

SB 1



SB 1

**RELATING TO STATE RECOGNITION OF THE NATIVE HAWAIIAN PEOPLE,
THEIR LANDS, ENTITLEMENTS, HEALTH, EDUCATION, WELFARE, HERITAGE,
AND CULTURE**

Senate Committee on Hawaiian Affairs
Senate Committee on Water, Land, and Housing

February 12, 2011

10:00 a.m.

Room 225

The Office of Hawaiian Affairs (OHA) offers the following comments on SB 1, which provides for the recognition of the Native Hawaiian people by the State of Hawai'i:

OHA supports state recognition of Native Hawaiians provided that it does not diminish efforts to pursue and obtain federal recognition.

As to the specifics of state recognition, OHA is carefully considering possible approaches, including SB 1, so as to be able to offer constructive suggestions as this legislative session proceeds. We look forward to communicating with our beneficiaries, legislators and other public officials, our advisors, and others about how best to approach state and federal recognition.

Mahalo for the opportunity to testify on this important measure.

galuteria1 - Ikaika

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 07, 2011 8:29 PM
To: HWN Testimony
Cc: jeannine@hawaii.rr.com
Subject: Testimony for SB1 on 2/12/2011 10:00:00 AM

Testimony for HWN/WLH 2/12/2011 10:00:00 AM SB1

Conference room: 225
Testifier position: oppose
Testifier will be present: No
Submitted by: Jeannine Johnson
Organization: Individual
Address: 5648 Pia Street
Phone: 808-537-7261
E-mail: jeannine@hawaii.rr.com
Submitted on: 2/7/2011

Comments:

While I support federal recognition of Kanaka Maoli, I'm puzzled as to why we need to be recognized by the State of Hawai'i and have a corporation set up when we have OHA.

COMMITTEE ON WATER, LAND, AND HOUSING

Senator Donovan M. Dela Cruz, Chair

Senator Malama Solomon, Vice Chair

DATE: Saturday, February 12, 2011

TIME: 10:00 a.m.

PLACE: Conference Room 225

State Capitol

415 South Beretania Street

A G E N D A

SB 1

Testimony

Status

RELATING TO STATE RECOGNITION OF THE
NATIVE HAWAIIAN PEOPLE, THEIR LANDS,
ENTITLEMENTS, HEALTH, EDUCATION, WELFARE,
HERITAGE, AND CULTURE.

Submitted by Pōkā Laenui, Chairperson, Aha Hawai`i `Ōiwi (Native Hawaiian Convention)

Aloha Kakou:

I come before you to express concerns over that aspect of this bill which attempts to facilitate the Native Hawaiian people's self-governance by segregating land resources within a legislatively created framework of governance and management, without permitting the previously established process for the people themselves to design and approve their own governance framework.

It behooves us to take a not-too-distant review of our history of conferring with the Native Hawaiian people, a review taking us a mere 20 years, in which the State Legislature and the Office of Hawaiian Affairs agreed that there was a need to take a comprehensive and consultative approach with the Hawaiian people, to address the subject of Hawaiian sovereignty. This is the history which brings us today to the `Aha Hawai`i `Ōiwi, aka the Native Hawaiian Convention.

Hui Na`auao in mid-1980's 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 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.

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 (for a total of 21 or 22 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, U.S. President William Clinton signed Public Law 103-150, often called the Apology Resolution.

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 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.

With regards to the current bill under consideration, 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. Rather, the legislature should support the completion of the mandate of the native Hawaiian vote, providing and/or encouraging the Office of Hawaiian Affairs to assist in the provision of necessary resources to see this work to fruition. This bill, with appropriate amendments, could serve as a vehicle to reach that conclusion.

As the Chairperson of the AHO, I can not take a position on the first part of this bill, i.e., the recognition of the native Hawaiian people as the first or indigenous peoples of Hawai`I, and therefore refrain from an observation at this time.

