalions, 121st Infantry refused to obey Horan's surrender order and thereafter the 121st Infantry operated almost exclusively in the Ilocos Province.

Cushing, being the most ranking officer of the 121st Infantry, was given command of the regiment. However, because he was so busy in planning a bigger unit that would encompass all the guerrillas in the island of Luzon, calling for his traveling to distant places as far as the province of Sorsogon, in southern Luzon, Cushing never assumed formally the command of the 121st Infantry. Capt William J. Peryam, formerly Commanding Officer of the 2nd Battalion, who was next in line, assumed the command of the 121st Infantry. Peryam later on surrendered and Capt Vicente Abaya, who had been Peryam's Executive Officer, succeeded to the command. Abaya was later captured thereby leaving Capt George M Barnett to command the 121st Infantry.

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4. Barnett Takes Over the Leadership

George M. Barnett, then a 1st Lt of the 121st Infantry went to La Union on 5 March 1942 with orders to organize the USAFFE stragglers and to recruit volunteers and start a campaign to collect all USA and PA arms and equipment which civilians had retrieved from the scenes of battle. The reaction was at first unfavorable but just as soon as it became known that the 121st Infantry had been constituted a regular USAFFE unit, the male population of La Union responded wholeheartedly to Barnett's call. Later Barnett acquired enough arms and equipment for a battalion, but the continued inflow of volunteers made possible the organization of a regiment, popularly called the "La Union Regiment, 121st Infantry", throughout the province of La Union. The organization of a regiment within a regiment was very peculiar, but as events would prove later on it was this set-up that coped readily with the situation then prevailing, since it enabled the 121st Infantry to maintain the minimum of its authorized strength even after many of the personnel of the "La Union Regiment" were forced to lay down their arms and had to surrender to the enemy.

The La Union Regiment was being trained so that it may be used effectively as a striking force when on 15 Sept 1942, its existence was discovered and after raiding the Regimental Headquarters at San Gabriel, La Union several military records were captured by the enemy. Enraged by the discovery of a mutual cooperation between the La Union civilian populace and the outfit of Barnett, the Japanese authorities instituted several harsh counter-measures. Provincial and municipal government officials who were suspected as sympathizers or supporters of the resistance movement, were apprehended. Systematically, the enemy also went after the families and relatives of officers and men known to be connected with the La Union Regiment. In the wake of this enemy actions, on 19 September 1942 Barnett ordered a general assault on all enemy garrisons in La Union. While the offensive was not a complete success, the feeling that they (Barnett's men) could lick the Japanese on equal terms, greatly bolstered their morale.

C O P Y

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UNITED STATES ARMY FORCES IN THE FAR EAST
HEADQUARTERS BONTOC MOUNTAIN PROVINCE

SUBJECT: General Orders

Date: April 12th, 1942.

FROM: Headquarters 121st Infantry (FA) U.S. Army

TO : Battalion & Company Commanders of the 121st.
Infantry (FA U.S. Army)

Organization of the 121st Infantry (FA) USAFFE:

Commanding Officer, Colonel J. P. Horan
Executive Officer, Major C. C. Heinrich
S 1, (Adjutant), Captain L. F. Citters
S 2, (Intelligence) Captain G. T. Scholey
S 3, (Operations), Major W. M. Cushing @
S 4, (Supplies), Captain C. T. Scholey
Attached to 121st, Inf. Headquarters, detachment
Air Warning Service

1. Goldy

2. Harkaway

FIRST BATTALION
(Mountain Prov.)

Battalion Commander, Captain S. E. Johnson

COMPANY A

C. O. Captain Joels

Lieut. Klugy

Sgt. Fuxman

Lieut. Zeigler (Attached)

COMPANY B

C. O. Lieut. Harrison

Act. " Mac Phail

" " Bucey

" " Kllett

SECOND BATTALION

(La Union - Ilocos Sur)

Battalion Commander, Captain Peryam

COMPANY E

C. O. Lieut. Warnett

Sgt. Sika

C. O. Lieut. Ordun COMPANY F

COMPANY G

C.O. Lieut. Nicholson

" Elliott

Attached to 2nd. Battalion, 121st Infantry
detached Air Warning Service;

1. Ziaga	2. Goldbrum	3. Mac Henry
4. Bennidum	5. Lee	6. Noll
7. Richardson	8. Davenport	9. Ebert
10. Hockman	11. Hebert	

CERTIFIED TRUE COPY:

s/ Ambrosio P Pena
Capt. FA

C O P Y

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Organization of the 121st Infantry Company (PA) USAFFE

- 1. Captain or 1st Lieutenant ----- Commanding Officer
- 1. First Lieutenant (Ex. Off.) --- 2nd In Command
- 1. First Sergeant
- 1. Automatic Rifleman
- 1. Mess Sergeant
- 1. Supply Sergeant
- 3. Runners
- 2. Cooks
- 1. Mechanic
- 1. Company Cook
- 1. Bugler Total 14 men

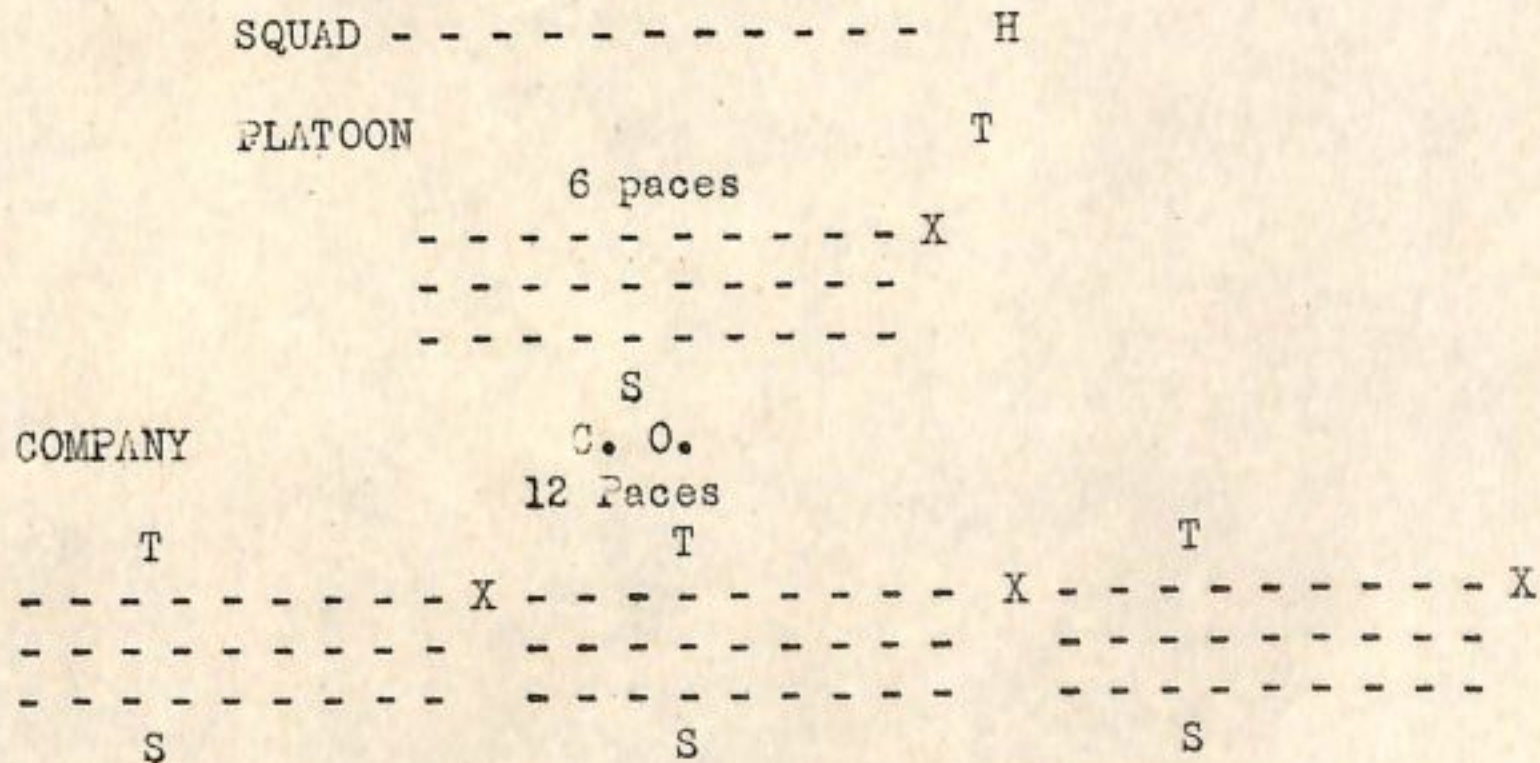
First Platoon

- 1. Platoon Leader ----- Second Lieutenant
- 1. Platoon Sergeant 2nd In Command
- 1. Platoon Guide
- 3. Runners
- 24. Riflemen
- 2. Automatic riflemen; Total 32 men

Third Platoon

- 1. Platoon Leader ----- Third Lieutenant
- 1. Platoon Sergeant 2nd In Command
- 3. Runners
- 24. Riflemen
- 2. Automatic riflemen Total 32 men Grand Total
- 110 men

ORGANIZATION CHART



A true copy:

s/ Ambrosio P. Pena
 Capt FA
 Chief, World War II Br
 Hist Div, HNDP

C O P Y

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THIRD BATTALION
(Abra, Ilocos Norte)

Battalion Commander, Captain Stephens
Company I

C.O. Lieut. Sauter
Company X

C. O. Lieut. Arthur
Company I

C.O. Captain Arnold
Lieut. Mac Allister
Act. " Harris

Attached to 3rd Battalion, 121st Infantry (PA)
detached Air Warning Service.

1. Koopman 2. Marashio 3. Snyder
4. Hausey 5. Quinley

FOURTH BATTALION
(Kalinga)

Headquarters and Service Company

C. O. Captain Brown
Griffeths
Bagel

Attached to 4th Battalion, 121st Infantry (PA)
detached Air Warning Service;

1. Pennington 2. Arnas
Attached to 121st Infantry (PA) USAFFE
detached 43rd - Infantry (PS);

Battalion Commander, Captain Gitters

COMPANY A

C. O. Captain S. N. Starus
Obrien

COMPANY B

C. O. Lieut. Zeigler
Euscuso

I N F O R M A T I O N

A. Battalion and Company sectors are to be adjusted by Capt. Cushing and the Battalion Commanders. These sectors outlined in the organization chart merely are an attempt to outline existing sectors. It is of great importance that communications be kept between commands and the headquarters and that all operations be planned with the view of the effects of the operation on the whole organization.

B. Companies should be organized on the basis of a P.A. rifle Company. An Organization and strength chart of a P.A. Rifle company is attached for your information and guidance.

C. Complete records must be kept by all Company Headquarters and copies of all records should be sent to Battalion and Regimental Headquarters.

Attached find:

1. Morning Report - absolutely necessary for the pay-roll and for records after the War.

A TRUE COPY:

s/ Ambrosio P. Pena
Capt FA

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C O P Y

2. Enlistment from and medical form-

All men should be recorded and examined. The new forms must be used for all men and the forms can be dated back to the date of original enlistment.

D. Narrative reports should be made of all operations and sent in to Headquarters (please be brief, state facts, figures and give all information that may be of use in the planning of the general operations) so that reports may be sent to the U S A F F E Headquarters.

E. While it may seem foolish to stress the importance of keeping records, submitting reports and working out the organization of the Companies, these items are necessary in order to get pay for the soldiers and in keeping our reports and records correct so that they will be of use to us now and after the war, also these items are necessary to plan our future operations which may consist of offensive tactics in conjunction with the promised reinforcements.

F. Supplies may be requisitioned by using the USAFFE requisition forms, one copy goes to the supplier one to headquarters and two are left in the requisition book as, books are completed they should be sent in to Headquarters. All the requisitions should be signed only by the Company Commander.

G. Size of Company is to be limited to number of men equipped with weapons. All men must be bonafide trainees or ex(PC) or ex-(PA) or ex-(PS), or men in service with the organization sometime between January 1st, and March 22nd, 1942.

H. Acting Non-commissioned officers may be approved by company commanders. Their rating can be made permanent by indorsement by Company Commanders to Battalion Commander, to Regimental Commander. Final approval by Regimental Commander is necessary.

I. Acting Commissioned Officers may be approved by Company Commanders from the ratings of Private or Non-Commissioned Officers. These acting Officers will receive the pay of their former rating until their commission is approved by the Regimental Commander, and USAFFE Headquarters.

J. Companies may be made up of 2 or 3 Platoons, as there is no need to fill the full strength of a company if it is impractical, however, where one company is under strength, the strength of another company may be increased if practical.

LEGEND

H Squad Leader
X Guide
S Platoon Sargent
T Platoon Leader
C.O. Company Commander

J. P. Horan
Colonel 121st., Inf. (PA) USAFFE
Commanding

CERTIFIED TRUE COPY:

s/t/ AMBROSIO P PENA
Captain, FA
Chief, World War II Br
Hist Div, HMDF

Note: @ - Rank of W. M. Cushing as Major, appearing in the first part of this GO is a clerical mistake since Cushing in succeeding paragraphs is mentioned to be a captain.

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VETERANS ADMINISTRATION TECHNICAL BULLETIN

Washington 25, D. C.

January 6, 1949

DETERMINATION OF ENTITLEMENT TO COMPENSATION
FOR SERVICE-CONNECTED DISABILITY OR DEATH BY PHILIPPINE
VETERANS AND THEIR DEPENDENTS

	Paragraph
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AGREEMENTS WITH DEPARTMENT OF THE ARMY ARE IN EFFECT AS FOLLOWS - - - -	2
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PROOF OF SERVICE - - - - -	4
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1. Purpose. The purpose of this technical bulletin is to outline the agreements reached between the Department of the Army and the Veterans Administration with respect to Philippine veterans and their dependents and to amend the provisions of VA Technical Bulletin TB 8-32.

2. Agreements with Department of the Army Are in Effect as Follows

a. Service History Data

- (1) The furnishing of service history data to the Veterans Administration Regional Office, Manila, Philippine Islands, is a responsibility of the Commanding General, Philippines Command, U. S. Army.
- (2) The Veterans Administration will accept as official, certifications of service from the Commanding General, Philippines Command, U. S. Army.
- (3) Where the Veterans Administration has obtained information deemed reliable by it, which conflicts with information obtained from the Philippines Command, U. S. Army, the case will be returned to Philippines Command, U. S. Army (through the Manila Regional Office), with the conflicting information obtained by the Veterans Administration for reconsideration. Where redeterminations are made, a statement will be furnished on supplemental VA Form 3101 series that the redetermination supersedes determinations previously submitted.

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- (4) Field investigations will be made by Philippines Command, U. S. Army, only on those cases where actual determinations of service cannot be established by review of existing files and by mail communications. Determination as to the necessity for field investigation in any case rest with Commanding General, Philippines Command, U. S. Army.
- (5) Existing procedures will be continued with regard to developing service data on individuals for whom no personal files exist. Insofar as possible, affidavits and certificates will be secured from appropriate individuals by Philippines Command, U. S. Army, in addition to requiring the veteran claimant to secure affidavits and certificates.

b. Medical Data

- (1) On individual request, the Commanding General, Philippines Command, U. S. Army, will furnish original copies or reproductions of all medical records in the custody of the Philippines Command, U. S. Army, and any medical records that may be obtained from the Philippine Government.
- (2) The development of secondary evidence to substantiate or refute allegations of medical treatment where medical records cannot be located is not a responsibility of the Philippines Command, U. S. Army.
- (3) The Commanding General, Philippines Command, U. S. Army, will continue to make every effort to obtain and consolidate medical records, including reports of physical examinations, pertaining to Philippine Commonwealth Army and Philippine Scout personnel.

c. Death Data

- (1) When the Veterans Administration has obtained information deemed reliable by it, which conflicts with the date of death as determined by the Philippines Command, U. S. Army, the case will be returned to the Philippines Command, U. S. Army (through Manila Regional Office), with the conflicting information obtained by the Veterans Administration for reconsideration. Where a redetermination of death is made by the Philippines Command, U. S. Army, a statement will be furnished on supplemental VA Form 3101 series that the redetermination supersedes the determination previously submitted.
- (2) When the Veterans Administration makes a finding of death which is not in agreement with that made by the Philippines Command, U. S. Army, the Commanding General, Philippines Command, U. S. Army, will be informed of the date of death as determined by the Veterans Administration and the basis on which the determination was made.

