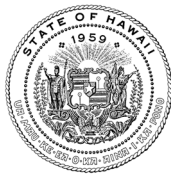


DAVID Y. IGE  
GOVERNOR



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)

**WRITTEN ONLY**

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

**January 30, 2019**  
**10:30 a.m.**  
**Room 430**

RELATING TO FILIPINO VETERANS BURIAL ASSISTANCE

House Bill (H.B.) No. 378 appropriates \$100,000 in 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 contains an unspecified lapse date where "funds appropriated and unencumbered as of July 30, 2021, shall not lapse but shall remain available for the purpose of the Act."

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 problems 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 must lapse no later than June 30, 2022, which is one year beyond the close of the Fiscal Biennium 2020-21.

Thank you for your consideration of our comments.

STATE OF HAWAII  
DEPARTMENT OF DEFENSE

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

PRESENTATION TO THE  
COMMITTEE ON PUBLIC SAFETY, VETERANS & MILITARY AFFAIRS

BY

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

January 30, 2019  
10:30 a.m.

Good morning, Chair Takayama, Vice Chair Gates, 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.

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.



# HAWAI‘I CIVIL RIGHTS COMMISSION

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

January 30, 2019  
Rm. 430, 10:30 a.m.

To: The Honorable Gregg Takayama, Chair and The Honorable Cedric Asuega gates, Vice Chair  
Members of the House Committee on Veterans, Military, & International Affairs, & Culture and the Arts

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

Re: H.B. No. 378- Relating to Filipino Veterans Burial Assistance

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 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. 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, 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.

# 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 378 Filipino Veterans Burial Assistance

House Committee on Public Safety, Veterans & Military Affairs  
January 30, 2019 10:30 a.m.  
Hawai'i State Capitol, House Conference Room 430

To: Rep. Gregg Takayama, Chair  
Rep. Cedric Asuega Gates, Vice Chair  
Members of House Committee on Public Safety, Veterans & Military Affairs

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

Subject: 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. Requires funds for burial grants to not lapse to the general fund and remain available as needed.

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



THE FILIPINO VETERANS RECOGNITION  
AND EDUCATION PROJECT

P. O. Box 860654 Wahiawa, HI 96786 Phone: (808) 285-5143

Date: January 29, 2019

To: Rep. Greg Takayama, Chair

Rep. Cedric Asuego Gates, Vice Chair

House Committee on Safety, Veterans and Military Affairs,

Re: Testimony on H.B. 378 – Filipino Veterans Burial Assistance

Hearing Date: 1/30/19, 10:30 a.m.

The Filipino Veterans Recognition and Education Project, Region 11 (Hawaii and the Pacific Territories) appreciates the opportunity to submit this testimony in strong **SUPPORT** for H.B. 378, which would provide a stable non-lapsing funding source to provide financial assistance for the burial and funeral costs for Filipino-American veterans living in Hawaii who served in World War II and wants to be repatriated to the Philippines upon their death.

Such stable funding is not only critical to lighten the heavy financial burden of transporting a veteran's remains to the Philippines – estimated to cost \$5,000 - \$12,000. It also serves as a symbolic gesture to help remedy a solemn injustice experienced by these brave and loyal servicemen - now in their 90s - as well as their families. We recommend that the assistance be increased to \$10,00 instead of the proposed \$5,000 contained in the bill. The cost of preparing the body (embalming, casket, etc.) and transportation will exceed \$5,000.

Promised citizenship and veterans' benefits in return for their service, these Philippine Nationals put their lives on the line in the US Armed Forces. Not until *after* these Filipino veterans made great sacrifices to serve our country, did we see legislation and a series of political decisions that stripped away the benefits earned and promises made by our federal government – measures that some have regarded as racist and discriminatory.

Although there have been a few legislative and policy gains to make good on America's commitment to these servicemen, these efforts have been slow-incoming, burdensome to pursue, and falls far too short of what's been pledged and deserved.

It's been heart-breaking for our organization to learn about the sacrifices these veterans have made based on a well-founded expectation that the relevant petitions and visas needed to reunify families in the United States would be provided for, granted, and approved. Instead, they are aging here, alone, far from home and the family that would otherwise care for them.

We believe that passage of this bill will help rectify the indignity of this history; recognize the sacrifices made by these veterans and their families; and highlight the compassion with which our Aloha State understands their collective experience – which has too easily been forgotten on the national level. This measure is long overdue; and sadly, much too late for so many.

We thank you for your support in the passage of this bill.

Mahalo and Mabuhay,

Anita Loando-Acohido, FilvetREP Region 11 Director and

Wilfredo Tungol, FilvetREP Region 11 Deputy Director

Phone: 808-387-7412



## **O`ahu County Committee on Legislative Priorities (OCCLP)**

COMMITTEE ON PUBLIC SAFETY, VETERANS & MILITARY AFFAIRS  
Rep. Gregg Takayama, Chair  
Rep. Cedric Asuega Gates, Vice Chair

DATE: Wednesday, January 30, 2019  
TIME: 10:30 a.m.  
PLACE: Conference Room 430 State Capitol

RE: HB 378 Relating to Filipino Veterans Burial Assistance

Aloha mai kakou Members of the House Committee on Public Safety, Veterans and Military Affairs:

The O`ahu County Committee on Legislative Priorities (OCCLP) of the Democratic Party of Hawai`i (DPH) hereby submits its testimony in **SUPPORT of HB 378 relating to Filipino Veterans Burial Assistance.**

HB 378 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. HB 378 further requires that funds for burial grants to not lapse to the general fund and remain available as needed.

