
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
8 the United States Armed Forces, the wish of some Filipino
9 soldiers living in Hawaii is that their remains be returned to
10 their homeland. However, this benefit of returning the remains
11 of 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 are 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 United States Veterans Administration currently pays
12 the full cost of burial benefits for World War II veterans;
13 however, federal law fails to address the costs of transporting
14 the remains of Filipino veterans to, and burial services in, the
15 Philippines. House Concurrent Resolution No. 23, which was
16 adopted by the legislature in 2016, requested Congress to amend
17 the federal law to cover the costs of transporting the remains
18 of eligible Filipino-American veterans of World War II to the
19 Philippines and for burial services in the Philippines.
20 However, as of this date, Congress has not taken any action in
21 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 establishing a
21 special fund and appropriating funds into and out of the special



1 fund for the provision of burial grants for Filipino-American
2 World War II veterans; provided that:

- 3 (1) Federal funds remain unavailable; and
- 4 (2) There remain eligible Filipino-American World War II
- 5 veterans living in the State.

6 SECTION 2. Chapter 363, Hawaii Revised Statutes, is
7 amended by adding a new section to be appropriately designated
8 and to read as follows:

9 "§363- Filipino-American World War II veterans burial
10 assistance special fund. (a) There is established within the
11 state treasury the Filipino-American World War II veterans
12 burial assistance special fund to be administered by the office
13 and into which shall be deposited appropriations by the
14 legislature.

15 (b) The Filipino-American World War II veterans burial
16 assistance special fund shall be used to provide burial grants
17 for Filipino-American World War II veterans; provided that:

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



1 The office shall establish the amount of burial grant funds that
2 may be disbursed on behalf of each Filipino-American World War
3 II veteran; provided that the amount shall not exceed \$5,000 per
4 person.

5 (c) If either federal funding becomes available for this
6 purpose or if there are no more eligible Filipino-American World
7 War II veterans living in the State, the Filipino-American World
8 War II veterans burial assistance special fund shall lapse and
9 all unencumbered money remaining in the special fund upon its
10 lapse shall be deposited into the general fund."

11 SECTION 3. There is appropriated out of the general
12 revenues of the State of Hawaii the sum of \$ or so
13 much thereof as may be necessary for fiscal year 2019-2020 to be
14 deposited into the Filipino-American World War II veterans
15 burial assistance special fund.

16 SECTION 4. There is appropriated out of the Filipino-
17 American World War II veterans burial assistance special fund
18 the sum of \$ or so much thereof as may be necessary
19 for fiscal year 2019-2020 and the same sum or so much thereof as
20 may be necessary for fiscal year 2020-2021 for burial grants for
21 Filipino-American World War II veterans, which cover funeral and



1 burial costs, including the cost of returning their remains to
2 the Philippines for burial; provided that:

3 (1) Federal funding remains unavailable for this purpose;
4 and

5 (2) There remain eligible Filipino-American World War II
6 veterans living in the State.

7 The sums appropriated shall be expended by the office of
8 veterans' services for the purposes of this Act; provided that
9 the office shall establish the amount of burial grant funds that
10 may be disbursed on behalf of each Filipino-American World War
11 II veteran; provided further that the amount shall not exceed
12 \$5,000 per person.

13 SECTION 5. New statutory material is underscored.

14 SECTION 6. This Act shall take effect on January 1, 2050.



Report Title:

Office of Veterans' Services; Filipino Caucus; Filipino-American World War II Veterans Burial Assistance Special Fund; Burial Grants; Appropriation

Description:

Establishes the Filipino-American World War II veterans burial assistance special fund and 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. Takes effect 1/1/2050. (SD1)

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