

HOUSE OF REPRESENTATIVES
THE TWENTY-SIXTH LEGISLATURE
REGULAR SESSION OF 2011

COMMITTEE ON HAWAIIAN AFFAIRS

Rep. Faye P. Hanohano, Chair

Rep. Chris Lee, Vice Chair

DATE: Wednesday, March 2, 2011

TIME: 9:30 a.m.

PLACE: Conference Room 329

State Capitol

415 South Beretania Street

Testimony Submitted by Poka Laenui, Chairperson,
Aha Hawai'i O'iwi (Native Hawaiian Convention)

HCR 63/HR 56 REQUESTING THE STATE OF HAWAII TO PROVIDE THE DELEGATES AND OFFICERS OF THE NATIVE HAWAIIAN CONVENTION WITH THE FINANCIAL AND OTHER SUPPORT NEEDED TO COMPLETE THEIR WORK.

Aloha:

I SUPPORT THE RESOLUTIONS BEFORE YOU.

The resolutions do a good job of reflecting the commitment made by the State of Hawaii to support the Native Hawaiian people in designing a government of their own choice.

The process of allocating to the native Hawaiian people the opportunity to create a truly grass-roots process in the formation of their own governing entity, was done with foresight, one eye on the international development of international law, i.e. the International Labor Organizations Convention 169 as well as the United Nations Declaration on the Rights of Indigenous Peoples, which was recently adopted by the General Assembly of the United Nations and today supported by the United States, and the other eye on the outcry of the native Hawaiian people in view of the history of overthrow and the cession of Hawaii to the United States of America.

The development of the Native Hawaiian Convention was a methodical, respectful, and legitimate process of self-determination which meets both with the

standards of indigenous peoples rights development as well as with the process of decolonization for non-self governing territories.

We are now close to the culmination of a movement which has many starting points. One would be the product of the Democratic Party revolution in Hawaii in the mid 1950's followed by the expansion of the University of Hawaii and opening the flood-gates for many of us to obtain Bachelor's and higher degrees. We also saw the development of ethnic studies at the University, the agitation for cultural and social rights to counter-act the influence of capitalism, resulting in the tossing out of pig farmers from Kalama Valley to build homes where most of us, especially pig farmers, would not be able to afford. This was the early development of native Hawaiian cultural revolution, found in new musicians and music, the popularization of hula, `oli and `olelo, the respect for the integrity of our `aina, reaching a crescendo around stopping the bombing of Kaho`olawe.

The Hawaiian Sovereignty Movement was given new life at about this time as we reviewed the illegality of the overthrow of the Hawaiian government and raised the protests in the courts, at university campuses, in high schools, at Iolani Palace, and in many other corners of Hawaii.

The Sovereignty Advisory Council (SAC) was formed by the State Legislature, circa 1991, appointing nine organizational representatives and individuals, charged with the mandate "to develop a plan to discuss and study the sovereignty issue". This council submitted a report to the State Legislature detailing the events of the overthrow, the remaining issues still unresolved and made suggestions on the State's taking further action on this issue.

Hui Na`auao in 1992, organized and pulled together a multiplicity of individuals and organizations under a broad umbrella of Hawaiian rights especially as it regarded issues of historical injustice in the overthrow of the Hawaiian nation.

The Legislature subsequently created the Hawaiian Sovereignty Advisory Council (HSAC) in 1993, naming several organizations to sit on the council and authorizing the Governor to appoint additional individuals, nominated by Hawaiian organizations or individuals of 21 members. HSAC was charged with advising the Legislature on the next step to take in moving ahead on the matter of Hawaiian self-governance.

This council visited the communities in Hawai`i and in America, trying to obtain the opinions of the people on how to proceed with moving forward on self-governance. HSAC concluded that a vote should be called asking the native Hawaiian population if an election of delegates should be held to propose a form of native Hawaiian governance. The legislature received the report, adopted the recommendations and followed by the appointment of an elections commission.

In the same year, this state's legislature adopted a resolution recognizing the events of the overthrow, followed subsequently by the U.S. Congress confession and

apology for its role in the overthrow. U.S. President William Clinton signed Public Law 103-150 100 years following the overthrow, 1993.

The Hawaiian Sovereignty Elections Commission was subsequently formed (1994) to pose the question of the formation of a governmental form to the native Hawaiian population.

Ha Hawaii was incorporated (1995) as a not-for-profit corporation to aid in the administration of the convention to result from the election of delegates, anticipating a favorable outcome on the question to be posed.

