

CELESTINO G. ALMEDA Volunteer Spokesman

AMERICAN COALITION FOR FILIPINO VETERANS

Mobile Phone: 703-628-2783

E-mail: usfilipinoveterans@gmail.com



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Chairman Joe Heck

House Armed Services Subcommittee on Oversight & Investigation

Rayburn House Office Bldg.

Washington DC 20515

WITNESS STATEMENT

Eligibility for Filipino Veterans Equity Compensation

“Why am I being denied recognition by the V.A. & the U.S. Army?”

Good afternoon Mr. Chairman and members of the committee.

My name is CELESTINO ALMEDA , a 97-year-old Filipino American World War II veteran. I am the spokesman of the American Coalition for Filipino Veterans advocacy national organization. I reside in Gaithersburg, Maryland.

I have walked the halls of the U.S. Congress with a few dedicated veterans and volunteers over the past 15 years. We seek justice, honor, recognition and equitable benefits for my comrades and their dependents.

In years past, we have joined Senators Daniel Inouye and Daniel Akaka as well as Congress members Ben Gilman, Bob Filner, Mike Honda, Darrell Issa and Nancy Pelosi in countless hearings to pass several bills. In addition, we have been arrested in front of the White House to get the attention of President George W. Bush. Happily, we won the support of President Bush for our equity bills in Congress - beginning with the VA Healthcare law for Filipino veterans in 2003.

Thus, it is my honor to testify before your committee on the eligibility problems my comrades and I faced when we applied for the Filipino Veterans Equity Compensation benefit.

Allow me to use my case as an unfortunate example. The V.A. Department and the U.S. Army have repeatedly denied my requests for official recognition and my application for the Filipino veterans equity \$15,000 veterans benefit.

Allow me to tell my story. I was a vocational industrial arts instructor in a high school in the Philippines before the World War II. The Philippines was then a Commonwealth territory of the United States. I was a U.S. national who pledged allegiance to America.

In anticipation of hostilities with Imperial Japan, President Franklin Roosevelt ordered on July 26, 1941 the Philippine Commonwealth Army into the service of the Armed Forces of the United States, later named "USAFFE" or U.S. Army Forces in the Far East.

When the war started, I was in the R.O.T.C. Reserve Officers Training Corp. thus I was inducted into the active duty in December 1941 in the Anti-sabotage regiment of the U.S. Philippine Commonwealth Army Forces.

After the fall of Bataan and Corregidor, I joined the Filipino guerrillas. When the war was about to end, I reported for processing at Camp Murphy and was mustered out and given my discharge papers by the U.S. Philippine Commonwealth Army Personnel on April 2, 1946 with ASN number 0-34642 by US Army Lieutenant John B. Staples, Summary Court Officer. Later, I returned to military control and was assigned to the Construction Corps of the Philippines, a U.S. Army Corps.

I have meticulously kept service records of my USAFFE Philippine Army special orders in 1941, 1942, 1945 and 1946 from my Philippine Army and American officers and with payments records from the Philippine Commonwealth Army Headquarters.

I used these documents as evidence when I applied for U.S. naturalization based on my USAFFE military service under the 1990 immigration law.

The Immigration Service queried the Army's National Personnel Records Center known as NPRC in St. Louis Missouri. Unfortunately for me, NPRC responded negatively and stated my name was not in their NPRC archives and did not have records of my USAFFE service.

I contested this NPRC decision with a help of a prominent immigration lawyer in Los Angeles and the USAFFE documents I had. After appealing to the immigration court, I was informed by my lawyer that I was eligible to become a U.S. citizen. I was sworn in 1996 as an American.

In 2003 after President George W. Bush signed the Health Care for Filipino Veterans law (P.L. 108-170), I applied for a V.A. hospitalization identification card in

Washington DC based on personal copies of my USAFFE records. I received this V.A. Universal Access card. Let me show it to you.

In 2009, when the Filipino Veterans Equity Compensation law was implemented, I immediately applied. In 2010 and in April 2011, the VA denied my application because the NPRC did not certify my World War II service. The NPRC letters stated, "In order to establish service, his [my] name must appear in our archives and his claim folder must contain information compatible with the archives. These two requirements must be met before a positive determination can be made."

After another search of archives, the NPRC results also came up negative. I filed a Notice of Disagreement and pursued my claim with VA's Board of Appeals.

In March 2012 in preparation for my hearing at the Board of Appeal, Mr. Eric Lachica, the executive director of our ACFV organization, was able to persuade the NPRC managers to release six-pages of documents in NPRC files to us that NPRC said NEVER existed before.

I was pleasantly surprised to find a copy of my original discharge papers from the USAFFE Philippine Army Adjutant General Office Form 23 dated April 2, 1946 signed by American officer Lt. Staples ... and another crucial document that I have not seen before.

It was a copy of the U.S. Army Forces Recovered Personnel Division Headquarters form (GSXRP-PA4) titled: "Determination of Status of Individual under Missing Persons Act" with my name on top. It stated "Subject individual was a member of the Philippine Army ordered into the service of the Armed Forces of the United States."

It also had a handwritten note about a check issued to me in the amount Php 6,878.64 (Pesos) dated May 1, 1948 for my accumulated back pay for my time served in the USAFFE.

Why the NPRC and the Army did not disclose to me the existence of my records in their archives after repeated requests from me since the 1990s is beyond my understanding.

Mr. Lachica in his testimony may provide a credible explanation why this unjust situation happened to me – a Filipino American veteran.

INCREDIBLY - despite this crucial US Army Recovered Personnel document provided by NPRC, the VA Board of Appeal decided on February 27, 2013 to deny my FVEC application based on a faulty legal opinion of their V.A. general counsel.

I have elevated my disagreement with the V.A. to the U.S. Court of Appeals for Veterans Claims (CAVC). I am waiting for their decision.

I truly believe I have satisfied the provisions of the law by filing my claim within the one year period from the enactment of the law. I have complied with all the requirements for payment that are documents were issued by a US military service department that contain the needed information as to length, time and character of my service, and that my documents are genuine and contain accurate information.

I have submitted to the V.A. the following key documents about my service:

1. USAFFE PH Adjutant General Office Form 23, Affidavit for Philippine Military Personnel signed by American officer Lt. John Staples dated April 2, 1946,
2. Officers and warrant officers qualification card from my files,
3. U.S. War Department Form 336 – Revised Pay and Allowance Account,
4. Affidavits from my USAFFE comrades who attest to my service, and
5. U.S. Army Forces Recovered Personnel Division (PHILRYCOM) document of my Missing Person status and USAFFE service by provided by NPRC on March 19, 2012.

In closing, I stand to challenge any U.S. government agency or private institution with expertise regarding this matter to declare my documents fraudulent. I am willing to be punished to the full extent of the law.

I look forward to answer your questions. Forgive me if I cannot hear you well, I am not as young as I want to be.

Mr. Chairman, Thank you again for this opportunity to speak before your committee.

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MR. CELESTINO ALMEDA, 93, is a retired instructor. He does NOT receive any Federal contracts. He does NOT work for any Federal contractors.