

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 2013

To establish a commission to review the provisions of law stating that service performed by Filipino World War II veterans is not considered to be service in the Armed Forces of the United States for purposes of most veterans' benefits under the laws of the United States, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 6, 1993

Mr. BLACKWELL (for himself, Mr. ANDREWS of New Jersey, Mr. BORSKI, Mr. CUNNINGHAM, Mr. FILNER, Mr. FOGLIETTA, Mr. FROST, Mr. GILMAN, Mr. LANCASTER, Mr. MATSUI, Mr. MILLER of California, Mr. MINETA, Ms. PELOSI, Mr. SCOTT, Mr. TOWNS, Mr. TUCKER, Mr. UNDERWOOD, and Mr. WYNN) introduced the following bill; which was referred to the Committee on Veterans' Affairs

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## A BILL

To establish a commission to review the provisions of law stating that service performed by Filipino World War II veterans is not considered to be service in the Armed Forces of the United States for purposes of most veterans' benefits under the laws of the United States, and for other purposes.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Commission on Fili-  
3 pino Veterans Entitlement Act”.

4 **SEC. 2. ESTABLISHMENT OF COMMISSION.**

5 There is hereby established the Commission on Fili-  
6 pino War Veterans Entitlement (hereinafter in this Act  
7 referred to as the “Commission”).

8 **SEC. 3. DUTIES OF THE COMMISSION.**

9 (a) IN GENERAL.—It shall be the duty of the Com-  
10 mission to—

11 (1) review the facts and circumstances sur-  
12 rounding the enactment of those provisions of the  
13 First Supplemental Surplus Appropriation Rescis-  
14 sion Act, 1946 (Public Law 301 of the 79th Con-  
15 gress, now codified as section 107 of title 38, United  
16 States Code), that required the denial of most veter-  
17 ans’ benefits and privileges to Filipino veterans of  
18 World War II;

19 (2) review existing Department of Veterans Af-  
20 fairs benefits and medical privileges that are avail-  
21 able to those veterans;

22 (3) determine what type and kind of fair, equi-  
23 table, and justifiable veterans’ benefits are due to  
24 those veterans; and

25 (4) recommend appropriate changes in law.

1 (b) HEARINGS.—The Commission shall hold public  
2 hearings in the cities of Manila, Cebu, and Davao in the  
3 Philippines; Los Angeles and San Francisco, California;  
4 Chicago, Illinois; Houston, Texas; New York, New York;  
5 Washington, DC; Honolulu, Hawaii, and in any other loca-  
6 tion that the Commission determines to be appropriate.

7 (c) REPORT.—The Commission shall submit to Con-  
8 gress a written report of its findings and recommendations  
9 not later than October 1, 1994.

10 **SEC. 4. MEMBERSHIP.**

11 (a) COMPOSITION.—The Commission shall be com-  
12 posed of seven members, who shall be appointed as follows:

13 (1) Three members shall be appointed by the  
14 President.

15 (2) Two members shall be appointed by the  
16 Speaker of the House of Representatives.

17 (3) Two members shall be appointed by the  
18 President pro tempore of the Senate.

19 (b) TERMS, VACANCIES.—The term of office for  
20 members shall be for the life of the Commission. A va-  
21 cancy in the Commission shall not affect its powers and  
22 shall be filled in the same manner in which the original  
23 appointment was made.

1 (c) FIRST MEETING.—The first meeting of the Com-  
2 mission shall be called by the President within 60 days  
3 after the date of the enactment of this Act.

4 (d) QUORUM.—Four members of the Commission  
5 shall constitute a quorum, but a lesser number may hold  
6 hearings.

7 (e) CHAIRMAN, VICE CHAIRMAN.—The Commission  
8 shall elect a chairman and vice chairman from among its  
9 members. The term of office of each shall be for the life  
10 of the Commission.

11 (f) COMPENSATION.—Each member of the Commis-  
12 sion who is not otherwise employed by the United States  
13 Government shall receive compensation at a rate equal to  
14 the daily rate prescribed for GS-18 under the General  
15 Schedule contained in section 5332 of title 5, United  
16 States Code, for each day, including travel time, the mem-  
17 ber is engaged in the actual performance of the member's  
18 duties as a member of the Commission. A member of the  
19 Commission who is an officer or employee of the United  
20 States Government shall serve without additional com-  
21 pensation. All members of the Commission shall be reim-  
22 bursed for travel, subsistence, and other actual and nec-  
23 essary expenses incurred by them in the performance of  
24 their duties.

1 **SEC. 5. POWERS OF THE COMMISSION.**

2 (a) HEARINGS; SUBPOENAS.—The Commission or,  
3 on the authorization of the Commission, any subcommittee  
4 or member thereof, may, for the purpose of carrying out  
5 the provisions of this Act, hold such hearings and sit and  
6 act at such times and places, and request the attendance  
7 and testimony of such witnesses and the production of  
8 such books, records, correspondence, memorandum, pa-  
9 pers, and documents as the Commission or such sub-  
10 committee or member may deem advisable. The Commis-  
11 sion may request the Attorney General to invoke the aid  
12 of an appropriate United States District Court to require,  
13 by subpoena or otherwise, such attendance, testimony, or  
14 production.

15 (b) INFORMATION FROM EXECUTIVE AGENCIES.—  
16 The Commission may require directly from the head of  
17 any department, agency, independent instrumentality, or  
18 other authority of the executive branch of the Government,  
19 available information which the Commission considers use-  
20 ful in the discharge of its duties. All departments, agen-  
21 cies, and independent instrumentalities, or other authori-  
22 ties of the executive branch of the Government shall co-  
23 operate with the Commission and furnish all information  
24 requested by the Commission to the extent permitted by  
25 law.

1 **SEC. 6. ADMINISTRATIVE PROVISIONS.**

2 The Commission is authorized to—

3 (1) appoint and fix the compensation of such  
4 personnel as may be necessary, without regard to  
5 the provisions of title 5, United States Code, govern-  
6 ing appointments in the competitive service, and  
7 without regard to the provisions of chapter 51 and  
8 subchapter III of chapter 53 of such title relating to  
9 classification and General Schedule pay rates, except  
10 that the compensation of any employee of the Com-  
11 mission may not exceed a rate equivalent to the rate  
12 payable under GS-18 of the General Schedule under  
13 section 5332 of such title;

14 (2) obtain the services of experts and consult-  
15 ants in accordance with the provisions of section  
16 3109 of such title;

17 (3) enter into agreements with the Adminis-  
18 trator of General Services for procurement of nec-  
19 essary financial and administrative services, for  
20 which payment shall be made by reimbursement  
21 from funds of the Commission in such amounts as  
22 may be agreed upon by the Chairman of the Com-  
23 mission and the Administrator;

24 (4) procure supplies, services, and property by  
25 contract in accordance with applicable laws and reg-

1       ulations and to the extent or in such amounts as are  
2       provided in appropriation Acts; and

3           (5) enter into contracts with Federal or State  
4       agencies, private firms, institutions, and agencies for  
5       the conduct of research or surveys, the preparation  
6       of reports and other activities necessary to the dis-  
7       charge of the duties of the Commission, to the ex-  
8       tent or in such amounts as are provided in appro-  
9       priation Acts.

10 **SEC. 7. TERMINATION.**

11       The Commission shall terminate on February 1,  
12 1995.

13 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

14       There is hereby authorized to be appropriated  
15 \$2,000,000 to carry out the provisions of this Act.

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