



HAWAI‘I CIVIL RIGHTS COMMISSION

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

February 21, 2019
Rm. 308, 12:30 p.m.

To: The Honorable Sylvia Luke, Chair
The Honorable Ty J.K. Cullen, Vice 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. 378, 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. 378, 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. 378, H.D. 1. 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. 378, 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.



Luna O Na Papa Alakai

Committee on Finance

Pelekikena
A. Makana Paris

Wednesday, February 21, 2019
12:30 pm Conference Room 308

Hope Pekekikena
Ekahi
Randi Fernandez

State Capitol
415 South Beretania Street

Hope Pelekikena
Elua
Matthew Gumapac

Re: HB378 HD1 - RELATING TO FILIPINO VETERANS BURIAL ASSISTANCE

Puuku
Denise Kekuna

The Prince Kūhiō Hawaiian Civic Club **SUPPORTS** the passage of HB378 HD1. The bill appropriates funds for burial grants for qualifying Filipino-American World War II veterans to provide funeral and burial services and transportation of their remains to the Philippines and provides that funds shall not lapse to the general fund and remain available as needed.

Kakauolelo Hoopaa
Sai Furukawa

Over a quarter-million Filipino and Filipino-American soldiers fought under the command of the United States during World War II. Many of these Filipino-American World War II veterans have been promised many things by the United States, which were not always honored. Through this program, Hawai'i can join with the United States to pay a small part of a great debt of gratitude and take a step towards justice for our Filipino-American World War II veterans in Hawai'i. The Hawaiian wisdom saying *malama kekahi i kekahi*, to take care of one another, reminds us that it is proper for us to care for each other. So let us care for these *kūpuna* through the passage of this bill.

Kakauolelo Hooholo
Palapala
Kamuela Werner

Pelekikena Hala
Koke
Yvonne 'PeeWee'
Ryan

Founded in 1964, PKHCC was organized to promote the education and social welfare of people of Hawaiian ancestry and objectives include supporting high ethical standards in business, industry and the professional fields of enterprise.

Luna Alakai
Kuni Agard
Puamana Crabbe
Kanani Pali
Marlene Sai
Jennifer Smythe
Bruce Wong

PKHCC urges the committee to **PASS** HB378 HD1.

Mailing Address:
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96812

Me ke aloha,

A. Makana Paris
Pelekikena
president@pkhcc.org

www.pkhcc.org

Founded in 1964
by Liliuokalani
Kawananakoa Morris

HB-378-HD-1

Submitted on: 2/20/2019 10:08:10 AM

Testimony for FIN on 2/21/2019 12:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Dylan P. Armstrong	Oahu County Democrats	Support	No

Comments:

Aloha Chair Luke, and Members of the Finance Committee,

I write in support of this measure, House Bill 378 HD1.

The Oahu Democrats support the repatriation and the proper honoring of the remains of those Filipino-Americans who served and died in World War II. We treasure the sacrifices of our working people. We note the enormity of this under-appreciated chapter in American history, where Filipino-Americans struggled against discrimination for an equal place in society, and in so doing shaped world history. We find that this bill is a use of time and resources that is appropriate for our democratic society as Americans.

Furthermore, many Oahu Democratic leaders including the Honorable Mazie Hirono have made this issue a priority for many years, and we as Oahu County Democrats applaud these efforts made by Senator Hirono, State Representative Henry Aquino and our other elected members for the betterment of civil society.

Please vote in support of HB378 HD1.

Thank you for your consideration.

Respectfully,

Dylan P. Armstrong

Vice Chair, Oahu County Committee, Oahu County Democrats

Lead Member for Finance & Ways and Means, Oahu County Committee on Legislative Priorities

HB-378-HD-1

Submitted on: 2/20/2019 11:22:01 AM

Testimony for FIN on 2/21/2019 12:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	O`ahu County Committee on Legislative Priorities of the Democratic Party of Hawai`i	Support	No

Comments:

HB-378-HD-1

Submitted on: 2/19/2019 11:19:21 AM

Testimony for FIN on 2/21/2019 12:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
amy agbayani	Filipina Advocacy Network FAN	Support	Yes

Comments:

Subject: HB 378hd1 Relating to Filipino Veterans Burial Assistance

My name is Amy Agbayani, Chair of the Filipina Advocacy Network. We support programs and policies that seek equity for Filipinos and improve the status of Filipinos in Hawai'i. We strongly support HB378 to provide stable funding for burial grants for qualifying Filipino-American veterans. These funds would pay for partial funding 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. These veterans are in their 90's, most do not have family in Hawai'i and are low-income. Although burial grants to cover this cost were statutorily established, there are no funds available as unused funds lapsed at the end of the fiscal year.

