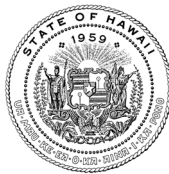


DAVID Y. IGE  
GOVERNOR



RODERICK K. BECKER  
DIRECTOR

ROBERT YU  
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)

TESTIMONY BY RODERICK K. BECKER  
DIRECTOR, DEPARTMENT OF BUDGET AND FINANCE  
TO THE SENATE COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL,  
AND MILITARY AFFAIRS  
ON  
HOUSE BILL NO. 378, H.D. 1

**March 14, 2019**  
**1:30 p.m.**  
**Room 229**

RELATING TO FILIPINO VETERANS BURIAL ASSISTANCE

House Bill (H.B.) No. 378, H.D. 1, appropriates an unspecified amount of general funds for FY 20 and for FY 21 for burial grants for qualified Filipino-American World War II veterans for funeral and burial services and for transportation of their remains to the Philippines. The bill also specifies that "funds appropriated and unencumbered as of July 30, 2021, shall not lapse but shall remain available for the purpose of the Act." The effective date of this bill is January 1, 2050.

The Department of Budget and Finance appreciates the intent of this bill to provide burial grants for qualified Filipino-American World War II veterans; however, this bill may have a constitutional issue with the lapsing of funds. The Department of the Attorney General has opined that Article VII, Section 11, of the Hawaii State Constitution, provides that general funds may not be appropriated for a biennial appropriation with a lapse date more than one year beyond the biennial period. Thus, the FY 20 and FY 21 appropriations in H.B. No. 378, H.D. 1, must lapse no later than June 30, 2022, which is one year beyond the close of the Fiscal Biennium 2019-21.

Thank you for your consideration of our comments.

DAVID Y. IGE  
GOVERNOR



ARTHUR J. LOGAN  
MAJOR GENERAL  
ADJUTANT GENERAL

KENNETH S. HARA  
BRIGADIER GENERAL  
DEPUTY ADJUTANT GENERAL

STATE OF HAWAII  
**DEPARTMENT OF DEFENSE**  
OFFICE OF THE ADJUTANT GENERAL  
3949 DIAMOND HEAD ROAD  
HONOLULU, HAWAII 96816-4495

TESTIMONY ON HOUSE BILL 378 HD1  
RELATING TO FILIPINO VETERANS BURIAL ASSISTANCE

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

BY

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

March 14, 2019  
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 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.

Ron Han: [ronald.han@va.gov](mailto:ronald.han@va.gov) Phone: (808) 433-0422



# HAWAI‘I CIVIL RIGHTS COMMISSION

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

March 14, 2019  
Rm. 229, 1:30 p.m.

To: Hon. Clarence K. Nishihara, Chair  
Hon. Glenn Wakai, Vice 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. 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.

**HB-378-HD-1**

Submitted on: 3/11/2019 8:45:05 PM

Testimony for PSM on 3/14/2019 1:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
amy agbayani	Testifying for Filipina Advocacy Network FAN	Support	Yes

Comments:

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.

Since most veterans are in their 90s we do not expect funding will be needed for many more years. We urge that funding mechanism will allow benefits be available beyond 2019-2021.

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.

**Law Office of Abelina Madrid Shaw, AAL, LLC**

810 Richards Street, Suite 960  
Honolulu, Hawaii 96813  
Phone: (808) 523-5979 Fax: (808) 523-5979

TO: Sen. Clarence K. Nishihara, Chair  
Sen. Glenn Wakai, Vice Chair and Committee Members  
House Committee on Public Safety, Intergovernmental, and Military Affairs

FROM: Abelina Madrid Shaw, Esq.

DATE: March 14, 2019 (1:30 p.m.) Conference Room 229

RE: TESTIMONY IN SUPPORT OF H.B. 378 HD1 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.

**HB-378-HD-1**

Submitted on: 3/11/2019 3:22:38 PM

Testimony for PSM on 3/14/2019 1:30:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mike Golojuch	Individual	Support	No

Comments:

I strongly support HB378 . Our Filipino veterans needs this long over benefit. Please pass HB 378.