Our country has a sacred, moral responsibility to keep faith with all our veterans and wounded warriors. We must take care of those who have their lives on the line to defend us. That is why we will push for more educational benefits and job training, end chronic homelessness and combat suicide, and protect and preserve the post-9/11 G.I. Bill for future generations. We will also ensure that reservists and Guard members are treated fairly when it comes to employment health, education benefits, deployment, and reintegration.

DPH will fight for every veteran to have timely access to high-quality health care and timely processing of claims and appeals. We must also look for more ways to make certain the VA provides veteran-centric care, such as providing women with full and equal treatment, including reproductive health services; expanding mental health programs; continuing effort to



identify and treat invisible, latent, and toxic wounds of war; treating post-traumatic stress; and expanding the post-9/11 veteran's caregiver program to include all veterans. *Democratic Party of Hawai'i Platform (2018), p. 22, ln. 17-29.*

In this same light, appropriating 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 appears just, reasonable and well-deserved.

For the foregoing reasons, OCCLP supports HB 378 and urges its passage out of the Committee on Public Safety, Veterans and Military Affairs.

Mahalo nui loa  
Me ka `oia`i`o

/s/ Melodie Aduja

Melodie Aduja

Chair, O`ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i

Ph. (808) 258-8889

Email: legislativepriorities@gmail.com

**HB-378**

Submitted on: 1/28/2019 9:05:08 PM

Testimony for PVM on 1/30/2019 10:30:00 AM

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

Comments:

Subject: HB 378 Relating to Filipino Veterans Burial Assistance

My name is Amy Agbayani, Chair of the Filipina Advocacy Network. We support programs and policies that seek to equity for Filipinos and 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**

Submitted on: 1/29/2019 9:18:42 AM

Testimony for PVM on 1/30/2019 10:30:00 AM

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

Comments:

DATE: January 29, 2019

TO: HOUSE COMMITTEE ON PUBLIC SAFETY, VETERANS &  
MILITARY AFFAIRS  
Rep. Takayama, Chair  
Rep. Gates, Vice-Chair

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

RE: Supporting HB 378, Relating to Filipino Veterans Burial Assistance  
Wednesday January 30, 2019 10:30am  
Room 430

On behalf of the University of Hawai'i Pamantasan Council, I respectfully submit testimony for the House Committee on Higher Education hearing on Thursday, February 7, 2013 in strong support of HB 378 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 HB 378, relating to Filipino Veterans Burial Assistance.

**HB-378**

Submitted on: 1/25/2019 10:32:45 PM

Testimony for PVM on 1/30/2019 10:30:00 AM

<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. We need to honor our Filipino-American veterans who had been promised many things for their service during WWII, which were not always honored. This is just a small repayment for their sacrifice.

Please pass HB378.

Michael Golojuch, Sr. Lt Col, USAF(Ret)

**HB-378**

Submitted on: 1/28/2019 8:15:02 AM

Testimony for PVM on 1/30/2019 10:30:00 AM

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

Comments:

It is important to support those who served and allow them to reach their final resting place without financial burdens placed on the family.

**HB-378**

Submitted on: 1/29/2019 12:39:51 PM

Testimony for PVM on 1/30/2019 10:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mary ann	Individual	Support	No

Comments:

**LATE**

January 29, 2019

The Honorable Rep. Gregg Takayama, Chair  
Public Safety, Veterans & Military Affairs Committee  
Hawaii State Capitol  
415 South Beretania Street, Room 323  
Honolulu, HI 96813

Dear Chair Takayama and members of the Committee:

I am in strong support of House Bill 378 Relating to Filipino Veterans Burial Assistance which will be heard by the Public Safety, Veterans & Military Affairs Committee on January 30, 2019.

HB 378 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. The bill also requires funds for burial grants to not lapse to the General Fund and remain available as needed.

This bill is important because it establishes a stable and dedicated funding source for repatriation and burial costs for Filipino-American World War II veterans by appropriating funds to the State Office of Veterans Services for the provision of burial grants for Filipino-American World War II veterans.

Furthermore, any funds appropriated and unencumbered shall not lapse to the credit of the General Fund but shall remain available.

The few remaining Filipino-American veterans of World War II in Hawaii are in their early to mid-90s. Decades ago as young men, they fought side-by-side with Americans in a war against aggression, yet ironically, they have been denied numerous promised benefits, including burial benefits.

Since time is quickly running out, I respectfully ask that your committee pass this bill and take an important step in paying the dues owed by our country to these aging veterans.

Sincerely,  
Xander Matteo Malasa



**LATE**

DATE: January 29, 2019

TO: HOUSE COMMITTEE ON PUBLIC SAFETY, VETERANS &  
MILITARY AFFAIRS  
Rep. Takayama, Chair  
Rep. Gates, Vice-Chair

FROM: Roderick Labrador  
(808) 349-6473

RE: Supporting HB 378, Relating to Filipino Veterans Burial Assistance  
Wednesday January 30, 2019 10:30am  
Room 430

I respectfully submit testimony for the House Committee on Higher Education hearing on Thursday, February 7, 2013 in strong support of HB 378 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, relating to Filipino Veterans Burial Assistance.