

STATE OF HAWAII
DEPARTMENT OF DEFENSE

TESTIMONY ON HOUSE BILL 1944 HD1, RELATING TO FILIPINO VETERANS BURIAL
ASSISTANCE

PRESENTATION TO THE
COMMITTEE ON FINANCE

BY

MR. RONALD P. HAN
DIRECTOR OF STATE OFFICE OF VETERANS SERVICES

February 16, 2018
3:00 p.m.

Good afternoon, Chair Luke, Vice Chair Cullen, and members of the Committee:

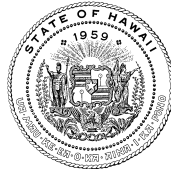
I'm Ron Han, Director of the State Office of Veterans Services (OVS). I appreciate this opportunity to provide testimony **in support** of the concepts in House Bill 1944 HD1.

This measure appropriates funds and establishes a special fund if authorized by governing administrative rules for burial grants to qualifying Filipino veterans to provide funeral and burial services and transportation of their remains to the Philippines. Eligible Filipino veterans have earned the right to be buried in a National or State Veterans' Cemetery. This is the same entitlement provided to eligible military members and veterans of the United States Armed Forces. Through Act 105, Sessions Laws of Hawaii 2017, the legislature with approval by the Governor appropriated initial funding for this measure. With coordination with the Hawaii State Attorney General's Office and public hearings throughout the State in 2017, a new Hawaii Administrative Rules Section has been created and is awaiting final approval for publishing. Once published, the appropriated funding can be utilized to assist eligible WWII Filipino Veterans.

The OVS supports the intent expressed in this measure as long as its implementation does not impact or replace the priorities set forth in the Executive Budget.

Thank you for this opportunity to provide testimony on behalf of Hawaii's Veterans and their families.

DAVID Y. IGE
GOVERNOR



WESLEY K. MACHIDA
DIRECTOR

LAUREL A. JOHNSTON
DEPUTY DIRECTOR

EMPLOYEES' RETIREMENT SYSTEM
HAWAII EMPLOYER-UNION HEALTH BENEFITS TRUST FUND
OFFICE OF THE PUBLIC DEFENDER

**STATE OF HAWAII
DEPARTMENT OF BUDGET AND FINANCE**

P.O. BOX 150
HONOLULU, HAWAII 96810-0150

ADMINISTRATIVE AND RESEARCH OFFICE
BUDGET, PROGRAM PLANNING AND
MANAGEMENT DIVISION
FINANCIAL ADMINISTRATION DIVISION
OFFICE OF FEDERAL AWARDS MANAGEMENT (OFAM)

WRITTEN ONLY

TESTIMONY BY LAUREL A. JOHNSTON
ACTING DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE HOUSE COMMITTEE ON FINANCE
ON
HOUSE BILL NO. 1944, H.D. 1

**February 16, 2018
3:00 p.m.
Room 308**

RELATING TO FILIPINO VETERANS BURIAL ASSISTANCE

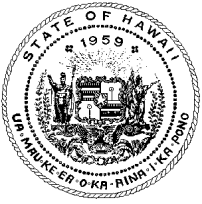
House Bill No. 1944, H.D. 1, establishes the Filipino-American Veterans of World War II Burial Assistance Program; establishes the Filipino-American Veterans of World War II Burial Assistance Program Special Fund; and provides an unspecified general fund and special fund appropriations. The measure further provides that the fund is to be administered by the Office of Veterans Services, into which shall be deposited appropriations by the Legislature, and for which funds shall be used for operating expenses of and burial grants provided by the burial assistance program.

While the Department of Budget and Finance does not take any position on the establishment of the Filipino-American Veterans of World War II Burial Assistance Program, as a matter of general policy, the department does not support the creation of special funds which do not meet the requirements of Section 37-52.3, HRS. Special funds should: 1) serve a need as demonstrated by the purpose, scope of work and an explanation why the program cannot be implemented under the general fund appropriation process; 2) reflect a clear nexus between the benefits sought and charges

made upon the users or beneficiaries of the program or a clear link between the program and the sources of revenue; 3) provide an appropriate means of financing for the program or activity; and 4) demonstrate the capacity to be financially self-sustaining.

With regards to House Bill No. 1944, H.D. 1, it does not appear that the special fund meets the criteria of Section 37-52.3, HRS.

Thank you for your consideration of our comments.



HAWAI‘I CIVIL RIGHTS COMMISSION

830 PUNCHBOWL STREET, ROOM 411 HONOLULU, HI 96813 · PHONE: 586-8636 FAX: 586-8655 TDD: 568-8692

February 16, 2018
Rm. 308, 3:00 p.m.

