



HCR117

HR88

URGING THE UNITED STATES CONGRESS TO INCLUDE RESIDENT CITIZENS OF THE FREELY ASSOCIATED STATES AS "QUALIFIED ALIENS" UNDER THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT IN RECOGNITION OF THEIR UNIQUE HISTORIC AND ONGOING SACRIFICES AND CONTRIBUTIONS TO THE UNITED STATES OF AMERICA

House Committee on Judiciary

April 5, 2013

2:00 p.m.

Room 325

The Office of Hawaiian Affairs (OHA) **SUPPORTS** HCR117 and HR88, which urge the federal government to restore access to federal benefits, including Medicaid, for the indigenous peoples and citizens of the Freely Associated States (FAS) rightfully residing in the United States.

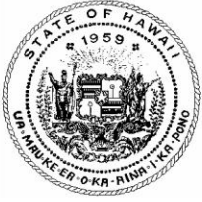
This resolution recognizes the United States' responsibility to provide equality, opportunity, and justice for our Pacific Islander community members, who have sacrificed and contributed their lands, culture, and people to the interests and welfare of the United States for over sixty years. As noted in these measures, the historic and ongoing contributions of the indigenous peoples of the FAS include, but are not limited to, substantial support for the U.S. military and our country's strategic defense, the sacrifice of their 'āina and people for nuclear weapons testing and human radiological experiments, as well as cultural contributions that have given all Pacific islanders renewed pride in our shared cultural heritage and achievements – including the preservation of traditional and highly advanced ocean wayfaring techniques which greatly informed the modern Hawaiian renaissance movement. Given these sacrifices and contributions, restoring equal access to federal benefits to those citizens of the Freely Associated States residing, working, studying, and paying taxes in the United States would be a significant step towards equality, opportunity, and justice for our Pacific islander allies, and members of our community.

Additionally, extending eligibility for federal programs to FAS citizen residents may also result in a significant influx of federal monies to enhance Hawai'i's social and healthcare infrastructure. OHA's strategic priorities include Maui Ola (Health), which represents our commitment to improve the conditions of Native Hawaiians and quality of life by reducing the onset of chronic diseases. Providing access to federal programs for FAS citizen residents of Hawai'i may result in the increased availability of federal funds for local healthcare and other services. Such an influx of federal monies for our healthcare

and social infrastructure would benefit all the people of Hawai'i who may have a need for such fundamental societal services, including OHA's Native Hawaiian beneficiaries.

These resolutions will encourage specific decisionmakers in our federal Congress to address these issues and more fully fulfill the United States' responsibilities to our Pacific islander allies.

Therefore, OHA urges the Committee to **PASS** HCR117 and HR88. Mahalo for the opportunity to testify.



HAWAI‘I CIVIL RIGHTS COMMISSION

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

April 5, 2013
Conference Room 325
2:00 p.m.

To: The Honorable Karl Rhoads, Chair
Members of the House Committee on Judiciary

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

Re: H.C.R. No. 117, H.R. No. 88

The Hawai‘i Civil Rights Commission (“HCRC”) has enforcement jurisdiction over state 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 because of race, religion, sex or ancestry". Art. I, Sec. 5.

The HCRC supports H.C.R. No. 117 and H.R. No. 88, urging the United States Congress to include citizens of Compact of Free Association (“COFA”) nations who reside lawfully in Hawai‘i as “qualified aliens” under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (“PRWORA”, popularly known as “Welfare Reform Act”).

After WWII, these COFA nations (The Federated States of Micronesia (“FSM” - Yap, Pohnpei, Chuuk, Kosrae), the Republic of the Marshall Islands (“RMI”), and the Republic of Palau) were part of the Trust Territory of the Pacific Islands, with the Micronesian Trust Region under U.S. trusteeship. From 1946-1958, the U.S. conducted 67 nuclear tests in the Marshall

Islands, with above-ground testing on Bikini and Enewetak islands, including detonation of the largest bomb (codenamed “Bravo”) ever tested by the U.S., with a magnitude of over 1,000 times that of the Hiroshima bombing. The U.S. has a significant and continuing military interest and presence in the region, and U.S. nuclear testing and military entrenchment have resulted in environmental degradation and economic dependency.

In the 1980s the FSM and RMI entered into compacts of free association with the U.S., followed by Palau in the 1990s. Under these treaties, citizens of COFA nations can travel freely to live and work in the U.S., and are eligible for some, but not all, benefits that U.S. citizens can receive. As “non-qualified” aliens, Hawai‘i residents from the COFA nations are ineligible for Medicaid and other federal welfare programs, and, unlike other legal immigrants, are not eligible for benefits even after residing in the U.S. for five years.

Driven by poor health conditions (including some due to the impact of nuclear testing and contamination) and insufficient health care, displacement due to nuclear testing and contamination, and weak economies in their homelands, the number of Hawai‘i residents from COFA nations has dramatically increased over the past decade.

As has historically been the case with most recent newcomers, these Hawai‘i residents from COFA nations have been scapegoated and described negatively as a burden and a drain on resources, particularly in health and human services. While much of the discussion is focused on the federal government’s responsibility to offset the impact of in-migration from COFA nations under the compacts, there has been a disturbing rise in the use of vitriolic rhetoric not unlike that historically used against other immigrants and minority groups. Seiji Yamada, an associate professor at the University of Hawai‘i John A. Burns School of Medicine, has described this trend in these terms: “... discourse among the politically powerful is paralleled by popular

discourse.” Media reports and anecdotal accounts indicate that these kinds of negative attitudes are manifested in discrimination against these COFA citizens residing in Hawai‘i, who report experiencing exclusion and discrimination in Hawai‘i.