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d. Loyalty Data

- (1) On each Veterans Administration case a thorough analysis will be made by Philippines Command, U. S. Army, of files in its custody as well as files in the custody of the Philippine Government that are accessible in the Manila area to determine if derogatory information is on file. Where derogatory information is on file for a number of individuals with the same as the veteran or claimant every effort will be made to determine whether any of this information pertains to the claimant in question. In the event that this cannot be determined conclusively, the Veterans Administration Regional Office, Manila, will be informed of information that possibly relates to the claimant, and that agency will make final determination of the applicability of such information. In the event derogatory information is determined to apply to the veteran or claimant, the Veterans Administration Regional Office, Manila, will furnish the Philippines Command, U. S. Army, such information for their file.
- (2) Field investigation, if required to develop definite proof regarding the loyalty of a veteran or claimant, will be accomplished by the Veterans Administration Regional Office, Manila.

3. "Persons Who Served" Within the Provisions of Existing Law

a. Members of the organized military forces of the Government of the Commonwealth of the Philippines who were called or ordered into the service of the armed forces of the United States in valid orders by the General, United States Army, designated by the Secretary of War, pursuant to and in compliance with the Military Order of the President of the United States, July 26, 1941. This includes a person who became a member of a unit so called or ordered into the armed forces of the United States upon its reorganization and return to military control prior to July 1, 1946. It does not include the service of such a person during the period subsequent to his release following the capitulation or after parole by the Japanese as a prisoner of war, when he was in an inactive status, and prior to the time he joined a recognized guerrilla force or returned to military control as certified by the United States armed forces.

b. Persons who served as guerrillas under a commissioned officer of the United States Army, Navy, or Marine Corps, or under a commissioned officer of the Commonwealth Army recognized by and cooperating with the United States forces, provided that service as a guerrilla by a person who also was a Philippine Scout or a member of the armed forces of the United States, other than a member of the Commonwealth Army, will be considered as service in his regular status of Philippine Scout or member of the armed forces of the United States.

4. Proof of Service. Requests for service, medical, death, and loyalty date will continue to be made by the Adjudication Division of the Manila Regional Office on the VA Form 3101 series, specially adapted for use in the

Philippines and where the regular form prepared in stations other than the Manila Regional Office is considered insufficient. The Commanding General, Philippines Command, U. S. Army, will furnish the information as contemplated by paragraph 2 above. The special situations outlined therein may be clarified by correspondence, personal contact, or investigation as may be considered most appropriate by the responsible officials.

5. Period of Active Service

a. The period of active service of members of the regular components of the Philippine Commonwealth Army will be from the date certified by the Philippines Command, U. S. Army, as the date of enlistment or the date of report for active duty, whichever is the later, to the date of release from active duty, discharge, death, or June 30, 1946, whichever is the earlier. The release from active duty will include (1) leaving one's organization in anticipation of or due to the capitulation, (2) escape from a prisoner of war status, (3) parole by the Japanese from a prisoner of war status, (4) beginning of missing in action status, except where, under the provisions of section 5, Public Law 490, 77th Congress, as amended, death is presumed to have occurred while the veteran's name was carried in such status, (5) the capitulation on May 6, 1942, except that periods of recognized guerrilla service or periods of service in units which continued organized resistance against the Japanese prior to formal capitulation will be considered as a return to active duty for the period of such service.

b. The active service of members of the irregular forces, "guerrillas" will be that period covered by the certification of the United States Army Philippines Command.

c. Where evidence is received by the Veterans Administration that the findings of the Philippines Command, U. S. Army, as to the facts covered by its certification should be modified, copies of this evidence will be forwarded to the Philippines Command, U. S. Army, for reconsideration.

6. Evidence to Show Service-Connection. There will be secured all available official examinations made in connection with the veteran's service, clinical records, etc. Where there is no physical examination of record made at the time of entry into service or upon return to active duty, the Philippines Command, U. S. Army, will so state. These data, the nature of the veteran's service and all affidavit evidence will be accorded the consideration prescribed by the controlling issues in determining service-connection.

7. Service-Connection

a. The presumption of sound condition at the time of entering the armed forces of the United States is not for application unless it is of record that the veteran was medically examined at that time. This will also apply upon re-entering the armed forces after a period of inactive service.

b. Currently effective criteria for service-connection of an injury or disease by incurrence, aggravation, or as a chronic disease will be observed.

c. Where service-connection by aggravation is shown to be in order and there is no acceptable evidence of the degree of disability at the time of entry into service, there of course will be no percentage to deducted from the current evaluation.

d. Line of duty status and the element of willful misconduct in relation to the question of service-connection for disease or injury resulting in disability or death, will be determined with due consideration to existing precedents and extraordinary circumstances compatible with Public Law 361, 77th Congress.

8. Awards Action

a. The current awards procedure will be observed, bearing in mind that the award is to be in Philippine pesos rather than in dollars. Where a member of a regular unit of Commonwealth Army was also recognized as a guerrilla, the period of each type of service will be shown on the award.

b. When recognition of guerrilla service is denied, or a former recognition is withdrawn, the claim if pending will be disallowed; or if there is a running award, it will be discontinued effective "date of last payment."

c. Where a veteran, who had Commonwealth Army or guerrilla service and also had other service, wartime or peacetime, in the armed forces of the United States, has compensable disabilities due to the service entitling to compensation on a peso basis and due to service entitling to compensation on a dollar basis, the disabilities will be combined as usual, applying the provisions of part IV, Veterans Regulation 1 (a), where there is disability due to wartime and peacetime service. In computing the amount due, the evaluation for which dollars are payable will be first considered and the difference between this evaluation and the combined evaluation will be the basis for computing the amount due in pesos. For example, a veteran is evaluated as having a 20 percent disability due to service in the Commonwealth Army or as a guerrilla, he enlist in the U. S. Navy and during peacetime receives an injury evaluated as 40 percent combined under par IV at 50 percent. For the 40 percent evaluation because combined under part IV, the wartime rate of \$55.20 is payable. Although the evaluation for the Commonwealth Army service is 20 percent, the difference between the evaluation for the U. S. Navy service and the combined evaluation is 10 percent. The amount due for this percentage of disability is 13.80 pesos. As the award involves dollars and pesos, the pesos will be awarded as dollars by converting the pesos due to dollars and adding to the amount due in dollars; that is, in this example, \$55.20 plus \$6.90, the value of 13.80 pesos in dollars or a total of \$62.10. An appropriate explanation of the computation will be made on the award.

9. Excluded Benefits. In view of limitations contained in Public Law 301, 79th Congress, the provisions of section 4, Public Law 312, 78th Congress, as amended by Public Law 483, 78th Congress, and Veterans Regulation 9 (a), as amended, are not far application predicated on service as defined in paragraph 3

10. Rescission. Va. Technical Bulletin TB-8-32

By direction of the Administrator:

O. W. CLARK
Executive Assistant Administrator

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E

WAR DEPARTMENT
Washington 25, D. C., 18 July 1944

CIRCULAR)
NO. 305)

MISSING PERSONS ACT

1. Compilation - The following compilation of the Missing Persons Act approved 7 March 1942 (Public Law 490-77th Congress (sec. III, Bull. 14, WD 1942), as amended by an Act approved 24 December 1942 (Public Law 848-77th Congress (sec. II, Bull. 2, WD 1943), and as further amended by an Act approved 1 July 1944 (Public Law 408-78th Congress (sec. I Bull. 14, WD, 1944), is published for the information and guidance of all concerned:

An Act To provide for continuing payment of pay and allowances of personnel of the Army, Navy, Marine Corps, and Coast Guard, including the retired and Reserve components thereof: the Coast and Geodetic Survey and the Public Health Service, and civilian employees of the executive departments, independent establishments, and agencies, during periods of absence from post of duty, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled: That for the purpose of this Act-

(a) the term "person" means (1) commissioned officer, warrant officer, enlisted persons (including persons selected under the Selective Training and Service Act, as amended), member of the Army or Navy Nurse Corps (female), whenever serving; (2) commissioned officer of the Coast and Geodetic Survey of the Public Health Service; and (3) civilian officers and employees of departments during such time as they may be assigned for duty or serving outside the continental limits of the United States or in Alaska, exclusive of part-time or intermittent employees or native labor casually hired on an hourly or per diem basis;

(b) the term "active service" means active service in the Army, Navy, Marine Corps, and Coast Guard of the United States, including active Federal service performed by personnel of the retired and reserve components of these forces, the Coast and Geodetic Survey, the Public Health Service, and active Federal service performed by the civilian officers and employees defined in paragraph (a) (3) above;

(c) the term "dependent" as used in this Act includes a lawful wife, unmarried child under twenty-one years of age. It includes also a dependent mother, father, or unmarried dependent stepchild or adopted child under twenty-one years of age, or such dependent as has been designated in official records, or an individual determined to be dependent by the head of the department concerned, or subordinate designated by him;

(d) the term "department", including such term when used in the amendment made by section 16, means any executive department, independent establishment, or agency (including corporations) in the executive branch of the Federal Government.