The balloting, called the "Native Hawaiian Vote" was done by mail in 1996. The question on the ballot was, "**Shall the Hawaiian people elect delegates to propose a native Hawaiian form of government?**" The State Legislature appropriated matching funds with the Office of Hawaiian Affairs to sponsor this vote. The vote was overwhelmingly in favor (73%) of such an election. The results were verified by the League of Women Voters.

Delegates were subsequently elected from the traditional Hawaiian Moku and a special moku of people living in the continental U.S. portion of North America, by Native Hawaiian voters. In total, 78 delegates were elected. The Native Hawaiian Convention (Aha Hawai'i 'Ōiwi) was subsequently constituted. Their deliberations began in July 1999.

Funding for this process was generally supported through the Office of Hawaiian Affairs and the State legislature.

As the work progressed, there emerged two models of a governmental form, one called for an integration approach in which the native Hawaiian government would operate within the United States of America, very much like the commonly known Akaka Bill framework. The second model was one of an independent nation-state. The convention had determined to submit two models to the native Hawaiian constituency upon finalization of these models.

The work of the convention has met several obstacles including the lack of adequate funding by OHA and the State Legislature as well as the intervention of the introduction of the Akaka Bill in the U.S. Congress.

Delegates of the AHO have been patiently watching the progress of the Akaka Bill which would inform the further work of the convention. We have seen in December 2010 that the Akaka Bill has met its demise, although we are fully aware of the fact that it may be reintroduced in the Congress in the coming years.

The current executive officers of the convention are:
Pōkā Laenui, Chairperson,
Dante Carpenter, Vice Chair,

Glenn Oamilda, Vice Chair,
Maurice Kahawai`i, Treasurer,
The position of Secretary is vacant due to the untimely death of Nalani Gersabe.

In consultation with the executive officers and other delegates of the AHO, it is our intention to reconvene the AHO as soon as we are able to obtain sufficient funds, which funds would go primarily to the cost of travel of delegates, meeting facilities, and a minimum of support staff to maintain and preserve records and files, and a continuity between sessions.

It is my estimate that the convention would take three more sessions to complete its drafting of two models of Hawaiian governance for presentation to the Native Hawaiian constituents. There will be a final function of education, discussion, debate, and a vote on the models to conclude the mandate of the Aha Hawai`i `Ōiwi.

I believe that it would not be appropriate at this time for the legislature to create yet another process in the formation of a native Hawaiian governance entity. The native Hawaiian people have suffered enough of a trauma of others attempting to set for them a Hawaiian governance entity.

The resolutions before this committee is precisely what the legislature should do, i.e., support the completion of the mandate of the native Hawaiian vote.

This legislature has two potential funding bills for the Native Hawaiian Convention, SB 1 sd 1 and its companion HB 1627 hd 2, and SB 1520. I'm unfamiliar with its its companion HB number. These bills could serve as appropriate vehicles to support the Native Hawaiian Convention by deleting any other provision which would intercede in the process already taken.

Mahalo.



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TESTIMONY OF PRESIDENT SOULEE STROUD
Before the
HOUSE COMMITTEE ON HAWAIIAN AFFAIRS
Wednesday, March 2, 2011; 9:30 am; Room 329

SUPPORTING HCR 63/HR56
REQUESTING THE STATE OF HAWAII TO PROVIDE THE DELEGATES
AND OFFICERS OF THE NATIVE HAWAIIAN CONVENTION WITH THE
FINANCIAL AND OTHER SUPPORT NEED TO COMPLETE THEIR WORK

Aloha Madam Chair Hanohano, Vice Chair Lee and members of the Committee on Hawai`ian Affairs. I am Soulee Stroud, here to testify in support of House Concurrent Resolution 63 and House Resolution 56 for the Association of Hawaiian Civic Clubs.

This is a follow up to my previous testimonies relative to federal recognition that the Hawaiian Civic Clubs have supported for a long time. We support this measure that would provide funds and other support for a Native Hawaiian convention on federal recognition. We support this measure whether it is convened by Aha Hawai`i O`iwi or some other entity designed for the same purpose.

We suggest two amendments. One, that funds for the convention shall not be taken from the Office of Hawaiian Affairs' annual share of the ceded land trust. Secondly, we ask that funds be made available for the duration of the convention and not be so restricted as to limit the time needed to complete the work of the convention delegates.

Thank you for the opportunity to testify.

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