To: The Honorable Sylvia Luke, Chair
Members of the House Committee on Finance

From: Linda Hamilton Krieger, Chair
and Commissioners of the Hawai‘i Civil Rights Commission

Re: H.B. No. 1944, H.D.1

The Hawai‘i Civil Rights Commission (HCRC) has enforcement jurisdiction over Hawai‘i’s laws prohibiting discrimination in employment, housing, public accommodations, and access to state and state funded services. The HCRC carries out the Hawai‘i constitutional mandate that no person shall be discriminated against in the exercise of their civil rights. Art. I, Sec. 5.

H.B. No. 1944, H.D.1, establishes a stable and dedicated funding source to provide for burial grants for Filipino-American veterans of World War II, to cover funeral and burial costs, including the cost of returning their remains to the Philippines for burial. This follows the 2017 enactment of H.B. No. 1420 as Act 105, which provided for a one-time appropriation for the same purpose.

The HCRC strongly supports H.B. No. 1944, H.D.1, provided it does not impact the priorities detailed in the Governor’s Executive Budget. This program is one small way that Hawai‘i can join the United States in efforts to pay a debt of gratitude and justice, attempting to remedy a history of injustice, broken promises, and discriminatory treatment suffered by a now dwindling generation of heroic Filipino Veterans who served under US command, were promised citizenship and veteran’s benefits, and to this day continue to suffer the consequences of broken promises and belated remedies.

During WWII, members of the Philippine Armed Forces served in the US Armed Forces in the war against Japan. They were among a broader class of non-citizens serving in the US Armed Forces who were offered

naturalization as part of the 1942 enactment of the Second War Powers Act, which waived a number of usual naturalization requirements, including residence in the United States and literacy and education testing in English. The cut-off date for application was set at December 31, 1946.

The US authorized Vice Consul George H. Ennis in August 1945 to naturalize Filipino servicemen pursuant to the law. However, the applicability of the law to Filipino servicemen was questioned, and then Attorney General Tom Clark revoked Ennis' authority to naturalize in September 26, 1945. Eligible Filipino servicemen were then only able to naturalize from August through December, 1946. As a result, only about 4,000 out of more than 250,000 Filipino servicemen applied for and were granted naturalization during those few short months.

With the enactment of the Rescission Act in 1946, these Filipino Veterans who served under US Command were singled out and denied full and equal veterans status and benefits given to others.

This injustice spawned a host of litigated cases on behalf of Filipino Veterans, from the 1960s through the 1980s. Then, in 1990 Congress incorporated provisions for special naturalization for Filipino Veterans in the 1990 Immigration Act, followed by piecemeal legislation providing for limited benefits for Filipino Veterans, but not equity and full veterans benefits.

Many of those Filipino Veterans who naturalized since 1990 have waited for years for relative visas to become available, so their petitions to be reunited with their adult children in the United States can be approved and visas issued. Fewer and fewer remain with us, waiting, as those who fought under US command in WWII are now aged well into their 90s.

The HCRC strongly supports H.B. No. 1944, which provides for those who wish to return to the Philippines to be buried and reunited with their families in death, too late to be reunited in life, provided it does not impact the priorities detailed in the Governor's Executive Budget.

Testimony in Strong Support of

HB 1944hd 1 RELATING TO FILIPINO VETERANS BURIAL ASSISTANCE

House Committee on Veterans, Military, International Affairs Culture & the Arts

State Capitol, House Conference Room 308

February 16, 2018

Chair Luke, Vice Chair Cullen and Committee Members

From: Amy Agbayani, chair Filipina Advocacy Network

Subject: HB 1944 Relating to Filipino Veterans Burial Assistance

Filipina Advocacy Network supports programs and policies that seek to equity for Filipinos and the status of Filipinos in Hawai'i. We strongly support HB 1944 hd1 to provide stable funding for burial grants for qualifying Filipino-American veterans. These funds would pay for funeral and burial services and transportation of their remains to the Philippines; provided that federal funds remain unavailable and there remain eligible Filipino American veterans living in the State. The veterans living in our state do not have resources to transport their remains to the Philippines if that is their final wish. Although burial grants to cover this cost were statutorily established, there are no stable funds available. These veterans are in their 90's, most do not have family in Hawai'i and are low-income.

We respectfully request you approve this bill that demonstrates Hawaii's recognition of our Filipino WW II veteran's service and sacrifice. Thank you for hearing this bill and for the opportunity to offer our strong support.

