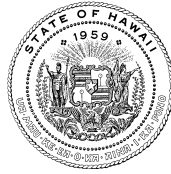


DAVID Y. IGE
GOVERNOR



LAUREL A. JOHNSTON
DIRECTOR

KEN N. KITAMURA
ACTING 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
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE
TO THE SENATE COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL, AND
MILITARY AFFAIRS
ON
HOUSE BILL NO. 1944, H.D. 1

**March 13, 2018
1:30 p.m.
Room 229**

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.

STATE OF HAWAII
DEPARTMENT OF DEFENSE

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

PRESENTATION TO THE
COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL, AND MILITARY
AFFAIRS

BY

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

March 13, 2018
1:30 p.m.

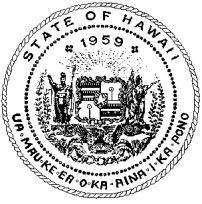
Good afternoon, Chair Nishihara, Vice Chair Wakai, and members of the Committee:

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 has been approved.

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.



HAWAI‘I CIVIL RIGHTS COMMISSION

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

March 13, 2018
Rm. 229, 1:30 p.m.

To: The Honorable Clarence K. Nishihara, Chair
Members of the Senate Committee on Public Safety, Intergovernmental, and Military Affairs

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, H.D.1, 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.

HB-1944-HD-1

Submitted on: 3/12/2018 1:14:32 PM

Testimony for PSM on 3/13/2018 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	Testifying for OCC Legislative Priorities Committee, Democratic Party of Hawai'i	Support	No

Comments: