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## 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 war  
9 endured the infamous Bataan Death March and years of captivity.  
10           The sacrifices of Filipino soldiers played a vital role in  
11 the Allied victory in the Pacific as their numerous guerrilla  
12 actions provided United States forces with time to build and  
13 prepare for the Allied counterattack. Filipino soldiers fought  
14 side-by-side with United States forces to secure their island  
15 nation as the strategic base from which the Allied forces  
16 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.

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

17 As the number of surviving World War II Filipino veterans  
18 continues to dwindle, it is important that their sacrifices be  
19 recognized and their final wishes of being buried in their  
20 homeland be granted. Due to the unavailability of federal funds  
21 for the provision of funds for burials that include repatriation



1 of remains, it is important for the State to take action and  
2 dedicate a stable source of funds for this purpose. The  
3 legislature authorized an initial appropriation of \$50,000 for  
4 repatriation and burial costs for Filipino-American World War II  
5 veterans through Act 105, Session Laws of Hawaii 2017. However,  
6 unexpended appropriations lapse at the end of each fiscal  
7 biennium and revert to the general fund, thereby becoming  
8 unavailable for their specified purpose. The legislature finds  
9 that a non-lapsing funding source should be established for  
10 repatriation and burial costs for Filipino-American World War II  
11 veterans so that the funds remain available until they are  
12 needed.

13 The purpose of this Act is to establish a stable and  
14 dedicated funding source for repatriation and burial costs for  
15 Filipino-American World War II veterans by establishing an on-  
16 going Filipino-American veterans of World War II burial  
17 assistance program and a special fund to support the program.

18 SECTION 2. Chapter 363, Hawaii Revised Statutes, is  
19 amended by adding two new sections to be appropriately  
20 designated and to read as follows:



1       "§363-A   Filipino-American veterans of World War II burial  
2 assistance program.   (a)   There is established within the office  
3 of veterans services the Filipino-American veterans of World War  
4 II burial assistance program.   The purpose of the program is to  
5 provide burial grants for Filipino-American veterans of World  
6 War II, which shall cover the cost of returning the veterans'  
7 remains to the Philippines for burial and other funeral and  
8 burial costs; provided that:

9       (1)   Federal funding remains unavailable for this purpose;

10           and

11       (2)   There remain eligible Filipino-American veterans  
12           living in the State.

13       (b)   The Filipino-American veterans of World War II burial  
14 assistance program shall be funded by the Filipino-American  
15 veterans of World War II burial assistance program special fund  
16 established pursuant to section 363-B.

17       (c)   The office of veterans services shall adopt rules  
18 pursuant to chapter 91 to effectuate the purposes of this  
19 section, including rules to cease the program's operations once  
20 there are no eligible Filipino-American World War II veterans  
21 remaining in the State.



1       §363-B Filipino-American veterans of World War II burial  
2 assistance program special fund. (a) There is established  
3 within the state treasury the Filipino-American veterans of  
4 World War II burial assistance program special fund to be  
5 administered by the office of veterans services and into which  
6 shall be deposited appropriations by the legislature.

7       (b) The Filipino-American veterans of World War II burial  
8 assistance program special fund shall be used for operating  
9 expenses of and burial grants provided by the Filipino-American  
10 veterans of World War II burial assistance program established  
11 under section 363-A. The office of veterans services may make  
12 expenditures from the special fund independently of any  
13 legislative appropriations from the special fund.

14       (c) The Filipino-American veterans of World War II burial  
15 assistance program special fund shall lapse upon cessation of  
16 the Filipino-American veterans of World War II burial assistance  
17 program pursuant to rules adopted under section 363-A(c) and all  
18 unencumbered money remaining in the special fund upon its lapse  
19 shall be deposited into the general fund."

20       SECTION 3. There is appropriated out of the general  
21 revenues of the State of Hawaii the sum of \$                      or so much



1 thereof as may be necessary for fiscal year 2018-2019 for  
2 deposit into the Filipino-American veterans of World War II  
3 burial assistance program special fund established under section  
4 2 of this Act; provided that funds appropriated and unencumbered  
5 as of June 30, 2019, shall not lapse to the credit of the  
6 general fund but shall remain available in the special fund for  
7 the purposes of section 363-A, Hawaii Revised Statutes.

8 SECTION 4. There is appropriated out of the Filipino-  
9 American veterans of World War II burial assistance program  
10 special fund the sum of \$ or so much thereof as may be  
11 necessary for fiscal year 2018-2019 for burial grants for  
12 Filipino-American veterans of World War II, which shall cover  
13 the cost of returning the veterans' remains to the Philippines  
14 for burial and other funeral and burial costs; pursuant to the  
15 requirements of section 363-A, Hawaii Revised Statutes.

16 The sum appropriated shall be expended by the office of  
17 veterans services for the purposes of this Act.

18 SECTION 5. In codifying the new sections added by section  
19 2 of this Act, the revisor of statutes shall substitute  
20 appropriate section numbers for the letters used in designating  
21 the new sections in this Act.



1 SECTION 6. New statutory material is underscored.

2 SECTION 7. This Act shall take effect on July 1, 2018.

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# H.B. NO. 1944

**Report Title:**

Filipino-American World War II Veterans; Burial Grants; Special Fund; Appropriation

**Description:**

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. Makes an appropriation.

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