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Sec. 2. Any person who is in active service and who is officially determined to be absent in a status of missing, missing in action, interned in a neutral country, captured by an enemy, beleaguered or besieged shall, for the period he is officially carried or determined to be in any such status, be entitled to receive or to have credited to his account the same pay and allowances to which he was entitled at the beginning of such period of absence or may become entitled thereafter, and entitlement to pay and allowances shall terminate upon the date of receipt by the department concerned of evidence that the person is dead or upon the date of death prescribed or determined under provisions of section 5 of this Act: Provided, That such entitlement to pay and allowances shall not terminate upon expiration of term of service during absence and in case of death during absence shall not terminate earlier than the dates herein prescribed. Provided further, That there shall be no entitlement to pay and allowances for any period during which such person may be officially determined absent from his post of duty without authority and he shall be indebted to the Government for any payments from amounts credited to his account for such period.

Sec. 3. For the period that any person is entitled under section 2 of this Act to receive or be credited with pay and allowances, such allotments as may have been executed prior to the beginning of his absence, including allotments for the purchase of United States saving bonds, may be continued, except as otherwise herein provided, and notwithstanding any expiration of a period for which an allotment had been executed. In the absence of an allotment or when an allotment is insufficient for any purpose authorized by the head of the department concerned, such new allotments or increases as circumstances are deemed to warrant may be authorized by the head of the department concerned, or such subordinate as he may designate, payable during any period of the absent person's entitlement to pay and allowances under section 2 of this Act: Provided, That the aggregate of all allotments in effect, from pay and allowances of an absent person, does not exceed the amount of pay and allowances such absent person would be permitted to allot under regulations of the department concerned: Provided further, That any premium paid by the Government on insurance issued on the life of a person, which is unearned by reason of being for a period subsequent to the date of death of such person, shall revert to the appropriation of the department concerned.

Sec. 4. When circumstances are deemed to justify such action in the interests of a person entitled to receive or be credited with pay and allowances under section 2 of this Act, in the interests of the dependents of such person, or in the interests of the Government, the head of the department concerned, or such subordinates as he may designate, may direct the initiation, continuance, discontinuance, increase, decrease, suspension, or resumption of payments of allotments from the pay and allowances of such person, subject to the provisions of section 6 of this Act.

Sec. 5. When the twelve months' period from the date of commencement of absence is about to expire in any case of a person missing or missing in action and no official report of death or of being a prisoner or of being interned has been received, the head of the department concerned shall cause a full review of the case to be made. Following such review and when the twelve months' absence shall have expired, or following any

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subsequent review of the case which shall be made whenever warranted by information received or other circumstances, the head of the department concerned is authorized to direct the continuance of the person's missing status, if the person may reasonably be presumed to be living, or is authorized to make a finding of death. When a finding of death is made it shall include the date upon which death shall be presumed to have occurred for the purposes of termination of crediting pay and allowances, settlements of accounts, and payments of death gratuities and such date shall be the day following the day of expiration of an absence of twelve months, or in cases in which the missing status shall have been continued as hereinbefore authorized, a day to be determined by the head of the department.

Sec. 6. When it is officially reported by the head of the department concerned that a person missing under the conditions specified in section 2 of this Act is alive and in the hands of the enemy or is interned in neutral country, the payments authorized by section 3 of this Act are, subject to the provisions of section 2 of this Act, authorized to be made for a period not to extend beyond the date of the receipt by the head of the department concerned of evidence that the missing person is dead or has returned to the controllable jurisdiction of the department concerned. When a person missing or missing in action is continued in a missing status under section 5 of this Act, such person shall continue to be entitled to have pay and allowances credited as provided in section 2 of this Act and payments of allotments, as provided in section 3 of this Act, are authorized to be continued, increased, or initiated.

Sec. 7. The head of the department concerned is hereby authorized to direct the payment of new allotments from the pay of persons in active service (other than persons entitled under section 2 or section 14 of this Act to receive pay and allowances) to increase or decrease the amount of any allotment heretofore or hereafter made by such persons and to continue payment of any allotments of such persons which may have expired in November 1941 and any month subsequent thereto, with or without the consent of such persons, subject in all cases to termination by specific request of such persons, whenever in the judgment of the head of the department such action is considered essential for the well-being and protection of dependents of persons in active service.

Sec. 8. Whoever shall obtain or receive any money, check, or allotment under this Act, without being entitled thereto, with intent to defraud shall be punished by a fine of not more than \$2,000 or by imprisonment for not more than one year, or both.

Sec. 9. The head of the department concerned, or such subordinate as he may designate, shall have authority to make all determinations necessary in the administration of this Act, and for the purposes of this Act determinations so made shall be conclusive as to death or finding of death, as to any other status dealt with by this Act, and as to any essential date including that upon which evidence or information is received in such department or by the head thereof. The determination of the head of the department concerned, or of such subordinate as he may designate, shall be conclusive as to whether information received concerning any person is to be construed and acted upon as an official report of death. When any information deemed to establish conclusively

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the death of any person is received in the department concerned, action shall be taken thereon as an official report of death notwithstanding any prior action relating to death or other status of such person. If the twelve months' absence prescribed in section 5 of this Act has expired, a finding of death shall be made whenever information received, or a lapse of time without information, shall be deemed to establish a reasonable presumption that any person in a missing or other status is no longer alive. Payment or settlement of an account made pursuant to a report, determination, or finding of death shall not be recovered or reopened by reason of a subsequent report or determination which fixes a date of death except that an account shall be reopened and settled upon the basis of any date of death so fixed which is later than that used as a basis for prior settlement. Determinations are authorized to be made by the head of the department concerned, or by such subordinate as he may designate, of entitlement of any person, under provisions of this Act, to pay and allowances, including credits and charges in his account, and all such determinations shall be conclusive: Provided, That no such account shall be charged or debited with any amount that any person in the lands of an enemy may receive or be entitled to receive from, or have placed to his credit by, such enemy as pay, wages, allowances, or other compensation: Provided further, That where the account of any person has been charged or debited with allotments paid pursuant to this Act any amount so charged or debited shall be recredited to such person's account in any case in which it is determined by the head of the department concerned, or such subordinate as he may designate, that payment of such amount was induced by fraud or misrepresentation to which such person was not a party. When circumstances warrant reconsideration of any determination authorized to be made by this Act the head of the department concerned, or such subordinate as he may designate, may change or modify a previous determination. Excepting allotments for unearned insurance premiums, any allotments paid from pay and allowances of any person for the period of the person's entitlement under the provisions of section 2 of this Act to receive or have credited such pay and allowances shall not be subject to collection from the allottee as overpayments when payment thereof has been occasioned by delay in receipt of evidence of death, and any allotment payments for periods subsequent to the termination, under this Act or otherwise, of entitlement to pay and allowances, the payment of which has been occasioned by delay in receipt of evidence of death, shall not be subject to collection from the allottee or charged against the pay of the deceased person. The head of the department concerned, or such subordinate as he may designate, may waive the recovery of erroneous payments or overpayments of allotments to dependents when recovery is deemed to be against equity and good conscience. In the settlement of the accounts of any disbursing officer credit shall be allowed for any erroneous payment or overpayment made by him in carrying out the provisions of this Act, except sections 13, 16, 17, and 18, in the absence of fraud or criminality on the part of the disbursing officer involved, and no recovery shall be made from any officer or employee authorizing any payment under such provisions in the absence of fraud or criminality on his part.

Sec. 10. The determination of the fact of dependency under the provisions of this Act, the determination of the fact of dependency for the purpose of payment of all six months' death gratuities as authorized

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by law, and the determination of the fact of dependency under the provisions of any and all other laws providing for the payment of pay, allowances, or other emoluments to enlisted personnel in the Army, Navy, Marine Corps, and Coast Guard of the United States where such payments are contingent upon dependency, shall be made by the head of the department concerned, or by such subordinate as he may designate, and any such determination so made shall be final and conclusive.

Sec. 11. The head of the department concerned, or such persons as he may designate, is authorized to settle the accounts of persons for whose account payments have been made pursuant to the provisions of sections 2 to 7, both inclusive, of this Act, and the accounts of survivors of casualties to ships, stations and military installations which result in loss or destruction of disbursing records, and such settlements shall be conclusive upon the accounting officers of the Government in effecting settlements of the accounts of disbursing officers.