Filipino American Citizens League

Jake Manegdeg, President and Charlene Cuaresma, Vice President
c/o 728 Nunu Street, Honolulu, HI 96734

Testimony in Strong Support of HB 1944 HD1
Filipino-American World War II Veterans; Burial Grants; Special Fund; Appropriation (\$)
House Committee on Veterans, Military, & International Affairs, & Culture and the Arts
February 16, 2018, 3 p.m.
Hawai'i State Capitol, House Conference Room 308

To: Rep. Sylvia Luke, Chair & Rep. Ty J.K. Cullen, Vice Chair
Members of House Committee on Finance

From: Jake Manegdeg, President and Charlene Cuaresma, Vice President
Filipino American Citizens League

Subject: Establishes the Filipino-American Veterans of World War II burial assistance program.
Establishes the Filipino-American veterans of World War II burial assistance program
special fund. Makes an appropriation.

As Filipino American Citizens League president and vice president, we, Jake Manegdeg and Charlene Cuaresma, strongly support this bill. The Filipino American Citizens League was formed over twenty years ago to contribute to the advancement of civil rights and social justice for minority groups, underserved populations, and vulnerable communities through education, advocacy, and social action.

Provisions of this bill are important because the 1946 Rescission Act wrongly took away the full veterans benefits promised to our Filipino World War II veterans upon enlistment and completion of service to the U.S. Armed Forces. As a result of having family reunification withdrawn or delayed, a declining number of veterans are aging alone in destitute and desire to be buried in the Philippines.

As a matter of parity with other WWII allied forces, we advocate for the dignity of our elderly veterans, who sacrificed for our country, by passing this bill. Thank you for hearing this bill and for the opportunity to offer our strong support.

Very Sincerely,

Jake Manegdeg and Charlene Cuaresma
Filipino American Citizens League

HB-1944-HD-1

Submitted on: 2/15/2018 4:06:27 PM

Testimony for FIN on 2/16/2018 3:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Hawaii Filipino Lawyers Association	Hawaii Filipino Lawyers Association	Support	No

Comments:

HB1944HD1

Hearing date: 2/16/18, 3:00 p.m.

Testimony in Support of HB 1944 Relating to Filipino Veterans Burial Assistance

Chair Luke and Members of the House Finance Committee:

The Hawaii Filipino Lawyers Association submits our testimony in **strong support** of HB1944 which will create a special fund to help Filipino Veterans with transportation expenses for their burial in the Philippines should they elect to be buried there.

The background of these gallant men who fought alongside the U.S. Army in the Philippines during World War II is well stated in the preamble of this bill. The least that we can do for these veterans is to honor their wish to be buried in their mother country when the time comes.

The number of surviving Filipino veterans in Hawaii is less than 150 and many are in their early to mid-nineties. Time is running out on them. We ask that you act favorably on this bill.

HB-1944-HD-1

Submitted on: 2/14/2018 2:11:35 PM

Testimony for FIN on 2/16/2018 3:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Lynnette Santiago	Individual	Support	No

Comments:

HB-1944-HD-1

Submitted on: 2/14/2018 2:35:37 PM

Testimony for FIN on 2/16/2018 3:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Don Aweau	Individual	Support	Yes

Comments:

HB-1944-HD-1

Submitted on: 2/15/2018 10:34:10 AM

Testimony for FIN on 2/16/2018 3:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Randall Francisco	Individual	Support	No

Comments:

HB-1944-HD-1

Submitted on: 2/15/2018 3:00:21 PM

Testimony for FIN on 2/16/2018 3:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	Individual	Support	No

Comments:

LATE

HB-1944-HD-1

Submitted on: 2/16/2018 7:37:00 AM

Testimony for FIN on 2/16/2018 3:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
wilfredo tungol	Individual	Support	No

Comments:

HB1944HD1

Hearing Date: 2/16/18 3:00 p.m.

Testimony from Wilfredo Tungol (LTC, USAR, Ret.)

Chair Luke and Members of the Finance Committe:

I am submitting my testimony in STRONG SUPPORT of this bill. My uncle was a Filipino Veteran who died fighting with the U.S. Armed Forces in the Philippines during World War II. He died fighting for the country that he loved. This bill will help honor the wishes of Filipino Veterans living in Hawaii to be returned to their mother country when they passed away. It is a request that our state should grant to these brave warriors who helped us fight for our freedom. It is estimated that there are less than 150 surviving Filipino Veterans in Hawaii. Not all of them will request to be returned to the Philippines. Perhaps only those without their immediate family members will wish to be returned to the Philippines so that their loved ones can pay their respects when the veterans have passed away. Time is running short for these brave warriors. Let us honor their service by granting their wish to be buried in their mother country.

HB-1944-HD-1

Submitted on: 2/16/2018 1:15:19 PM

Testimony for FIN on 2/16/2018 3:00:00 PM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Becky Gardner	Individual	Support	No

Comments: