

STAND. COM. REP. NO.

3282

Honolulu, Hawaii

MAR 28 2018

RE: S.C.R. No. 120  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Ninth State Legislature  
Regular Session of 2018  
State of Hawaii

Sir:

Your Committees on Public Safety, Intergovernmental, and Military Affairs and Judiciary, to which was referred S.C.R. No. 120 entitled:

"SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES CONGRESS TO REFORM AND AMEND THE IMMIGRATION AND NATIONALITY ACT OF 1965 AND OTHER RELEVANT FEDERAL IMMIGRATION LAWS TO CLASSIFY CLIMATE-RELATED MIGRANTS AS REFUGEES IN ORDER TO RECEIVE GREATER LEGAL STATUS AND PROTECTION,"

beg leave to report as follows:

The purpose and intent of this measure is to urge the United States Congress to reform and amend the Immigration and Nationality Act of 1965 and other relevant federal immigration laws to classify climate-related migrants as refugees in order to receive greater legal status and protection.

Your Committees received testimony in support of this measure from one individual.

Your Committees find that the challenges facing small island nations in the Pacific, such as sea-level rise, deterioration of precious watersheds, and protection of native flora and fauna, have led to increasing numbers of migrants from the region. Your Committees further find that all individuals fleeing from climate-related impacts who cross or seek to cross international borders are entitled to due process in the assessment of their legal



status based on human rights principles, such as protection from persecution, equity, and freedom from discrimination. Your Committees acknowledge that climate-related migrants come from a variety of locations across the globe; however, your Committees believe that at this time it is crucial that the United States Congress focus on those individuals fleeing the negative impacts of climate change in the Pacific region.

Your Committees have amended this measure by:

- (1) Clarifying that the United States Department of Justice is urged to recognize the specific needs and special circumstances of applicants from developing nations, especially those from island nations in the Pacific that are vulnerable to climate change, when determining whether a migration may constitute a special humanitarian concern; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Public Safety, Intergovernmental, and Military Affairs and Judiciary that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 120, as amended herein, and recommend that it be referred to your Committee on Ways and Means, in the form attached hereto as S.C.R. No. 120, S.D. 1.

Respectfully submitted on  
behalf of the members of the  
Committees on Public Safety,  
Intergovernmental, and Military  
Affairs and Judiciary,



BRIAN T. TANIGUCHI, Chair



CLARENCE K. NISHIHARA, Chair





The Senate  
 Twenty-Ninth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Judiciary**  
**JDC**

Bill / Resolution No.:* <b>SCR 120</b>	Committee Referral: <b>PSM/JDC, WAM</b>	Date: <b>3/22/18</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
RHOADS, Karl (VC)	✓			
GABBARD, Mike	✓			
KIM, Donna Mercado	✓			
THIELEN, Laura H.	✓			
<b>TOTAL</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>0</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Karl Rhoads</i>				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes