
HOUSE RESOLUTION

URGING THE UNITED STATES CONGRESS TO TAKE ANY NECESSARY ACTION, INCLUDING PROPOSING AN AMENDMENT TO ARTICLE II, SECTION 1 OF THE UNITED STATES CONSTITUTION, TO EXTEND THE RIGHT TO VOTE IN ELECTIONS FOR THE PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES TO AMERICAN CITIZENS IN TERRITORIES AND COMMONWEALTHS OF THE UNITED STATES.

1 WHEREAS, although great efforts have been made across the
2 United States to encourage citizens to participate in the voting
3 process, there remains a large population of United States
4 citizens who are unable to legally vote for the offices of the
5 President and Vice President of the United States; and
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7 WHEREAS, the United States government exercises full
8 plenary power over the Territory of American Samoa, Territory of
9 Guam, Commonwealth of Northern Mariana Islands, Commonwealth of
10 Puerto Rico, and the Territory of the United States Virgin
11 Islands; and
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13 WHEREAS, Hawaii shares close ties with the Territory of
14 American Samoa, Territory of Guam, and Commonwealth of Northern
15 Mariana Islands due to the Pacific Island culture and heritage;
16 and
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18 WHEREAS, more than four million people residing in United
19 States territories and commonwealths, while governed by almost
20 all the laws applicable to citizens of a state and significantly
21 affected by the actions of the federal government, are denied
22 the right to vote for the President and Vice President of the
23 United States; and
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25 WHEREAS, residents of United States territories and
26 commonwealths make significant contributions to the United
27 States, including the provisions of large tracts of land for
28 military bases and a consistently high recruitment rate of
29 residents for the Armed Forces of the United States; and



1 WHEREAS, on October 29, 2014, The Washington Post, reported
2 that Guam, with a small population of about 200,000 residents,
3 is home to one of the highest concentration of military veterans
4 in the United States and its territories, with about 8,000
5 veterans representing one in eight Guamanian adults who have
6 served in the United States Armed Forces; and
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8 WHEREAS, The Washington Post also reported that at the
9 height of the Iraq and Afghanistan Wars, four of the United
10 States Army's top recruiters were from Guam; and
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12 WHEREAS, the September 16, 2014, edition of the Samoa News
13 reported that as of September 9, 2014, the local United States
14 Army Recruiting Station was ranked number 1 in production out of
15 the 885 Army recruiting stations and centers under the United
16 States Army Recruiting Command, which includes the 50 states,
17 Korea, Japan, Europe, and territories and commonwealths of the
18 United States; and
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20 WHEREAS, in deciding that all the provisions of the United
21 States Constitution do not apply to the Territory of Puerto
22 Rico, the Supreme Court in *Downes v. Bidwell*, 182 U.S. 244
23 (1901), one of the so-called "insular cases," held "If those
24 possessions are inhabited by alien races, differing from us in
25 religion, customs, laws, methods of taxation, and modes of
26 thought, the administration of government and justice, according
27 to Anglo-Saxon principles, may for a time be impossible; and the
28 question at once arises whether large concessions ought not be
29 made for a time, that ultimately our own theories may be carried
30 out, and the blessing of a free government under the
31 Constitution extended to them."; and
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33 WHEREAS, where a person resides should not be the basis for
34 denying a person, otherwise qualified, the right to vote for the
35 President and Vice President of the United States; and
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37 WHEREAS, political participation is a fundamental principle
38 of an enduring democracy; and



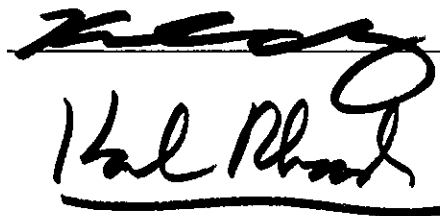
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1 WHEREAS, the language setting forth the electoral system to
2 select the President and Vice President in Article II, Section 1
3 of the United States Constitution has been judicially
4 interpreted to deny citizens of United States territories and
5 commonwealths the right to vote in elections for the President
6 and Vice President; now, therefore,
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8 BE IT RESOLVED by the House of Representatives of the
9 Twenty-eighth Legislature of the State of Hawaii, Regular
10 Session of 2016, that the United States Congress is urged to
11 take any necessary action, including proposing an amendment to
12 Article II, Section 1 of the United States Constitution to
13 extend the right to vote in elections for the President and Vice
14 President of the United States to American citizens in
15 territories and commonwealths of the United States; and
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17 BE IT FURTHER RESOLVED that certified copies of this
18 Resolution be transmitted to the President of the United States,
19 Speaker of the United States House of Representatives, President
20 Pro Tempore of the United States Senate, members of Hawaii's
21 Congressional Delegation, Governor of the Territory of American
22 Samoa, Governor of the Territory of Guam, Governor of the
23 Commonwealth of Northern Mariana Islands, Governor of the
24 Commonwealth of Puerto Rico, and the Governor of the United
25 States Virgin Islands.
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OFFERED BY:


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