We respectfully request you approve this bill that demonstrates Hawaii's recognition of our Filipino WW II veteran's service and sacrifice. These elderly veterans have faced many barriers and deserve our appreciation. Thank you for hearing this bill and for the opportunity to offer our strong support.

HB-378-HD-1

Submitted on: 2/19/2019 12:01:56 PM

Testimony for FIN on 2/21/2019 12:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Franz D. Juan	The Filipino Community Center, Inc.	Support	No

Comments:

The Filipino Community Center, Inc. supports this measure.

STATE OF HAWAII
DEPARTMENT OF DEFENSE

TESTIMONY ON HOUSE BILL 378 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 21, 2019
12:30 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 378 HD1.

This measure appropriates funds and establishes a special non-lapsing 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.


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.

Law Office of Abelina Madrid Shaw, AAL, LLC

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TO: Rep. Sylvia Luke, Chair
Rep. Ty J.K. Cullen, Vice Chair and Committee Members
House Committee of Finance

FROM: Abelina Madrid Shaw, Esq. 

DATE: February 21, 2019 (12:30 p.m.) Conference Room 308

RE: TESTIMONY IN SUPPORT OF H.B. 378 H.D.I. RELATING
TO FILIPINO VETERANS BURIAL ASSISTANCE

Notwithstanding the efforts by the legislature to set aside funds for the burial of Filipino Veterans and its related costs to properly bury the Veterans, efforts to meet the last wishes of the Veteran to be buried in the Philippines have been hampered by current statutory rules which preclude families from taking advantage of this benefit, long overdue.

This Bill will provide for the Veteran and their families the peace of mind that their wishes to go home to be buried in his homeland will be met. And, preventing the lapse of these appropriated funds will allow for the intended purpose of this Bill.

Realizing that the Veterans are now nearing their 90's and need more care and attention, Congress, headed by our delegation, have passed legislation that will facilitate the processes to have their children united with their elderly parents living in Hawaii to help care for them. Even this process has been cumbersome. Many Veterans live alone and are under tight budgets, many just receiving SSI and their Philippine military service pension. Elderly Filipino Veterans must also compete for the scarce elderly services offered by our community. Allowing for this amount of \$5,000.00 for each Veteran and the prevention of the lapse of funds will ameliorate the challenges they face. The increase to \$5,000.00 and the non-lapsing of these funds will go a long way to better life here in Hawaii.

Guidelines for preventing the lapse of funds will address the reality that death is not controllable, more so for those Filipino Veterans in the twilight of their years.

Thank you for the opportunity to provide testimony.

RELATING TO THE UNIVERSITY OF HAWAII
Hearing Date: February 21, 2019, Conference Room 308

Supporting Testimony for HB378, HD1
Committee on Finance

To Honorable Chair Representative Luke, Vice Chair Rep. Cullen and Members of the Committee,

I am a faculty specialist in student affairs at the University of Hawai'i at Mānoa. I am a proud Filipina and an alumni of the institution. I am grateful to be involved with Pamantasan and am writing in strong support of SB1418, which would provide resources for the system-wide Pamantasan Council.

Pamantasan has played an integral part in connecting Filipino faculty, staff and students to address issues of representation for Filipinos across the spectrum of higher education. Filipinos are the second largest ethnic group in the state of Hawai'i, yet the number of Filipino students enrolled, as well as faculty and staff employed within the UH System are gravely underrepresented. Retention of our Filipino students has also been an ongoing concern. This bill would support the Pamantasan Council in helping to address these issues and ultimately working towards to success of our Filipino students.

As an alumni, I greatly benefited from Filipino language programs and Filipino student groups, all of whom Pamantasan supports. In fact, as a transfer student from the continent, my participation in these programs helped me to gain a sense of belonging on campus and increased my self-esteem to become a more engaged student. When I became a new staff at the University seven years ago, the Pamantasan conference was one of the first projects I was encouraged to be a part of. I was grateful for the opportunity to connect and build relationships with other Filipino professionals. This has also encouraged me to be passionate about mentoring Filipino students. It is encouraging to know that Filipino faculty, staff and students have a platform to express their unique needs and to network with others they can identify and relate to.

Funding for Pamantasan would help ensure the continued success of our students in higher education and to support our diversity resources in higher education. I am in support of this bill to assist the Pamantasan Council.

Jennifer Pagala Barnett