Sec. 12. The dependents and household and personal effects of any person on active duty (without regard to pay grade) who is officially reported as injured, dead, missing as the result of military or naval operations, interned in a neutral country, or captured by the enemy, may be moved (including packing and unpacking of household effects) to the official residence of record for any such person, or, upon application by such dependents, to such other locations as may be determined by the head of the department concerned or by such person as he may designate, by the use of either commercial or Government transportation: Provided, That the cost of such transportation including packing and unpacking, shall be charged against appropriations currently available.

* * * * *

Sec. 14. The provisions of this Act, applicable to persons in the hands of an enemy, shall also apply to any person beleaguered or besieged by enemy forces.

Sec. 15. This Act, except sections 13, 16, 17, and 18, shall be effective from September 8, 1939, and shall remain in effect until the termination of the present war with Germany, Italy, and Japan, and for twelve months thereafter, or until such earlier time as the Congress by concurrent resolution or the President by proclamation may designate.

* * * * *

Sec. 19. This Act may be cited as the "Missing Persons Act."

2. Notes-a. Sections 13, 16, 17, and 18 of the Act are not definitely related to administration pertaining to missing persons and are omitted from this compilation.

b. Public Law 848-77th Congress, approved 24 December 1942, amended parts of sections 4, 6, and 15, and all of sections 3 and 5.

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c. Public Law 408-78th Congress, approved 1 July 1944 amended part of section 1, and all of sections 2, 3, 4, 9, and 10, and added a new section number 19.

d. Public Law 408-78th Congress, also contained a section 8 prescribing an effective date of its provisions as follows:

Sec. 8. The foregoing amendments to such Act shall be effective in all respects as provided in section 15 of the Act of March 7, 1942 (56 Stat. 147), as amended (56 Stat. 1093; 50 App., U. S. C., Supp. III, 1013), and payments under the retroactive provisions of such amendments are authorized to be paid from appropriations currently available.

(A. G. 240 (11 Jul 44).

BY ORDER OF THE SECRETARY OF WAR:

G. C. MARSHALL,
Chief of Staff

OFFICIAL:

J. A. ULIO
Major General,
The Adjutant General.

C O P Y

HEADQUARTERS
UNITED STATES ARMY FORCES WESTERN PACIFIC
RECOVERED PERSONNEL DIVISION

APO 707
27 December 1945

STAFF MEMORANDUM
NO. 14

INTERPRETATION OF THE MISSING PERSONS ACT

1. The following is quoted for the information and guidance of all concerned:

" Check Sheet - FROM: DC & C/S TO: Rec Pers Div

1. As a result of the conference held in my office, attended by the AG, the A C/S, G-3, representatives of the PA Section, G-3, the Recovered Personnel Division, AG, and Plans Division, the following policy is furnished for your information and guidance:

2. Under the policy of this Headquarters, determination of casualty status and entitlement to pay under the Missing Persons Act will be as follows:

a. A person missing in action (whereabouts unknown) or captured and imprisoned or interned by the enemy until his recovery by United States forces, will be determined to be in a casualty status with entitlement to pay for such period.

b. A person who evaded capture, or fled to the hills, or actively joined guerrillas, or actively participated in the anti-Japanese movement, or remained in hiding to avoid capture, until his return to military control, will be determined to be in a casualty status with entitlement to pay for such period.

c. A person who evaded capture, but returned to his home and continued a normal mode of living, will 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.

d. A person who was captured and imprisoned or interned by the enemy, but was thereafter released will be determined not in a casualty status and not entitled to pay from the date of his release until the date he actively joined a guerrilla force, or actively participated in the anti-Japanese movement, or returned to military control.

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e. A person whose active service in or for the military forces of the United States was terminated as a result of the enemy occupation and who was permitted to return to his home and pursue a normal mode of living, will be determined not in a casualty status and not entitled to pay after the date of termination of such active service.

f. A person falling with c, d, or e, above, who can prove that material restraint was imposed on him or that he suffered "serious deprivation," to an extent greater than the restrictions, inconveniences, and lowered standards of living generally suffered by other residents incident to the Japanese occupation, as a direct result of his former official status under the U.S., will be determined in a casualty status with entitlement to pay for the period such condition existed. The burden of proof rests with the claimant.

Initialed: WAW JR.

2. Attention is also directed to Par. IV, 1, (e) of the War Department Plan for the Administration of the Missing Persons Act.

/s/ Morris H. Marcus
MORRIS H. MARCUS
Colonel, AGD
Director, Rec Pers Div

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WAR DEPARTMENT PLAN FOR CASUALTY ADMINISTRATION
UPON REOCCUPATION OF PHILIPPINES
7 NOVEMBER 1944, AS AMENDED, BY
CHANGE 1, 21 MARCH 1945

(Note: Amendments by C-1 have been inserted directly into text and indicated, and material thereby superceded is omitted.)

1. Purpose.

1. The objectives of the plan are:

a. To facilitate return to controllable jurisdiction and clarification of status of living members of the armed forces, and living United States government employees, in the Philippines or who have fallen into enemy hands therein.

2. To secure all information obtainable and clear up the status of such categories not found to be living and to apply in the final determination of status and fiscal matters and also to further informing families and others.

II. Execution.

1. The amplification and field execution of the plan is the responsibility of the Commander-in-Chief, Southwest Pacific Area. He will be supplied by the War Department with any general or special information available or obtainable and if practicable with such specially qualified personnel as he finds necessary. He will arrange appropriate coordination with field agencies of the Navy Department and other U. S. Government Departments represented in the Philippines, and with the Government of the Commonwealth of the Philippines. (C-1, 21 March 1945)

2. The field execution of so much of the plan as embraces determinations of status of individuals, reviews and findings of death and settlement of accounts will conform to authority specifically conferred herein, or in supplementary policies and instructions, upon the Commander-in-Chief, Southwest Pacific Area. Determinations, findings, and settlements, authority for which is not specifically conferred shall be by authorized War Department agencies to which information pertinent thereto is to be submitted by the field forces. (C-1, 21 Mar 45)

III. Bases.

1. The plan is based upon the following factors:

a. The military situation, embracing organization and operations, in the Philippine Islands prior to and subsequent to the surrender and the development of the Philippine casualty situation. Appendix 1.

- b. Provisions and interpretations of law (primarily the Missing Persons Act) pertaining to casualty status of individuals and the fiscal and other consequences thereof. Appendix 2.
- c. The extensive uncertainties concerning the status and fate of much of the personnel that was cut off in the Philippines.
- d. The full utilization of the opportunity afforded by reoccupation:
 - (1) For the return of living individuals to the controllable jurisdiction of their respective governments and services. With determination or verification of their status while absent.
 - (2) For determination or verification of actual or presumed deaths of other individuals.
 - (3) For advising families and relatives of salient facts pertaining to status or fate of individuals.
- e. Assisting other departments of the Governments so far as practicable, in clarifications of status of their casualty absentees.
- f. The Commander-in-Chief, Southwest Pacific Area to utilize to the maximum the services of officials of the Commonwealth of the Philippines, including officers of the Philippine Army and civil officials, in making determinations of status and other determinations pertaining to individual members of the Philippine Army in the service of the armed forces of the United States. (C-1, 21 Mar 45)

IV. Operation of the Plan.

- 1. General principles to govern: (Except as otherwise provided for Philippine Army in Section VII)
 - a. All possible sources of pertinent information shall be exploited by field forces. This shall include: securing from returnees, inhabitants or other sources etc, documents, graves' registrations, enemy sources etc, information concerning military and civilian personnel, dead or living.
 - b. Absence from controllable jurisdiction shall be presumed to be authorized and unavoidable unless there is reasonably conclusive evidence of intent to avoid or shirk combat or hazardous duty or of abandonment of loyalty. where there is such evidence

for any period a determination of "absent from post of duty without authority" under the Missing Persons Act may be made, (1) by the Commander-in-Chief, Southwest Pacific Area, for members of the Philippine Army or for civilian employees, (2) for all other personnel by the War Department, to which full information and recommendations should be submitted. Such a determination by proper authority is conclusive as to entitlement to pay (Sec. 2, Missing Persons Act) during the period of absence but in no way affects or limits any disciplinary or other administrative action (C-1, 21 Mar 45)

