

MAR 10 2017

SENATE CONCURRENT RESOLUTION

REQUESTING THE UNITED STATES DEPARTMENT OF STATE AND THE UNITED STATES DEPARTMENT OF JUSTICE TO CLARIFY UNITED STATES POLICY REGARDING PERSONS WHO DECLARE THEMSELVES TO BE NATIONALS OF THE KINGDOM OF HAWAII RESIDING IN THE STATE OF HAWAII.

1 WHEREAS, Hawaiian nationals, also known as Hawaiian
2 subjects, are those who:

- 3
- 4 (1) Claim their birthright of Hawaiian nationality; and
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 - 6 (2) Comprise the body politic of the internationally
7 recognized Kingdom of Hawaii; and
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9 WHEREAS, the rights to Hawaiian nationality are conferred
10 by natural birth and customary law and practice, whether
11 lineally descended from Hawaiian nationals, by birth within the
12 physical boundaries of the Hawaiian Islands, or by a formal
13 process of naturalization; and

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15 WHEREAS, issues have arisen in Hawaii as to:

- 16
- 17 (1) Whether or not people who declare themselves to be
18 Hawaiian nationals can be detained by the State of
19 Hawaii; and
 - 20
 - 21 (2) Whether officers and agents of the State of Hawaii are
22 exempt from complying with existing state and federal
23 laws prohibiting discrimination on the basis of
24 national origin with reference to Hawaiian nationals;
25 and
 - 26

27 WHEREAS, according to customary international law, and
28 confirmed a hundred years apart by United States Presidents S.
29 Grover Cleveland and William J. Clinton, the indigenous Hawaiian
30 people never directly relinquished their sovereignty; and



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2 WHEREAS, despite several regime changes and being seriously
3 impaired and made nearly invisible, Hawaiian nationals continue
4 to exist and to probe the process with the United States
5 Department of State of having the Kingdom of the Hawaiian
6 Islands reinstated and restored; and
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8 WHEREAS, international law prohibits altering an
9 individual's nationality, including the coercive and arbitrary
10 assignment of citizenship to a foreign state without the
11 explicit consent of that individual; and
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13 WHEREAS, section 19 of the Hawaii Admission Act, P.L. 86-3
14 (1959), provides that "Nothing contained in this Act shall
15 operate to confer United States nationality, nor to terminate
16 nationality heretofore lawfully acquired"; and
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18 WHEREAS, a significant part of the population of the
19 Hawaiian Islands identify themselves as law-abiding Hawaiian
20 nationals who lawfully reserve and assert their right to secure
21 and exercise their nationality as citizens of the Kingdom of
22 Hawaii; and
23

24 WHEREAS, pursuant to Hawaiian Kingdom laws, international
25 treaties and conventions, the Law of Nations, and all other
26 philosophies and standards of attributing nationality, Hawaiian
27 nationals are subjects of the Kingdom of Hawaii who reside in
28 their own country; and
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30 WHEREAS, a "Hawaiian national" is not synonymous with:
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- 32 (1) The term, "native Hawaiian", which was coined and
33 adopted by the United States Congress in the Hawaiian
34 Homes Commission Act 1920, as amended, to narrowly
35 define Hawaiians according to aboriginal blood
36 quantum; or
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38 (2) The term, "Native Hawaiian", which is a term used to
39 denote Hawaiians by racial standards; now, therefore,
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41 BE IT RESOLVED by the Senate of the Twenty-ninth
42 Legislature of the State of Hawaii, Regular Session of 2017, the



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1 House of Representatives concurring, that the United States
2 Department of State and the United States Department of Justice
3 are requested to clarify United States policy regarding persons
4 who declare themselves to be nationals of the Kingdom of Hawaii
5 residing in the State of Hawaii; and
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7 BE IT FURTHER RESOLVED that the United States Department of
8 State and the United States Department of Justice are requested
9 to clarify:

- 10
- 11 (1) Whether or not people who declare themselves to be
12 Hawaiian nationals can be detained by the State of
13 Hawaii; and
14
- 15 (2) Whether officers and agents of the State of Hawaii are
16 exempt from complying with existing state and federal
17 laws prohibiting discrimination on the basis of
18 national origin with reference to Hawaiian nationals;
19 and
20

21 BE IT FURTHER RESOLVED that certified copies of this
22 Concurrent Resolution be transmitted to the United States
23 Secretary of State and Attorney General of the United States.
24
25
26

OFFERED BY: _____

[Handwritten Signature]
By Request

