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CROSSCURRENTS

Serious legal blow to vets



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A couple of weeks ago, Filipino American Cornelio Besinga met with defeat for the second time when the US Court of Appeals in California ruled him ineligible for benefits as a World War II veteran. A reversal such as his is an unfortunate development for many other veterans seeking benefits due them as citizens of the US.

You will recall that when the US naturalization laws for veterans was finally passed after years of long and often bitter debates, supporters and veterans alike rejoiced and believed their struggles were over. But when the euphoria faded, they understood to their dismay that citizenship stopped short at enjoying the rights inherent to it.

This latest setback only proves that such benefits may after all be farther from their grasp than they imagined.

The bone of contention was a rider to the First Supplemental Surplus Appropriation Rescission Act of 1946, which

stated that "service in the Commonwealth Army does not render a person eligible for certain veterans benefits." To Besinga, the negative ruling amounted to a grave injustice and ingratitude towards Filipino veterans. After years of long and hard struggle to get the US government to recognize them the way it did the rest of the allied forces of World War II, Filipino freedom fighters find that even as US citizenship is finally ruled to have been due them, they must now confront yet another and greater challenge: veterans benefits.

It has always been so that our veterans have been deprived of full material benefits due every veteran who had served in the US Armed Forces during World War II. The Rescission Act of 1946 specifically excluded them from these benefits by declaring that the service which they rendered "are deemed not 'active service' for the purpose of any law of the US conferring rights, privileges of benefits." Senator

Daniel K. Inouye (D-Hawaii) pointed out that this is the only instance in this century when the US Congress drew a distinction between veterans with regard to entitlements on the basis of how, where, or why they served in the US Armed Forces, and this discriminatory treatment was reserved for Filipino veterans. While over 100,000 aliens who served in the US Armed Forces have long been given full veteran benefits, Filipino veterans, by virtue of the Rescission Act of 1946, have had their entitlements withdrawn and thus continue to be deprived of them.

At present there are a few bills pending seeking to address these issues. Senator Inouye of Hawaii and Congressmen Gilman and Blackwell have filed bills to provide that persons considered to be Commonwealth Army veterans by reason of service with the Armed Forces during World War II in the Philippines shall be eligible for full veterans' benefits from the Department of Veterans Affairs.

Meanwhile, as such bills are pending, many veterans who have come to the US and granted citizenship suffer gravely for lack of sustaining income that could help establish themselves and adjust more comfortably in the US. The case of Mr. and Mrs. Pablo Emejas, is one example.

Without money, or without the material and moral support of immediate family members, newly-arrived veterans are sus-

ceptible to various kinds of elements which only further upset the culture shock to which every new immigrant is subjected. With elderly people, the strain of adjusting can certainly prove traumatic. Much as they intend to be productive members of their community, without the benefits and rights that all other senior citizens in the US enjoy, they cannot function with any degree of independence without having to depend on relatives or friends to whom they unwillingly cast themselves as added burdens. Some have even started to live in shelters as distressed relatives find they can no longer take care of them.

The FBI investigation of the alleged enslavement of newly arrived Filipino veterans in California is prime example of just how much worse the circumstances can turn out for our unsuspecting veterans. They become fair game for unscrupulous travel agents or businessmen. We have begun to keep watch of such practices in the

wake of a growing number of incidents victimizing veterans, but the fact remains that, we have not prepared ourselves in this regard in terms of proper human and social services that specifically answer their immediate needs.

We must believe that there is yet hope for Filipino World War II veterans. The case of Cornelio Besinga is an uphill battle; he refuses to accept what he perceives is a true injustice to himself and his fellow veterans. He deserves all our support. The heartrending encounters of our veterans in America should wake us up now and help prop up a floundering support base for their cause.

A citizen without rights is a clear case of discrimination and injustice. Filipino veterans deserve more from us than lip service; for a role that they played out for which they say was their honor to fight a war that future generations may live in peace, is an act that requires no less than our gratitude and compassion for their cause.