- c. Determinations under the Missing Persons Act of identification; of military status including rank, grade, dates of appointment or promotion, and of civilian employees status, and official determinations of the fact and time of death (not including finding of death concerning which see f below) are authorized to be made by the Commander-in-Chief, Southwest Pacific Area, or may be referred to the War Department by him in special cases. (C-1, 21 Mar 45)
- d. Determinations or redeterminations of any absent casualty status with dates thereof may be made by the Commander-in-Chief, Southwest Pacific Area. Such redeterminations may be made when information warrants notwithstanding any prior contrary determination made by the War Department. (C-1, 21 Mar 45)
- e. Determination or redetermination of whether or not military personnel or civilian employees are to officially carried as Missing or missing in action for any period requires consideration of the effects of enemy action upon the individual as to restraint imposed, separation from residence or family, lack of employment or means of livelihood, and other direct effect of hazards of war. A mere termination or suspension of official military or employment status by enemy occupation which has not deprived a resident of reasonable freedom of action and opportunity of livelihood, and has not caused him or his dependents to suffer serious deprivation by reason of his former official status, is not an absence occasioned by enemy action with entitlement during same to full pay and allowances of former employment, and hence does not warrant an official determination or redetermination of missing or missing in action.
- f. Finding of death for personnel of the Philippine Army under Section VII, may be made by the Commander-in-Chief, Southwest Pacific Area. He may also make findings of death of civilian employees of the Army who were employed in the Philippines. The making of

findings of death for all other personnel shall be only by the War Department; however, the Commander-in-Chief, Southwest Pacific Area, may direct the continuance of a missing status following a review of any case of the missing personnel of any category, (C-1, 21 Mar 45)

- g. Fiscal administration shall be as provided in Section V and VII.
- h. The assignment or disposition of personnel shall be as directed by the War Department and is not embraced in this plan.
- i. The administration of Philippine Army cases shall be as provided in Section VII.

2. Organization.

- a. The field force organization for casualty reporting forms a suitable basis for carrying out this plan, modified to provide a headquarters unit to plan and direct an aggressive seeking, recording and transmitting of information by field agents with all elements of the occupying forces. Suitable provision is necessary for judicious analysis and evaluation of information and evidence; for making such determinations therefrom as are delegated to the field force; and for the preparation and transmission of cases referred to the War Department for determination.
- b. Close coordination is necessary with the fiscal agencies administering pay and allowances, and with security and publicity agencies.
- c. Close coordination with the Navy (including Marine Corps and Coast Guard) is essential at all levels to insure mutual assistance and substantial uniformity in principles and procedures.

3. Basic Data:

Data pertaining to individuals furnished by the War Department will be supplemented by that locally obtainable. The War Department has sent to headquarters, U.S.A.F.F.E. a roster of personnel of A.U.S. and P.S. in the Philippines 7 December 1941 showing present status of record in the department. A similar roster of civilian employees of the War Department who have been tentatively determined, from meager records available to conform to the definition in the Missing Persons Act and to have a missing status is to be furnished. Such data as the War Department received concerning civilian employees of other departments will also be furnished.

4. Living Personnel.

- a. The procedure indicated in paragraph 9 below shall be followed in the case of any returnee carried in a casualty status presenting claims as to appointment or promotion in guerrilla or other forces during the period carried in a missing or other absent casualty status. (C-1, 21 Mar 45)
- b. From each returnee field forces should obtain information concerning other military personnel and civilian employees whose status or fate is not definitely known.

5. Personnel Carried as Prisoner of War or Interned.

From escapees, repatriates and from other sources field forces should secure all obtainable information concerning persons carried as prisoners of war or interned whose status as such may be incorrect or has been terminated by death or otherwise than by return to control. Particular attention should be directed to: determination of actual deaths, with place, time and circumstances securing evidence supporting presumption of death; securing evidence supporting a presumption that any such person not in the hands of the enemy is alive, and indicating whereabouts and circumstances.

6. Personnel Reported or Carried as Dead.

From returnees, inhabitants, documents, graves' registrations and otherwise field forces should obtain information, confirmatory or otherwise, concerning persons who have been reported killed in action, died of wounds or disease, died while prisoner of war or interned, died while in a missing status, etc. Particular attention will be directed to dates of death. There should be sent to the War Department all information of value for amplification or correction of records and for information of relatives.

7. Personnel Officially Presumed Dead.

From returnees, escapees, inhabitants and other sources field forces should obtain information concerning those persons in whose cases a presumptive finding of death has been made by the War Department, with a view to: Information relatives as fully as practicable; substantiating the finding; substituting of more precise factual determination of place, time and circumstances of death when such is established; setting aside the finding when being alive is established.

8. Personnel Carried as Missing or Missing in Action.

From returnees and other sources the field forces should

obtain information concerning those missing or missing in action, not returned to military control, not determined to be dead, or not otherwise accounted for, that will assist the War Department in reviewing such cases and disposing of them by either continuance of the missing status or finding of death. Such a finding must be made whenever it may reasonably be concluded that the person is no longer alive, but the evidence does not warrant official report of the fact and date of death. All information obtained is to be forwarded to the War Department for consideration along with any other information bearing upon the case.

9. Personnel Not Carried in Casualty Status.

Cases of persons not carried in any casualty status who claim to be members of the A.U.S. or Philippine Scouts, or to be civilian employees of the War Department, and to have been in some casualty status incident to the fall and occupation of the Philippines, should be fully investigated and an affirmative or negative determination made of the status claimed. Orders confirmatory of induction, appointment, or promotion which are appropriate to an affirmative determination should be issued by the field forces. All affirmative determinations shall be reported to the War Department; doubtful cases may be so referred for determination. Negative determinations with the facts upon which based shall be reported to the War Department and claimants advised that they may appeal.

10. Civilian Employees.

Determination by field forces in each case encountered is necessary as follows: (1) whether coming within the definition in Section 1, Missing Persons Act; (2) whether a missing status should be officially determined and the period thereof (see Section IV, 1, d and e) ; whether absence has been "from post of duty without authority (See Section IV, 1, b). Any War Department employment status, regardless of above determinations, will be terminated promptly unless there is need for retention of the employee; except that employees resident in the United States will be returned thereto and reported by the Adjutant General to the appropriate officer of agency for disposition.

V. Fiscal Administration.

1. Upon return to control of persons determined to be entitled to accrued pay during absence, action as follows is authorized. (C-1, 21 Mar 45)

- a. For members of the Philippine Army and for civilian employees the Commander-in-Chief, Southwest Pacific Area, may cause payment of such accrued pay from the proper appropriation and with appropriate deductions. (C-1, 21 Mar 45)

- b. For all other personnel under jurisdiction of the Army current payment may be resumed and partial payment from accrued pay made to meet current needs. Full settlement of pay and allowances accounts of such personnel is a responsibility of the Office of Special Settlement Accounts (hereinafter abbreviated OSS A), 27 Pine Street, New York 5, New York. Determinations and information pertinent to pay will be sent by Commander-in-Chief, Southwest Pacific Area to that office, and if early return to the United States is not contemplated, shall be accompanied by request to be advised of credits, debits, and balance and an authorization to make payment. (C-1, 21 Mar 45)

2. Allotments and family allowances in effect at time of return of an individual to control will be continued in effect with appropriate deductions from current pay. It is the duty of the Commander under whose jurisdiction the returnee falls to ascertain from OSSA what allotments and allowance (with appropriate deductions) are in effect, to notify the returnee, thereof and to afford him opportunity to request any changes desired, except of Class A family allowance which must continue. Such ascertainment, notification of returnee, and affording opportunity to make changes, may be deferred until arrival in the United States if early return thereto is contemplated. This procedure has application to members of the Philippine Army, only with regard to continuance of their Class N allotments for payments of premiums on National Service Life Insurance, in accordance with radio instructions of 15 December 1944 and subsequent instructions. (C-1, 21 Mar 45)

3. Certificate will be obtained from each returnee other than members of Philippine Army and civilian employees by Commander-in-Chief Southwest Pacific Area and sent to OSSA, of the date to which last paid prior to absence and rate of pay then in effect, and of any amounts of pay and allowances or advances he may have received during absence from the United States or any agency thereof, from a captor government or from any other source. Amounts paid or credited to prisoners of war by an enemy may not however, be charged against their account. (C-1, 21 Mar 45)

4. In cases of death or finding of death, except of member of the Philippine Army, claims for arrears of pay and for death gratuity are processed by OSSA which upon receipt of report thereof asks the appropriate payee to submit claims. When in the Philippine Scout or other cases payees reside in the Philippines the Commander-in-Chief, Southwest Pacific Area will cause claims forms to be executed by the next-of-kin and beneficiary, after securing data from the War Department if necessary, and will forward same to OSSA. The latter will arrange payment of any death gratuity that is payable and will arrange payment of arrears of pay if and when authorized by the Comptroller General. (C-1, 21 Mar 45)

5. Any adjustment of an account pertaining to a person other than a member of the Philippine Army arising through reopening of a case in which there has been prior settlement of either arrears of pay or death gratuity is a function of OSSA to which all claims should be submitted. (C-1, 21 Mar 45)

6. In cases of death or finding of death of any persons, any insurance beneficiaries or relatives eligible for persons residing in the Philippines should be advised to present claims to the Veterans Administration which is establishing an agency in the Philippines to handle same. (C-1, 21 Mar 45)

VI. Reports.

1. With the exceptions in the cases of Philippine Army personnel provided in Section VII, basic reports shall be expeditiously made to the War Department as follows: (C-1, 21 Mar 45)

- a. Each return to control (notwithstanding prior partial control) by casualty report or radio report.
- b. Each conclusive determination that any person being carried as alive (in any casualty status) is dead, by radio report giving date and cause of death.
- c. Each conclusive determination that a person is alive who has been dropped as dead, or in whose case a finding of death has been made, by radio report giving status and whereabouts.
- d. Any conclusive determination of correction in the casualty status of a living person, such as from missing to prisoner of war, by casualty report or radio report.
- e. Each conclusive determination of "absence from post of duty without authority" by air mail report giving salient facts.
- f. In each case of development of confirmatory and/or additional reliable information concerning any person dropped as dead, or in whose case a finding of death has been made, a radio report will be made. (C-1, 21 Mar 45)

2. Any abbreviated radio report or any casualty report under b, c, d, and f above shall be followed by an amplifying airmail letter report. When desirable and practicable reports under a, c and d will indicate the address that should be used for communications from relatives. (C-1, 21 Mar 45)

3. Information from any source which is not deemed adequate for the conclusive determination referred to above will be for-

warded to the War Department for its consideration, in connection with all other information obtainable, in making reviews, finding of death and other determinations or redeterminations.

4. For each returnee there shall be sent by air mail to OSSA his certificate of any pay received during absence and of date to which last paid during absence.

5. Release for publicity of any favorable information of an individual's return to control shall be contingent upon radio report being promptly dispatched to the War Department. Reports on individuals being alive and in enemy territory will not be released for publicity. Release of unfavorable information such as death, torture, seriously wounded or injured, shall be deferred at least ten days after radio report is despatched, it being essential in such cases that next-of-kin be officially notified in advance of publicity. (C-1, 21 Mar 45)

VII. Philippine Army.

1. The Missing Persons Act has been authoritatively held applicable to members of the Philippine Army ordered into the service of the Armed forces of the United States and placed under command of the Commander-in-Chief, Southwest Pacific Area, upon whom rests the responsibility and authority for final administrative and fiscal action arising in the application of the Act to all personnel of the Philippine Army. (C-1, 21 Mar 45)

2. There has been no data available in the War Department upon which to officially report or determine any status of individuals of the Philippine Army. The Japanese government has made no report to the United States of the status of any such personnel as prisoners of war or otherwise.

3. There is the problem of identifying members or alleged members of the Philippine Army who return to control or whose death is alleged as a basis of claims; determining any status they have or may have had (including missing, captured, interned) and the termination thereof by factual or presumptive death, or by return to control; determining whether absence has been "from post of duty without authority"; determining periods of entitlement to receive or be credited with pay and allowances; the settlement of accounts and payment of benefits.

4. It is contemplated that, subject to the final responsibility resting with the CinC, SWPA, military and other officials of the Philippine Commonwealth, will with appropriate assistance from United States forces, identify individuals and take all necessary determination of status (including finding of death) and of payments pursuant to the Missing Persons Act in the cases of members of the Philippine Army returning to duty or otherwise account for. Payments of pay and allowances for periods of absence may be made only if approved by the Commanding General, U.S.A.F.F.E., and

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when so approved shall be a proper charge against any appropriate funds appropriated for expenses incident to operation of the Philippine Army in the service of the armed forces of the United States in the Philippines.

5. No retroactive allotments to dependents or others may be made from pay and allowances when the missing status has been terminated by return to control, death or otherwise.

6. Reports of any status or change therein of Philippine Army personnel are to be made to the War Department only when individuals have an additional status;

- a. As an active or retired member of the United States Army;
- b. As an active or retired member of the Philippine Scouts;
- c. As one of the group from whose pay allotments have been paid by the War Department during absence (see per 10 appendix 1).

Such reports will show the determined status, return to military control, death or finding of death, with essential dates in each case. If returned to military control allotments will be adjusted in conformity with paragraph 2, Section V. (C-1, 21 Mar 45)

7. In death cases payments of arrears of pay due to the heirs or estate are deemed 'expenditures incident to pay***of said organized military forces' and 'may be made without regard to the provisions of law regulating the expenditure of or accounting for funds of the United States' within the meaning of the Act appropriating funds for the Army of the Philippines. Such payments may be made by or with approval of the Commander-in-Chief Southwest Pacific Area. The law authorizing payment of six months pay as death gratuity has been determined to be inapplicable to Philippine Army personnel. Matters pertinent to pensions and National Service Life Insurance are for determination and action by the Veterans Administration. (C-1, 21 Mar 45)

VIII. Civilian Employees of the Philippine Commonwealth.

It has been determined that such employees do not come under provisions of the Missing Persons Act. Any provisions that may be made for such employees are solely a matter for determination by the government while employed.

IX. Civilian Employees of Executive Departments of the U.S.

All determinations concerning such employees are vested by law in the head of Department by which employed. All information obtained concerning those other than of the Navy Department will

be transmitted through the War Department to the employing department for indication of further action, if any, which it desires be taken by the War Department. The Navy Department will take or arrange directly for all action pertaining to its civilian employees.

X. Civilians.

Action taken concerning civilians in general shall be limited to such immediate assistance as needed and to transmission to the War Department of information concerning them that is of interest to relatives, religious or other agencies, or employers in the United States.

XI. Effective Date.

This plan shall be effective immediately.

APPENDIX I

Military and casualty situations and operations.

1. The military situation, organization and operations in the Philippines prior and subsequent to surrender will be adequately understood by the reoccupying forces. Only a few salient facts pertaining to the administration of the Missing Persons Act are stated hereinafter.

2. Up to 6 May 1942 the War Department received some, but not all-inclusive, casualty reports. As of that date the secretary of war declared all personnel of the Army of the United States, including Philippine Scouts, in the Philippines to be "missing in action." Lists were prepared from October 1941 rolls (the latest available) and emergency addressees notified.

3. The lists comprised approximately 18,000 A. U. S. and 12,000 Philippine Scouts. Subsequently the A. U. S. list of missing has been reduced to about 2,000 as follows:

a. Carried Missing from 6 May 1942, on the basis of October 1941 rolls-- 18,175.

b. Reduction factors:

(1) Reported dead by Japan	625
(2) Discharged prior to 6 May 1942	100
(3) Evacuated prior to 6 May 1942	340
(4) Reported POW by Japan	13,390

(Of these 1,660 reported dead and 11,730 still carried as POW)

(5) Findings of Death by N. D.	<u>1,720</u>
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Total reductions	<u>16,175</u>
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c. Still carried Missing	<u>2,000</u>
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The Philippine Scout list has not changed appreciably as no reports of any kind concerning Filipinos are made to the United States by the Japanese Government.

4. War Department lists are incomplete due to the absence of names of individuals inducted or appointed in the Philippines, orders covering same never having reached the War Department.

5. It has been deemed expedient and appropriate to continue as officially "missing" a number of persons reliably reported alive and at large or with "districts" in the Philippines but not yet returned to full military control.

6. Certain benefits of the Missing Persons Act are denied to persons officially determined to be "absent from post of duty without authority." Allegations and reports of some disintegration of units and of individuals leaving their units of escape capture have not been deemed adequate to establish such a status. The legislative history shows that application of the provision is contemplated only when intent to desert to or in the face of the enemy is established. Any such serious stigma must await return to control and opportunity for defense.

7. Beginning in December 1942 reports began to come in from Japan of persons killed in action on Bataan and of persons held as prisoners of war. These reports have been sporadic and are not believed to include all persons held as prisoners; in fact, many persons have been added to the prisoner of war list on the basis of post cards to relatives mailed from prison camps. Reports have been received from Japan of about 1,650 deaths of Americans prisoners of war; cause was given, but without date of death. No death reports have been received for many months. However, a very recent I. R. C. message alleges 750 prisoners of war from Philippines Prison Camp lost when Japanese transport torpedoed by submarine off Mindanao 7 September 1944.

8. Upon the basis of reliable information, primarily concerning alleged early deaths in prisoner of war camps before the decedent were reported as prisoners, about 1,750 findings of death have been made; most of them after two years of absence. The evidence warranted the conclusion that the persons were no longer alive but did not warrant an official determination of fact and date of death.

9. There was not in the War Department, or in the offices of branches of services, data upon which to compile upon the fall of the Philippines a list of civilian employees of the department. Gradually from branch files and from pay records saved and brought to the War Department by Colonel Jenks a list of about 2,000 such employees, mostly Filipino, has been compiled. It will not necessarily be complete due to employments effected locally subsequent to the pay records referred to. Other executive departments are still endeavoring to identify and list their missing employees.

10. The action of the War Department establishing a missing status of persons in the Philippines has not extended to the Philippine Army. No rosters or lists of such personnel were available and their dependents were beyond reach. These and other considerations led to the conclusion that official determinations of status of such personnel was best deferred until our return to the Philippines. Exception has been made in about 22,000 cases to enable premiums on National Service Life Insurance to be paid by allotments; also in five special cases of dependents being in the United States or for coverage of commercial insurance premiums. The five special cases of allotments taken over were the Following:

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1. Brigadier General Vicente Lim, P.A.

\$ per month to wife residing in U. S.
\$ 5.15 per month to Army Mutual Aid
\$ 34.50 per month to Veterans Administration (discontinue
in August 1944 due to maturing of policy)

2. Brigadier General Guy O. Fort.

\$ 50.00 per month to Helen Adams.
\$100000 per month to Mrs. B. H. Fort.

3. Lieutenant Adolfo Eufemio.

\$ 5.78 per month to Navy Mutual Aid.

4. Lieutenant C. J. Albert.

\$ 8.79 per month of Navy Mutual Aid

5. Lieutenant Alfredo D. Peckson . .

\$ 10.11 Per month to Navy Mutual Aid.

The circumstances in the National Service Life Insurance cases are substantially:

Radio request listing several thousand members of Philippine Army applying for insurance were received in February and March, 1942. The Judge Advocate General held that applicants were eligible. The list was supplemented from insurance applications and other evidence found in the finance records brought to the U. S. by Colonel Jenkins. About 20,000 applicants have been identified, policies issued by Veterans Administration and premiums paid by War Department allotment of pay. No subsequent reports on the insured have been received. No doubt many of them were in units that disappeared and many of them were in units that disappeared and many may be dead, prisoners, interned, etc. Beneficiaries are all residents of the Philippines. The average face value of policies is \$2,000 and the average premium \$1.65 per month.

The insurance problems presented for solution are:

- a. Transfer of premium payments to returnees or discontinuance of policies if they so desire.
- b. Delivery of policies to returnees.
- c. For other than returnees:
 - (1) Termination of allotments.
 - (2) Due proof of death - either by official determination or by finding of death and settlement of claims on basis thereof.
 - (3) Refund of unearned premiums.

Philippine Casualties

1. Army of the United States, exclusive of Philippine Scouts:

a. Carried Missing from 6 May 1942, on the basis of October 1941 rolls - 18,175.

b. Reduction Factors:

(1)	Reported Dead by Japan	625
(2)	Discharged prior to 6 May 1942	100
(3)	Evacuated prior to 6 May 1942	340
(4)	Reported POW by Japan	15,590
(5)	Findings of death by W.D.	1,720
	(Of those 1,660 reported dead and 11,730 still carried as POW)	

	Total reductions	16,175
c.	Still carried missing	2,000

2. Philippine Scouts:

a. Now carried Missing 12,000
from 6 May 1942 on basis of October rolls.

3. Civilian Employees of War Department:

a.	Now carried Missing	1,190
b.	Now carried Interned	145
c.	Reported Dead	9
d.	Repatriated	6
	Total	<u>2,150</u>

4. Philippine Army.

a.	Estimated strength early 1942	86,000
b.	Carried by name as Missing:	
	(1) For individual allotments	5
	(2) For N. S. Life Insurance	22,000
	Total	<u>22,005</u>

None reported POW or INT by Japan. Except as indicated in b.
No official status has been determined.

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APPENDIX 2

Laws and Interpretations

1. The Missing Persons Act was originally enacted 7 March 1942. It has been twice amended and in its present form is published complete in War Department Circular 305, 1944.
2. The Attorney General has held that the Missing Persons Act is applicable to members of the Philippine Army ordered into the armed forces of the United States in the Philippines.
3. The Missing Persons Act has been held inapplicable to civilian employees of War Department contractors and to civilian employees of the Government of the Commonwealth of the Philippines.
4. There has been a separate appropriation by Congress of funds for payment of expenses incident to service of the organized forces of the Philippine Government as a part of the armed forces of the United States in the Philippines. The provisions thereof will be found on page 15 of War Department Bulletin 12, 1944. Payments of accrued pay for periods of absence under the Missing Persons Act are clearly payable from such appropriation, either directly or by reimbursement of other appropriations therefrom. Such payments must, however, under Section 2 of the Missing Persons Act by at the rate of pay and allowances in effect at commencement of absence, (on 6 May 1942 in most cases) or at such rate as the individual might become entitled to thereafter. Payments of arrears of pay to heirs or estates are incident to pay of personnel and likewise properly chargeable against the appropriation referred to. (Last sentence added by C-1, 21 Mar 45)
5. There has been no legislation extending or authorizing payment of a death gratuity on account of death of members of the Philippine Army. Determination of applicability of pension laws to Philippine Army personnel and their families rests with the Administrator of Veterans Affairs. (C-1, 21 Mar 45)

C H A N G E S
No. 2
in
W A R D E P A R T M E N T P L A N
for
C A S U A L T Y A D M I N I S T R A T I O N
U P O N R E O C C U P A T I O N
of
T H E P H I L I P P I N E S

Incl. 2

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ALLOTMENTS FOR MEMBERS OF PHILIPPINES ARMY

1. Upon representation of the Philippine Government that it was paying a few allotments for commercial insurance premiums and to dependents residing in the United States, of missing officers of the Philippine Army the War Department, by direction of G-1, took over the payment of the allotments in the five cases presented which were as follows:

- a. Brigadier General Vicente Lim, P. A. :
\$375.05 per month to wife residing in U.S.;
\$ 5.15 per month to Army Mutual Aid;
\$ 34.30 per month to Veterans Administration
(discontinued in August 1944 due to maturing of policy)
- b. Brigadier General Guy O. Fort:
\$ 50.00 per month to Helen Adams;
\$100.00 per month to Mrs. B. M. Fort.
- c. Lieutenant Adolfo Eufemio:
\$5.78 per month to Treasury of U. S.
- d. Lieutenant C. J. Albert:
\$8.79 per month to Navy Mutual Aid.
- e. Lieutenant Alfredo D. Peckson:
\$10.11 per month to Navy Mutual Aid.

2. In February and March 1942 radio requests were received from the Philippines for National Service Life Insurance for several thousand persons listed as Members of the Philippine Army. The J. A. G. held that applicants were eligible. The list was later supplemented by applications and records of allotment found in finance records brought to the War Department from the Philippines. About 20,000 of the applicants have been identified and for them premiums are being paid by allotment. There has been no report or evidence of status of any such persons since March 1942; many may be dead, prisoners, interned, absent without authority, etc.

3. The beneficiaries of above insurance are all resident in P. I. The policies are held by the Veterans Administration. The average policy is for \$2,000 and the average premium is \$1.65 per month.

4. The insurance problem presented are:

- a. Transfer of premium payments to returnees, or discontinuance of policies if they desire.
- b. Delivery of policies to returnees.
- c. For other than returnees:

- (1) Termination of allotments.

- (2) Settlement of insurance claims on basis of either an official report of death or a finding of death.
- (3) Refund from Veterans Administration and credit to final account of insured all unearned premiums of period subsequent to date of death used for the payment of claim.

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Estimate of Civilian Employees of departments, who were in Philippines at time of surrender and believed still there.

<u>Department</u>	<u>Number (Approximate)</u>	<u>Remarks</u>
State	58	These are Filipino employees. All American employees have been repatriated.
Treasury	28	Two Comptroller of Currency. One General Counsel. Others Foreign Funds Control.
Interior	100	Largely High Commissioners Office.
Commerce	10	Coast and Geodetic Survey personnel. officers thereof have been reported POW.
Public Health & Service	5	Commissioned Officers have been reported POW.
Veterans Administration	10	
Maritime Commission	1	
Foreign Economic Adm.	8	Five Filipinos. Three Americans.
Total Non-Military Departments	220	
Navy Department	8,000	Mostly Filipino.
War Department	<u>2,150</u>	Mostly Filipino.
Aggregate	<u>10,370</u>	

INCLOSURE 4

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