Congressional approval and enactment of H.R. 912, “Restoring Medicaid for Compact of Free Association Migrants Act of 2013”, introduced by Hawai‘i Representative Colleen Hanabusa, will include COFA citizens who lawfully reside in the United States as “qualified aliens” under the PRWORA, providing federal relief from the burdens imposed on the State of Hawai‘i by the combination of COFA migration and PRWORA restrictions, and promoting fairness and an end to discriminatory attacks and exclusion faced by Hawai‘i residents from COFA nations.

The HCRC supports H.C.R. No. 117 and H.R. No. 88.

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Testimony of Hawai'i Appleseed Center for Law and Economic Justice
Supporting HCR 117 and HR 88
House Committee on Judiciary
Scheduled for Hearing Friday, April 5, 2013, 2:00 PM, Room 325

Hawai'i Appleseed Center for Law and Economic Justice is a nonprofit, 501(c)(3) law firm created to advocate on behalf of low income individuals and families in Hawai'i on civil legal issues of statewide importance. Our core mission is to help our clients gain access to the resources, services, and fair treatment that they need to realize their opportunities for self-achievement and economic security.

Thank you for an opportunity to testify in **strong support** of House Concurrent Resolution 117 and House Resolution 88, which seeks to restore access to important and fundamental federal programs for U.S. resident workers, taxpayers, students, and community members present under the Compacts of Free Association.

The former trust territories of the Freely Associated States (FAS) have made sacrifices and great contributions to our state and country. As a result, FAS citizens have earned the right to reside, work, and seek educational and healthcare opportunities in the United States, much like any other U.S. citizen or legal permanent resident. However, in 1996 Congress overlooked the ongoing contributions and sacrifices of the FAS when it failed to include FAS residents as "qualified aliens" eligible for such basic federal programs as Medicaid, Social Security, Supplemental Nutritional Assistance, and others.

By effectively revoking their previous eligibility for these programs, this law has resulted in harsh consequences for Hawai'i's community members, particularly for those seeking necessary medical treatment or basic educational or economic opportunity here in the U.S. and Hawai'i. Many of these residents are heavily disenfranchised, facing significant cultural, economic, language, and social barriers to opportunity and achievement.

Hawai'i should lead the way in advocating on the national level for our FAS community members and seek to restore access to basic federal programs. Equal opportunity is not only a question of justice—denying residents basic medical care will ultimately contribute to our state's overall health expenditures. However, federal program funds will help boost our economy and health care infrastructure. Moreover, the provision of medical services through federal assistance will allow FAS residents here to spend their income on other life necessities. Hawai'i has the highest cost of living in the United States, so access to necessary benefits is particularly critical here. No one should have to decide between life-saving medical care and providing basic necessities for their families.

FAS residents face enough barriers to advancing in our community; restoring access to federal programs will remove one of the biggest. Our country made a promise to the FAS, and we must honor it. We also must take responsibility by making amends for the harms imposed by the U.S. on the FAS. This resolution will help address current and past injustices and provide equal opportunity to our FAS community members.



HEALTHYPACIFIC.ORG
restoringjusticehi@gmail.com

LEGISLATIVE TESTIMONY

HCR117 AND HR88

URGING THE UNITED STATES CONGRESS TO INCLUDE RESIDENT CITIZENS OF THE FREELY ASSOCIATED STATES AS "QUALIFIED ALIENS" UNDER THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT IN RECOGNITION OF THEIR UNIQUE HISTORIC AND ONGOING SACRIFICES AND CONTRIBUTIONS TO THE UNITED STATES OF AMERICA.

House Committee on Judiciary

April 5, 2013

2:00 P.M.

Capitol Room 325

Aloha Kākou e Committee Chair Rhoads, Vice Chair Har, and Honorable Members of the House Committee on Judiciary,

Mahalo nui loa for the opportunity to testify in **STRONG SUPPORT** of **HCR117** and **HR88**, which seek to restore access to important and fundamental federal programs for U.S. resident workers, taxpayers, students, and community members present under the Compacts of Free Association, many of whom are also members of Hawai'i's Pacific Islander community.

As these resolutions remind us, the former trust territories of the Freely Associated States (FAS) have over sixty years of history of sacrifices and contributions to the United States, and to Hawai'i. As a result, FAS citizens have earned the right to reside, work, and seek educational and healthcare opportunities in the United States, much like any other U.S. citizen or legal permanent resident.

Unfortunately, the 1996 PRWORA law overlooked these ongoing contributions and sacrifices when it neglected to include our FAS residents as "qualified aliens" eligible for such basic federal programs as Medicaid, SSI, nutritional supplements, and others. By effectively revoking their previous eligibility for these programs, this law has resulted in harsh consequences for members of Hawai'i's community, particularly for those seeking necessary medical treatment or basic educational or economic opportunity here in the U.S. and Hawai'i, and especially for those who continue to face significant cultural, economic, linguistic, and social barriers to equal

opportunity here in the states.

This resolution seeks to address this injustice and restore access to basic federal programs for FAS members of our Pacific Islander community, so that they may have an equal opportunity to fully participate in our society and pursue the American Dream as promised under the Compacts of Free Association.

Therefore, HealthyPacific.Org respectfully urges the Committee to **PASS** HCR117 and HR88, and help Hawai'i make a strong statement about justice and equality for these U.S. resident workers, taxpayers, students, and members of our island community.

Thank you very much for the opportunity to testify on these measures.