Mike Golojuch, LT Col, USAF((Ret)

**LATE**

DATE: March 13, 2019

TO: SENATE COMMITTEE ON PUBLIC SAFETY, VETERANS, &  
MILITARY AFFAIRS  
Senator Clarence Nishihara, Chair  
Senator Glenn Wakai, Vice Chair

FROM: Christine Quemuel  
University of Hawai'i Pamantasan Council  
(808) 221-7287

RE: Supporting HB378 HD1, Relating to Filipino Veterans Burial Assistance  
Thursday March 14, 2019  
1:30 pm  
Conference Room 229

On behalf of the University of Hawai'i Pamantasan Council, I respectfully submit testimony for the Senate Committee on Public Safety, Veterans & Military Affairs hearing on Thursday, March 14, 2019 in strong support of HB378 HD1 relating to Filipino Veterans Burial Assistance, to appropriate funds for burial grants for qualifying Filipino World War II veterans to provide funeral and burial services and transportation of their remains to the Philippines. The Pamantasan Executive Council is the UH systemwide organization concerned with the status of Filipinos on all UH campuses throughout the state.

More than 250,000 Filipinos fought on behalf of the United States during World War II, and many were never recognized nor compensated for their heroism. The veterans are now at least 95 years old, and our time to honor them is running out. We respectfully ask that the funding for the burial grants does not lapse to the general fund and remain available for the last remaining survivors. Funding for this bill will finally honor the legacies of Filipino American veterans who sacrificed and courageously fought for the United States during WWII.

We thank the legislature for introducing this important bill and for their continued commitment to Hawai'i's World War II veterans. This testimony does not represent the official testimony of the University of Hawai'i system, but reflects the support of the Pamantasan Council. We strongly encourage the passage of this bill. Please support HB378 HD1, relating to Filipino Veterans Burial Assistance.







**LATE**

Luna O Na Papa Alakai

Committee on Public Safety, Intergovernmental, and Military Affairs

Pelekikena  
A. Makana Paris

Thursday, March 14, 2019  
1:30 pm Conference Room 229

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

Aloha Chair Nishihara, Vice-Chair Wakai, and honorable members of the Senate  
Committee on Public Safety, Intergovernmental, and Military Affairs:

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

Kakauolelo Hooholo  
Palapala  
Kamuela Werner

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.

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:  
P.O. Box 4728  
Honolulu ~ Hawaii  
96812

Me ke aloha,

A. Makana Paris  
Pelekikena  
president@pkhcc.org

www.pkhcc.org

Founded in 1964  
by Liliuokalani  
Kawananakoa Morris

**LATE**

DATE: March 13, 2019

TO: SENATE COMMITTEE ON PUBLIC SAFETY, INTERGOVERNMENTAL,  
AND MILITARY AFFAIRS  
Senator Clarence K. Nishihara, Chair  
Senator Glenn Wakai, Vice Chair

FROM: Roderick Labrador  
(808) 349-6473

RE: Supporting HB 378, HD1 Relating to Filipino Veterans Burial Assistance  
Thursday, March 14, 2019 1:30pm  
Conference Room 229

I respectfully submit testimony for the Senate Committee on Public Safety, Intergovernmental, and Military Affairs hearing on Thursday, March 14, 2019 in strong support of HB 378, HD1 relating to Filipino Veterans Burial Assistance, to appropriate funds for burial grants for qualifying Filipino World War II veterans to provide funeral and burial services and transportation of their remains to the Philippines.

I am a professor in the Ethnic Studies Department at UH-Mānoa and I teach several courses related to Filipinos. In my courses, we talk about how more than 250,000 Filipino and Filipino American soldiers fought on behalf of the United States during World War II, even though many were neither honored nor compensated for their service and sacrifice. It has taken seven decades to recognize and provide the rights, privileges, and benefits afforded to those who served under the U.S. Armed Forces. The surviving veterans are now in their 90s and our time to acknowledge their heroism is both long overdue and expiring. I respectfully ask that the funding for the burial grants does not lapse to the general fund and remain available for the last remaining survivors. Funding for this bill will finally recognize the heroism of Filipino veterans who sacrificed and courageously battled for the United States during WWII.

I thank the legislature for introducing this important bill and for your continued commitment to Hawai'i's World War II veterans. This testimony does not represent the official testimony of the University of Hawai'i system or the UH-Mānoa Department of Ethnic Studies, but reflects my own individual support and I strongly encourage the passage of this bill. Please support HB 378, HD1 relating to Filipino Veterans Burial Assistance.