

JAN 24 2019

A BILL FOR AN ACT

RELATING TO FILIPINO VETERANS BURIAL ASSISTANCE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. During World War II, the Philippines was a
2 commonwealth of the United States. Nearly one hundred thousand
3 soldiers of the Philippine Commonwealth Army fought alongside
4 United States and Allied forces for four long years to defend
5 and reclaim the Philippine islands from foreign aggression.
6 Valiant Filipino soldiers fought, suffered, and died in some of
7 the bloodiest battles of World War II defending beleaguered
8 Bataan and Corregidor, and thousands of Filipino prisoners of
9 war endured the infamous Bataan Death March and years of
10 captivity.

11 The sacrifices of Filipino soldiers played a vital role in
12 the Allied victory in the Pacific as their numerous guerrilla
13 actions provided United States forces with time to build and
14 prepare for the Allied counterattack. Filipino soldiers fought
15 side-by-side with United States forces to secure their island
16 nation as the strategic base from which the Allied forces
17 launched their final effort to bring an end to World War II.



1 Although Filipino soldiers exhibited tremendous courage and
2 risked their lives to win the war in the Pacific, many of these
3 soldiers were denied full veterans benefits, including burial
4 benefits, which had been promised to them by the United States.

5 While Filipino soldiers meeting specific requirements were
6 eventually provided with burial benefits at national and state
7 veterans cemeteries at no cost, similar to other veterans of the
8 United States Armed Forces, the wish of some Filipino soldiers
9 living in Hawaii is that their remains be returned to their
10 homeland. However, this benefit of returning the remains of
11 Filipino soldiers to their homeland for burial has not been
12 provided to them.

13 Many Filipino veterans have unsuccessfully petitioned for
14 decades to have their relatives granted residence in Hawaii.
15 These veterans are elderly and, with each passing year, the
16 veterans are dying in Hawaii without the comfort of family
17 members at their side. Furthermore, the cost of transporting
18 their remains for burial in the Philippines increases as time
19 passes. Accordingly, the legislature provided for burial grants
20 to be given to qualifying Filipino veterans to honor their final
21 wishes and assist with the return of their remains to their



1 homeland for burial. The legislature further finds that the
2 State has a diminishing number of burial plots and providing
3 burial grants to qualified Filipino veterans to return their
4 remains to the Philippines will allow the State to accommodate
5 many other veterans who are eligible to be buried at a federal
6 or state cemetery at no cost. Furthermore, the costs of
7 transporting the remains and the opening and closing services in
8 the Philippines is generally offset by the savings associated
9 with the costs of a cemetery plot and the opening and closing
10 services in Hawaii.

11 The Veterans Administration currently pays the full cost of
12 burial benefits for World War II veterans; however, federal law
13 fails to address the costs of transporting the remains of
14 Filipino veterans to, and burial services in, the Philippines.
15 House Concurrent Resolution No. 23, which was adopted by the
16 legislature in 2016, requested Congress to amend the federal law
17 to cover the costs of transporting the remains of eligible
18 Filipino-American veterans of World War II to the Philippines
19 and for burial services in the Philippines. However, as of this
20 date, Congress has not taken any action in this regard.



1 As the number of surviving World War II Filipino veterans
2 continues to dwindle, it is important that their sacrifices be
3 recognized and their final wishes of being buried in their
4 homeland be granted. Due to the unavailability of federal funds
5 for the provision of funds for burials that include repatriation
6 of remains, it is important for the State to take action and
7 dedicate a stable source of funds for this purpose. The
8 legislature authorized an initial appropriation of \$50,000 for
9 repatriation and burial costs for Filipino-American World War II
10 veterans through Act 105, Session Laws of Hawaii 2017. However,
11 unexpended appropriations lapse at the end of each fiscal
12 biennium and revert to the general fund, thereby becoming
13 unavailable for their specified purpose. The legislature finds
14 that a non-lapsing funding source should be established for
15 repatriation and burial costs for Filipino-American World War II
16 veterans so that the funds remain available until they are
17 needed.

18 The purpose of this Act is to establish a stable and
19 dedicated funding source for repatriation and burial costs for
20 Filipino-American World War II veterans by appropriating funds
21 to the office of veterans services for the provision of burial



1 grants for Filipino-American World War II veterans; provided
2 that:

- 3 (1) Federal funds remain unavailable;
- 4 (2) There remain eligible Filipino-American World War II
5 veterans living in the State; and
- 6 (3) Funds appropriated and unencumbered as of June 30,
7 2021, shall not lapse to the credit of the general
8 fund but shall remain available for the purposes of
9 this Act.

10 SECTION 2. There is appropriated out of the general
11 revenues of the State of Hawaii the sum of \$100,000 or so much
12 thereof as may be necessary for fiscal year 2019-2020 and the
13 same sum or so much thereof as may be necessary for fiscal year
14 2020-2021 for burial grants for Filipino-American World War II
15 veterans, which cover funeral and burial costs, including the
16 cost of returning their remains to the Philippines for burial;
17 provided that:

- 18 (1) Federal funding remains unavailable for this purpose;
- 19 (2) There remain eligible Filipino-American World War II
20 veterans living in the State; and



S.B. NO. 1417

1 (3) Funds appropriated and unencumbered as of June 30,
 2 2021, shall not lapse to the credit of the general
 3 fund but shall remain available for the purposes of
 4 this Act.

5 The sums appropriated shall be expended by the office of
 6 veterans services for the purposes of this Act; provided that
 7 the office shall establish the amount of burial grant funds that
 8 may be disbursed on behalf of a Filipino-American World War II
 9 veteran; provided further that the amount shall not exceed
 10 \$5,000 per person.

11 SECTION 3. This Act shall take effect on July 1, 2019.

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S.B. NO. 1417

Report Title:

Filipino Caucus; Filipino-American World War II Veterans; Burial Grants; Appropriation

Description:

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.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