HCR117

Submitted on: 4/2/2013

Testimony for JUD on Apr 5, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Cinzia Olter	Healthy Pacific Org.	Support	No

Comments: Dear Chair Rhoads, Vice Chair Har, and Honorable Members of the House Committee on Judiciary, Mahalo nui loa for the opportunity to testify in STRONG SUPPORT of HCR117, and HR88, which seek to restore access to important and fundamental federal programs for U.S. resident workers, taxpayers, students, and community members present under the Compacts of Free Association, many of whom are also members of Hawai'i's Pacific Islander community. As these resolutions remind us, the former trust territories of the Freely Associated States (FAS) have over sixty years of history of sacrifices and contributions to the United States, and to Hawai'i. As a result, FAS citizens have earned the right to reside, work, and seek educational and healthcare opportunities in the United States, much like any other U.S. citizen or legal permanent resident. Unfortunately, the 1996 PRWORA law overlooked these ongoing contributions and sacrifices when it neglected to include our FAS residents as "qualified aliens" eligible for such basic federal programs as Medicaid, SSI, nutritional supplements, and others. By effectively revoking their previous eligibility for these programs, this law has resulted in harsh consequences for Hawai'i's community members, particularly for those seeking necessary medical treatment or basic educational or economic opportunity here in the U.S. and Hawai'i, and especially for those who continue to face significant cultural, economic, linguistic, and social barriers to equal opportunity here in the states. This resolution seeks to address this injustice and restore access to basic federal programs for FAS members of our Pacific Islander community, so that they may have an equal opportunity to fully participate in our society and pursue the American Dream as promised under the Compacts of Free Association. Therefore, I respectfully urge the Committee to PASS these resolutions, and help Hawai'i make a strong statement about justice and equality for these U.S. resident workers, taxpayers, students, and members of our island community. Sincerely, Cinzia Olter

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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HCR117

Submitted on: 4/2/2013

Testimony for JUD on Apr 5, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Quincy Weilbacher	Healthy Pacific Org.	Support	No

Comments: Dear Chair Rhoads, Vice Chair Har, and Honorable Members of the House Committee on Judiciary, Mahalo nui loa for the opportunity to testify in STRONG SUPPORT of HCR117, and HR88, which seek to restore access to important and fundamental federal programs for U.S. resident workers, taxpayers, students, and community members present under the Compacts of Free Association, many of whom are also members of Hawai'i's Pacific Islander community. As these resolutions remind us, the former trust territories of the Freely Associated States (FAS) have over sixty years of history of sacrifices and contributions to the United States, and to Hawai'i. As a result, FAS citizens have earned the right to reside, work, and seek educational and healthcare opportunities in the United States, much like any other U.S. citizen or legal permanent resident. Unfortunately, the 1996 PRWORA law overlooked these ongoing contributions and sacrifices when it neglected to include our FAS residents as "qualified aliens" eligible for such basic federal programs as Medicaid, SSI, nutritional supplements, and others. By effectively revoking their previous eligibility for these programs, this law has resulted in harsh consequences for Hawai'i's community members, particularly for those seeking necessary medical treatment or basic educational or economic opportunity here in the U.S. and Hawai'i, and especially for those who continue to face significant cultural, economic, linguistic, and social barriers to equal opportunity here in the states. This resolution seeks to address this injustice and restore access to basic federal programs for FAS members of our Pacific Islander community, so that they may have an equal opportunity to fully participate in our society and pursue the American Dream as promised under the Compacts of Free Association. Therefore, I respectfully urge the Committee to PASS these resolutions, and help Hawai'i make a strong statement about justice and equality for these U.S. resident workers, taxpayers, students, and members of our island community. Sincerely, Quincy Weilbacher

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LEGISLATIVE TESTIMONY
COFA COMMUNITY ADVOCACY NETWORK
for
HCR117/HR88
House Committee on Judiciary
April 5, 2013
2:00 p.m.
Conference Room 325

Welina mai kākou Committee Chair Rhoads, Vice Chair Har, and Honorable Members of the Committee,

Mahalo nui loa for this opportunity to testify in **STRONG SUPPORT** of HCR117 and HR88. The support we have received from members of this body for equality for our COFA community members has been both inspiring and extremely heartening for the COFA Community Advocacy Network (COFA CAN), which has been working for several years to restore COFA residents' equal access to important federal programs, including Medicaid, that remain available for almost all other members of our community -- including both citizens and most legal permanent residents.

These resolutions will send a clear message to key federal policymakers that Hawai'i believes in equality and justice for members of our community, who are present under the Compacts of Free Association. As you may know, Congresswoman Colleen Hanabusa has introduced a measure, H.R. 912, that would restore federal Medicaid benefits for some of our country's strongest and most loyal supporters. By passing these resolutions, our state legislature will provide Congresswoman Hanabusa and her allies with ample evidence and strong arguments of support for this progressive and life-saving measure.

COFA CAN believes that amending the PRWORA law of 1996, as urged in this resolution, will provide the following benefits to Hawai'i as well as the United States:

- 1. Closing the PRWORA loophole will benefit all in our state who seek medical treatment.** Including our COFA residents as "qualified aliens" eligible for life-saving Medicaid funds under PRWORA will lead to the investment of substantial federal monies in our Hawai'i's medical infrastructure, which will boost our economy and bring a higher quality of care for anyone in our state who needs to go to the doctor.
- 2. A responsible adult cleans up their own mess.** The United States has made a huge mess of the islands and lives of the indigenous peoples of the Freely Associated States, and it must take responsibility in cleaning up this mess. Reinstating federal benefits for U.S. resident taxpayers, workers, students, and community members present under the Compacts of Free Association will help the United States take ownership of this ongoing responsibility, just as a responsible adult would.
- 3. No one should have to choose between going to the doctor to save their life, or**

keeping food on their family's table, or a roof over their child's home. By denying healthcare eligibility for our Pacific Islander residents, PRWORA may force the chronically ill and seriously injured to choose between saving their own lives, or ensuring that their families have the basic necessities of life. Aspiring nurses, doctors, or engineers may have to drop out of college just to pay off a relative's healthcare costs, impacting not just their families, but our economy and our society as a whole. Closing the PRWORA loophole and including COFA residents as “qualified aliens” eligible for federal healthcare protections acknowledges the contributions and sacrifices of our Pacific Islander neighbors, which will benefit not just our COFA residents, but our broader society as well.

4. We can affirm America as the land of opportunity, where individuals are given a fair shake to pursue the American Dream. America’s strength and pride come from its basic ideal as a land of opportunity, where all individuals should be given a fair shake in their pursuit of life, liberty, and happiness. However, the exclusion of our Pacific Islander neighbors and allies under the PRWORA denies them the same opportunity as all other legal residents, including the ability to pursue adequate healthcare, social security, and other public safety nets intended to uphold our enlightened social contract. Closing the PRWORA loophole will ensure that America keeps its promise of opportunity to our Pacific Islander allies lawfully residing here under the Compacts of Free Association.

5. We can uphold America’s vision of justice. America prides itself on its sense of justice, and despite its historic contradictions, has struggled to ensure that we do acknowledge and address the injustices of our past. However, some of the darkest moments in our recent history have yet to be fully acknowledged and addressed, threatening to leave a long and ugly scar in our reputation as a land of justice, and freedom. Closing the PRWORA loophole and fulfilling the intent of the Compacts of Free Association will take America one step forward towards its vision of liberty and justice for all.

Therefore, COFA CAN urges the Committee to **PASS** HCR117 and HR88. Mahalo piha for the opportunity to testify on these important measures.

Representative Karl Rhoads, Chair
Representative Sharon E. Har, Vice Chair
HOUSE COMMITTEE ON JUDICIARY

House Resolution 88 / House Concurrent Resolution 117

Urging the United States Congress to include resident citizens of the Freely Associated States as "Qualified Aliens" under the Personal Responsibility and Work Opportunity Reconciliation Act in recognition of their unique historic and ongoing sacrifices and contributions to the United States of America.

DATE: Friday, April 05, 2013

TIME: 2:00pm p.m.

PLACE: Conference Room 325, State Capitol, 415 South Beretania Street

Aloha Honorable Representatives Rhoads and Har and JUD Committee Members:

My name is Richard Salvador. I am originally from the Republic of Belau (Palau). I came here to attend graduate school at UH-Manoa, eventually deciding to live here. I have been a teacher for the past 8 years at McKinley Community School, teaching English and working as a Test Proctor in our school's Testing Center.

I served as the first president of the *Micronesian Community Network* and, beginning in 2004, we have appeared here and in various venues seeking assistance of one sort or another to help empower our Compact of Free Association communities in Hawaii. In that capacity, I served as a member of the Attorney-General's COFA Task Force which the legislature requested in 2007 to study the issues and challenges facing COFA communities in Hawaii. The Task Force produced its report and presented it to the 2008 legislative session.

That COFA Task Force studied carefully all COFA related expenses in Hawaii and all available funding mechanisms under State and Federal programs and made a few recommendations including hinting at some possible federal programs that, if expanded, could go a long way to supplement current State funding for COFA residents' health care, etc. Specifically, the COFA Task Force recommended that inclusion of COFA residents in Medicaid and other public assistance benefits that they were previously eligible for, but from which they were cut off during President Clinton's welfare reforms, and enforced in the Personal Responsibility and Work Reconciliation Act of 1996, could possibly address the problem.

I would like to quote from the relevant passage of that COFA Task Force Report:

In 1997, Congress passed the Personal Responsibility [and] Work Opportunities Reconciliation Act (PRWORA), a groundbreaking piece of legislation that reformed the welfare system... With the enactment of PRWORA, most non-citizens in the United States, with some limited exceptions, became ineligible for federally funded welfare programs including Temporary Assistance for Needy Families..., Medicaid, Food Stamps, and Supplemental Security Income... COFA migrants were among the non-citizen groups excluded, and not included as one of the exceptions, despite the fact that they are legal residents in the United States, and are more like citizens than any immigrants or other legally resident non-citizens, in terms of their ability to reside, work and attend school in the United States. The State has continued to make the services available through equivalent State-funded services.

The federal government created the relationship with these nations that allows their citizens to freely reside in the U.S. with few limitations. The Task Force believes that extending eligibility for federal assistance to the COFA migrants would better support the purposes underlying the COFA. *Providing federal assistance for COFA migrants additionally would alleviate much of the burden on the State's budget while still maintaining the same level of services for the COFA migrants* (See 2007 COFA Task Force Report, pp, 6-7, italics mine).

We come here today to request Hawaii State's support for that COFA Task Force recommendation because a unified statement of support from this Legislature would provide strong backing in support of US Representative Colleen Hanabusa's current bill in the US Congress (H.R. 912: Restoring Medicaid for Compact of Free Association Migrants Act of 2013).

Both former Senator Akaka and the late Senator Inouye supported similar bills aimed at changing the 1996 PRWORA, as did Governor Abercrombie when he served in the US Congress then! So, we are here seeking to ensure continuity of support in forging ahead with Hawaii's effort to seek justice for COFA Sisters and Brothers in the US.

Part of our efforts here today is to ensure that the State as a whole has not wavered in its determination to push forward these policies at the federal level and to build the case for strong support behind Hanabusa's bill. US Representative Tulsi Gabbard is a co-sponsor of Hanabusa's bill as are Representatives Madeleine Bordallo of Guam, Gregorio Sablan of the Northern Mariana Islands, and Eni Faleomavaega of American Samoa.

Hanabusa's bill has wide support. The Pacific Islander American Health Forum (PIAHF) in San Francisco, CA has declared its strong support. Their president and CEO Kathy Ko Chin had this to say about the bill: "This bill is sorely needed to fulfill our diplomatic and strategic military commitments and to restore safety net health care coverage for COFA migrants who contribute to the American economy, yet are unfairly denied access to quality health care programs."

The texts of HR88 and HCR117 describe what I strongly believe are historical obligations of the United States Government for the lingering environmental and human health effects of its nuclear testings in the Marshall Islands specifically and, generally, with the impacts of its colonial legacy on the capacities of the COFA nationstates. As a result of inadequate nation-building initiatives, COFA populations have taken advantage of their visa-free travel entry into the US and dispersed into various cities, territories, and States of the USA. Their experience of transitioning into and integration within the American system has been difficult. This is one, though vital, attempt to help ease the transition.

I conclude with the last statement of our "Talking Points" that we distributed to you all as we made our rounds in the State Capitol a couple of weeks ago seeking support for the resolutions from legislators. It describes what is at the core of all our efforts to close the PRWORA loophole for COFA people in the US.

We...uphold America's vision of justice. America prides itself on its sense of justice, and despite its historic contradictions, has struggled to ensure that we do acknowledge and address the injustices of our past. However, some of the darkest moments in our recent history have yet to be fully acknowledged and addressed, threatening to leave a long and ugly scar in our reputation as a land of justice, and freedom. Closing the PRWORA loophole and fulfilling the intent of the Compacts of Free Association will take America one step forward towards its vision of liberty and justice for all.

Please pass these resolutions! Mahalo Nui Loa for your kind attention.

Sincerely,

Richard N Salvador
Member - COFA Community Advocacy Network of Hawaii

3419 East Manoa Road
Honolulu, Hawaii 96822

(See attachment: COFA Community Advocacy Network, COFA Resolution Talking Points)

[COFA Community Advocacy Network, COFA Resolution Talking Points, March]

- 1. Closing the PRWORA loophole will benefit all in our state who seek medical treatment.** Including our COFA residents as "qualified aliens" eligible for life-saving Medicaid funds under PRWORA will lead to the investment of substantial federal monies in our Hawai'i's medical infrastructure, which will boost our economy and bring a higher quality of care for anyone in our state who needs to go to the doctor.
- 2. A responsible adult cleans up their own mess.** The United States has made a huge mess of the islands and lives of the indigenous peoples of the Freely Associated States, and it must take responsibility in cleaning up this mess. Reinstating federal benefits for U.S. resident taxpayers, workers, students, and community members present under the Compacts of Free Association will help the United States take ownership of this ongoing responsibility, just as a responsible adult would.
- 3. No one should have to choose between going to the doctor to save their life, or keeping food on their family's table, or a roof over their child's home.** By denying healthcare eligibility for our Pacific Islander residents, the PRWORA may force the chronically ill and seriously injured to choose between saving their own lives, or ensuring that their families have the basic necessities of life in the U.S. Aspiring nurses, doctors, or engineers may have to drop out of college just to pay off a relative's healthcare costs, impacting not just their families, but our economy and our society as a whole. Closing the PRWORA loophole and including COFA residents as "qualified aliens" eligible for federal healthcare protections acknowledges the contributions and sacrifices of our Pacific Islander neighbors, which will benefit not just our COFA residents, but our broader society as well.
- 4. We can affirm America as the land of opportunity, where individuals are given a fair shake to pursue the American Dream.** America's strength and pride come from its basic ideal as a land of opportunity, where all individuals should be given a fair shake in their pursuit of life, liberty, and happiness. However, the exclusion of our Pacific Islander neighbors and allies under the PRWORA denies them the same opportunity as all other legal residents, including the ability to pursue adequate healthcare, social security, and other public safety nets intended to uphold our enlightened social contract. Closing the PRWORA loophole will ensure that America keeps its promise of opportunity to our Pacific Islander allies lawfully residing here under the Compacts of Free Association.
- 5. We can uphold America's vision of justice.** America prides itself on its sense of justice, and despite its historic contradictions, has struggled to ensure that we do acknowledge and address the injustices of our past. However, some of the darkest moments in our recent history have yet to be fully acknowledged and addressed, threatening to leave a long and ugly scar in our reputation as a land of justice, and freedom. Closing the PRWORA loophole and fulfilling the intent of the Compacts of Free Association will take America one step forward towards its vision of liberty and justice for all.

The Honorable Representative Karl Rhodes, Chairman
House Committee on Judiciary
House of Representatives, Hawaii State Legislature
Honolulu, Hawaii.

Aloha Kākou e Chair Rhoads, Vice Chair Har, and
Honorable Members of the House Committee on Judiciary

Mahalo nui loa for the opportunity to testify in **STRONG SUPPORT** of HCR117 and HR88, which seek to restore access to important and fundamental federal programs for U.S. resident workers, taxpayers, students, and community members present under the Compacts of Free Association, many of whom are also members of Hawai'i's Pacific Islander community.

As these resolutions remind us, the former trust territories of the Freely Associated States (FAS) have over sixty years of history of sacrifices and contributions to the United States, and to Hawai'i. As a result, FAS citizens have earned the right to reside, work, and seek educational and healthcare opportunities in the United States, much like any other U.S. citizen or legal permanent resident.

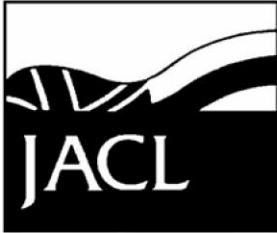
Unfortunately, the 1996 PRWORA law overlooked these ongoing contributions and sacrifices when it neglected to include our FAS residents as “qualified aliens” eligible for such basic federal programs as Medicaid, SSI, nutritional supplements, and others. By effectively revoking their previous eligibility for these programs, this law has resulted in harsh consequences for Hawai'i's community members, particularly for those seeking necessary medical treatment or basic educational or economic opportunity here in the U.S. and Hawai'i, and especially for those who continue to face significant cultural, economic, linguistic, and social barriers to equal opportunity here in the states.

This resolution seeks to address this injustice and restore access to basic federal programs for FAS members of our Pacific Islander community, so that they may have an equal opportunity to fully participate in our society and pursue the American Dream as promised under the Compacts of Free Association.

Therefore, I respectfully urge the Committees to **PASS** HCR117 and HR88, and help Hawai'i make a strong statement about justice and equality for these U.S. resident workers, taxpayers, students, and members of our island community.

Sincerely,

Joakim Jojo Peter



JAPANESE AMERICAN CITIZENS LEAGUE

HONOLULU CHAPTER

P.O. BOX 1291, HONOLULU, HAWAII 96807

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Clayton Ikei

William Kaneko

Colbert Matsumoto

Alan Murakami

House Committee on Judiciary
Friday, April 5, 2013 at 2:00 p.m.
Hawai'i State Capitol – Room 325

Testimony in **SUPPORT** of HCR117

Dear Chair Rhoads, Vice Chair Har, and Members of the Committee:

The Japanese American Citizens League (JACL) Honolulu Chapter supports the passage of House Concurrent Resolution No. 117, urging the United States Congress to include resident citizens of the Freely Associated States who lawfully reside in the United States as "Qualified Aliens" under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 in recognizing their unique historic and ongoing sacrifices and contributions to the United States of America.

JACL is the nation's oldest and largest Asian Pacific American civil rights organization with over 20,000 members. Locally our organization has consistently supported efforts to ensure equal rights to all citizens of this state.

The JACL Honolulu Chapter remains committed in its support of the Micronesian community working with State and Federal leaders to restore Federal benefits, including Medicaid, for people from the nations covered by the Compact of Free Association ("COFA") agreement.

We believe that passing House Concurrent Resolution No. 117 will be a meaningful signal to the United States Congress regarding the impacts and importance of including citizens of the Freely Associated States who lawfully reside in the United States as "qualified aliens" under the Personal Responsibility And Work Opportunity Reconciliation Act of 1996 in recognizing their unique historic and ongoing sacrifices and contributions to the United States of America.

We urge you to pass out the measure. Thank you for your time and consideration.

Respectfully,

Kent Mori Walther
Legislative Committee Chair

HCR117

Submitted on: 4/3/2013

Testimony for JUD on Apr 5, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Ken Akinaka, MRA	Hepatitis Support Network of Hawaii	Support	No

Comments: To the Honorable Members of the Committee, Thank you for the opportunity to testify in STRONG SUPPORT of HCR117, and HR88, which seek to restore access to important and fundamental federal programs for U.S. resident workers, taxpayers, students, and community members present under the Compacts of Free Association, many of whom are also members of Hawai'i's Pacific Islander community. The former trust territories of the Freely Associated States (FAS) have over sixty years of history of sacrifices and contributions to the United States, and to Hawai'i. As a result, FAS citizens have earned the right to reside, work, and seek educational and healthcare opportunities in the United States, much like any other U.S. citizen or legal permanent resident. No one should have to choose between going to the doctor to save their life, or keeping food on their family's table, or a roof over their child's home. By denying healthcare eligibility for our Pacific Islander residents, the PRWORA may force the chronically ill to choose between saving their own lives, or ensuring that their families have the basic necessities of life in the U.S. Closing the PRWORA loophole and including COFA residents as "qualified aliens" eligible for federal healthcare protections acknowledges the contributions and sacrifices of our Pacific Islander neighbors, which will benefit not just our COFA residents, but our broader society as well. The PRWORA denies them the same opportunity as all other legal residents, including the ability to pursue adequate healthcare, social security, and other public safety nets intended to uphold our enlightened social contract. Closing the PRWORA loophole will ensure that America keeps its promise of opportunity to our Pacific Islander allies lawfully residing here under the Compacts of Free Association that was made with the in exchange for our military access to thousands of strategic nautical miles in the Pacific near Asia and using the home lands for Atomic bomb testing. We need to uphold America's vision of justice. America prides itself on its sense of justice, and despite its historic contradictions, has struggled to ensure that we do acknowledge and address the injustices of our past. The reparations given to the 110,000 Japanese and the American children, who were wrongfully interned in WWII, was an effort to make up for the wrong that was done to them. However, some of the darkest moments in our recent history have yet to be fully acknowledged and addressed, threatening to leave a long and ugly scar in our reputation as a land of justice, and freedom. Closing the PRWORA loophole and fulfilling the intent of the Compacts of Free Association will take America one step forward towards its vision of liberty and justice for all. Unfortunately, the 1996 PRWORA law overlooked these ongoing contributions and sacrifices when it neglected to include our FAS residents as "qualified aliens" eligible for such basic federal programs as Medicaid, SSI, nutritional supplements, and others. By effectively revoking

their previous eligibility for these programs, this law has resulted in harsh consequences for Hawai'i's community members, particularly for those seeking necessary medical treatment or basic educational or economic opportunity here in the U.S. and Hawai'i, and especially for those who continue to face significant cultural, economic, linguistic, and social barriers to equal opportunity here in the states. Some of these Hawaii residents have been here as long as thirty years and many of their children are American citizens who vote in our Democratic Process, yet their parents are denied proper medical care for in some cases chronic diseases like cancers or kidney disease caused by our atomic bombing testing of their home countries due to our treaty agreements. This resolution seeks to address this injustice and restore access to basic federal programs for FAS members of our Pacific Islander community, so that they may have an equal opportunity to fully participate in our society and pursue the American Dream as promised under the Compacts of Free Association. Therefore, I respectfully urge the Committees to PASS SCR108 and SR74, and help Hawai'i make a strong statement about justice and equality for these U.S. resident workers, taxpayers, students, and members of our island community. Sincerely, Ken Akinaka, MRA Cell 808-221-6204

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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March 26, 2013

LATE

Committee on Judiciary
Representative Karl Rhoads, Chair
Representative Sharon Har, Vice Chair

Re: House Concurrent Resolution HCR117 and House Resolution HR88

Urging the United States Congress to include resident citizens of the Freely Associated States who lawfully reside in the United States as "Qualified Aliens" under the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 in recognizing their unique historic and ongoing sacrifices and contribution to the United States of America.

Date: Friday April 5, 2013

Time: 2:00pm.

Place Conference Room 325 State Capitol 415 South Beretania Street

Aloha Representative Karl Rhoads and Representative Sharon Har,

Thank you for allowing me to provide testimony to this important resolution seeking support of expanding key federal programs for our Micronesian resident families here in Hawaii.

My name is Barbara Tom I am the Chair of the Nations of Micronesia Committee (NOM), I've also participated in the Attorney Generals COFA Task Force (2007) and currently serve as Advisor to two Micronesian Groups, The Micronesian Community Network and Micronesian Health Advisory Coalition. These organizations work tirelessly to improve their communities through preventative health programs for their youth and families, providing a forum for communication within their community and supplying qualified interpreters to the state to ensure their voices are heard.

I am currently a retired Public Health Nurse, but during my 23 years of service working with families, communities, and schools, I saw first hand how providing access to federal programs can impact the Micronesian communities and support our economy here in Hawaii. The families I dealt with had many challenges in health such as access to healthy food, access to quality healthcare and lack of adequate housing, which served as significant barriers to their health and wellbeing.

The obstacles they face are much greater than most due to the lack of qualified interpreters to help them navigate the confusing system of services making acculturation difficult. They migrate to Hawaii for the same reasons our ancestors migrated, for a better life for their families; better job opportunities, and education for their children. Many work at jobs contributing to Hawaii's economy and are serving in the US military, yet they are unable to take advantage of basic federal programs offered to other immigrants no matter how long they reside here as residents. Many have children who are born here and become US citizens by birth, these children will become our future workforce of tomorrow and the future of our state.

In order to create a "Healthier State", we need to focus on the health and welfare of our most vulnerable population. Closing the Personal Responsibility and Work Opportunities Reconciliation Act loophole and including the COFA residents as qualified aliens eligible for federal healthcare protections acknowledges their contributions and sacrifices, which will benefit not only our COFA residents, but our community as a whole.

For these reasons, I support this resolution and ask for your support on House Concurrent Resolution 117 and House Resolution 88.

Respectfully yours,

Barbara Tom RN
Chair Nations of Micronesia

Advisor, Micronesian Health Advisory Coalition
Advisor, Micronesian Community Network

Dear Chair Rhoads, Vice Chair Har, and Honorable Members of the House Committee on Judiciary,

Mahalo nui loa for the opportunity to testify in **STRONG SUPPORT** of **HCR117**, and **HR88**, which seek to restore access to important and fundamental federal programs for U.S. resident workers, taxpayers, students, and community members present under the Compacts of Free Association, many of whom are also members of Hawai'i's Pacific Islander community.

As these resolutions remind us, the former trust territories of the Freely Associated States (FAS) have over sixty years of history of sacrifices and contributions to the United States, and to Hawai'i. As a result, FAS citizens have earned the right to reside, work, and seek educational and healthcare opportunities in the United States, much like any other U.S. citizen or legal permanent resident.

Unfortunately, the 1996 PRWORA law overlooked these ongoing contributions and sacrifices when it neglected to include our FAS residents as “qualified aliens” eligible for such basic federal programs as Medicaid, SSI, nutritional supplements, and others. By effectively revoking their previous eligibility for these programs, this law has resulted in harsh consequences for Hawai'i's community members, particularly for those seeking necessary medical treatment or basic educational or economic opportunity here in the U.S. and Hawai'i, and especially for those who continue to face significant cultural, economic, linguistic, and social barriers to equal opportunity here in the states.

This resolution seeks to address this injustice and restore access to basic federal programs for FAS members of our Pacific Islander community, so that they may have an equal opportunity to fully participate in our society and pursue the American Dream as promised under the Compacts of Free Association.

Therefore, I respectfully urge the Committee to **PASS** these resolutions, and help Hawai'i make a strong statement about justice and equality for these U.S. resident workers, taxpayers, students, and members of our island community.

Sincerely,

Beverlyn Simina

HCR117

Submitted on: 4/2/2013

Testimony for JUD on Apr 5, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Jeannine Johnson	Individual	Support	No

Comments:

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Dear Chair Rhoads, Vice Chair Har, and Honorable Members of the House Committee on Judiciary,

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This resolution seeks to address this injustice and restore access to basic federal programs for FAS members of our Pacific Islander community, so that they may have an equal opportunity to fully participate in our society and pursue the American Dream as promised under the Compacts of Free Association.

The cost to our government will be small compared to what the damage the US inflicted on the peoples of FAS. As a University Profession Hawai'i, I see the effects of nuclear testing every day. Please help! It is the right thing to do.

Therefore, I respectfully urge the Committee to **PASS** these resolutions, and help Hawai'i make a strong statement about justice and equality for these U.S. resident workers, taxpayers, students, and members of our island community.

Sincerely,

Leslie Novosel

Leslie Novosel, PhD
Assistant Professor
The University of Hawai'i at Manoa
leslienovosel@gmail.com

Committee on Judiciary
April 5, 2013
2:00 p.m.
Conference Room 325
State Capitol
415 South Beretania Street

RE: HCR117/HR88 URGING THE UNITED STATES CONGRESS TO INCLUDE RESIDENT CITIZENS OF THE FREELY ASSOCIATED STATES AS "QUALIFIED ALIENS" UNDER THE PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT IN RECOGNITION OF THEIR UNIQUE HISTORIC AND ONGOING SACRIFICES AND CONTRIBUTIONS TO THE UNITED STATES OF AMERICA.

Position: **In Strong Support**

Dear Chair Rhoads, Vice Chair Har, and Members of the Committee on Judiciary:

I am writing to testify **in strong support** of HCR 117/HR 88.

As these resolutions remind us, the former trust territories of the Freely Associated States (FAS) have over sixty years of history of sacrifices and contributions to the United States, and to Hawai'i. As a result, FAS citizens have earned the right to reside, work, and seek educational and healthcare opportunities in the United States, much like any other U.S. citizen or legal permanent resident.

Unfortunately, the 1996 PRWORA law overlooked these ongoing contributions and sacrifices when it neglected to include our FAS residents as "qualified aliens" eligible for such basic federal programs as Medicaid, SSI, nutritional supplements, and others. By effectively revoking their previous eligibility for these programs, this law has resulted in harsh consequences for Hawai'i's community members, particularly for those seeking necessary medical treatment or basic educational or economic opportunity here in the U.S. and Hawai'i, and especially for those who continue to face significant cultural, economic, linguistic, and social barriers to equal opportunity here in the states.

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Therefore, I respectfully urge the Committee to **PASS** these resolutions, and help Hawai'i make a strong statement about justice and equality for these U.S. resident workers, taxpayers, students, and members of our island community. America prides itself on its sense of justice, and despite its historic contradictions, has struggled to ensure that we do acknowledge and address the injustices of our past. However, some

of the darkest moments in our recent history have yet to be fully acknowledged and addressed, threatening to leave a long and ugly scar in our reputation as a land of justice, and freedom. Closing the PRWORA loophole and fulfilling the intent of the Compacts of Free Association will take America one step forward towards its vision of liberty and justice for all.

Sincerely,
Amy Sojot
Mililani, HI

HCR117

Submitted on: 4/3/2013

Testimony for JUD on Apr 5, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Dr. Christine T. Lipat, DC	Individual	Support	No

Comments: Dear Chair Rhoads, Vice Chair Har, and Honorable Members of the House Committee on Judiciary, Mahalo nui loa for the opportunity to testify in STRONG SUPPORT of HCR117, and HR88, which seek to restore access to important and fundamental federal programs for U.S. resident workers, taxpayers, students, and community members present under the Compacts of Free Association, many of whom are also members of Hawai'i's Pacific Islander community. As these resolutions remind us, the former trust territories of the Freely Associated States (FAS) have over sixty years of history of sacrifices and contributions to the United States, and to Hawai'i. As a result, FAS citizens have earned the right to reside, work, and seek educational and healthcare opportunities in the United States, much like any other U.S. citizen or legal permanent resident. Unfortunately, the 1996 PRWORA law overlooked these ongoing contributions and sacrifices when it neglected to include our FAS residents as "qualified aliens" eligible for such basic federal programs as Medicaid, SSI, nutritional supplements, and others. By effectively revoking their previous eligibility for these programs, this law has resulted in harsh consequences for Hawai'i's community members, particularly for those seeking necessary medical treatment or basic educational or economic opportunity here in the U.S. and Hawai'i, and especially for those who continue to face significant cultural, economic, linguistic, and social barriers to equal opportunity here in the states. This resolution seeks to address this injustice and restore access to basic federal programs for FAS members of our Pacific Islander community, so that they may have an equal opportunity to fully participate in our society and pursue the American Dream as promised under the Compacts of Free Association. Therefore, I respectfully urge the Committee to PASS these resolutions, and help Hawai'i make a strong statement about justice and equality for these U.S. resident workers, taxpayers, students, and members of our island community.

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To the Honorable Members of the Committee,

Fakkun Kilisou Chapwur for the opportunity to testify in **STRONG SUPPORT** of **HCR117**, and **HR88**, which seek to restore access to important and fundamental federal programs for U.S. resident workers, taxpayers, students, and community members present under the Compacts of Free Association, many of whom are also members of Hawai'i's Pacific Islander community.

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Therefore, I respectfully urge the Committee to **PASS** these resolutions, and help Hawai'i make a strong statement about justice and equality for these U.S. resident workers, taxpayers, students, and members of our island community.

Sincerely,

Kind K. Kanto

LATE

HCR117

Submitted on: 4/5/2013

Testimony for JUD on Apr 5, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Mike Mariano	Individual	Comments Only	No

Comments: Dear chair Rhodes, vice chair Har and Honorable members of the House Committee on Judiciary. The freely Associated States is recognized for its historic support to the Unites States of America. Our island atolls was used for 67 nuclear test from 1946 to 1958, which subjected Marshallese people to human radation experiment with out their knowledge or consent. Including the lives of our sons and daughters sacrificed in the interest of the Unites States of America. These are only a few of valuable sources COFA could provide United States of America. Therefore I urge this committee to pass this resolution.

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