Sincerely,

Pōkā Laenui, Chairperson, Aha Hawai`i `Ōiwi

TESTIMONY OF EDWARD AND MAHEALANI WENDT
IN OPPOSITION TO

S.B. 1520 and S.B. 1
Hearing before the Senate Committees
on Judiciary and Hawaiian Affairs
February 14, 2010

S.B. 1520: We support state recognition, but only after a Native Hawaiian government is organized by the Hawaiian people themselves. We do not support those provisions of S.B. 1520 that propose a state process for organizing the government.

Explanation: A true self-determination process for organizing a Native Hawaiian government must be undertaken by the people affected, not proscribed by another government. We have personally supported sovereignty organizing efforts and participated in several efforts to organize a Native Hawaiian government for over 30 years. Some of these efforts include:

- A. Hui Na` auao, a statewide Sovereignty and Self-Determination Community Education project involving 60 participants who convened monthly, representatives of major Native Hawaiian organizations;
- B. Hawaiian Sovereignty Elections Council (HSEC), whose deliberations resulted in a referendum in which approximately 30,000 Native Hawaiians participated, more than 60% of whom supported creation of a Native Hawaiian government;
- C. Ha Hawai` i, which carried out the election referenced above, of popularly elected representatives from every moku district, apportioned by population, to convene a constitutional convention; and
- D. The Nation Hawaiian Convention ("Na O` iwi Hawai` i), consisting of approximately 70 popularly elected delegates from every moku district throughout Hawai` i, and which proposed a referendum on a "nation-within-a-nation" vs.

“independent” nation status, a referendum which was never held due to lack of funding.

All of the above efforts involved thousands of volunteer hours and were severely underfunded. We believe the Hawaiian community has the intellectual wherewithal and resources necessary to continue this government organizing effort, which might include (a) certification of a list of eligible participants in an election of delegates to a constitutional convention; (b) convening a constitutional convention; (c) conducting a referendum for approval/disapproval of the proposed constitution; (d) conducting an election of office holders and representatives consistent with provisions of the constitution, once it is approved.

In short, we support a process of political self-determination wherein the Native Hawaiian people organize their own government.

S.B. 1: We do not support this measure because it is premature. Any proposal for disposition of Native Hawaiian trust assets, including trust lands, should be deferred until the Native Hawaiian political entity (a government, not a business corporation) is formed, and the electorate have had an opportunity for meaningful engagement and participation in the decision-making process.

Respectfully,

Edward and Mahealani Wendt
185 Wailua Road
Haiku, Hawai`i 96708
Telephone: 808-248-7730
ed.wendt@hawaiiantel.net

galuteria1 - Ikaika

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 08, 2011 4:38 PM
To: HWN Testimony
Cc: garrypsmith@juno.com
Subject: Testimony for SB1 on 2/12/2011 10:00:00 AM

Follow Up Flag: Follow up
Flag Status: Flagged

Testimony for HWN/WLH 2/12/2011 10:00:00 AM SB1

Conference room: 225
Testifier position: oppose
Testifier will be present: Yes
Submitted by: Garry P. Smith
Organization: Individual
Address: 91-321 pupu place ewa beach, hi 96706
Phone: 392.5559
E-mail: garrypsmith@juno.com
Submitted on: 2/8/2011

Comments:

This is one of the most racist bills the legislature has ever considered. The U.S. Supreme Court has ruled at least twice that native Hawaiians are a race of people and not a political group or Indians. To give one race the lands set aside for all races upon the admission of the state of hawaii into the union raises serious constitutional questions. This violate the state constitution and the federal constitution. All you are doing in passing this bill is making some attorneys very wealthy when the take this to the Supreme Court and charge the state when they lose for their hours. Certainly you wouldn't allow for a separation of the state based on race to occur, that would violate your solemn oath to uphold the constitutions of the state of hawaii and the constitution of the United States. If you violate your oath you are subject personally to lawsuits and penalties.

galuteria1 - Ikaika

From: frederichtrenchard@gmail.com on behalf of Frederich Trenchard [fnt@snhe.org]
Sent: Wednesday, February 09, 2011 5:58 PM
To: galuteria1 - Ikaika
Cc: fnt@snhe.org
Subject: SB-1 Testimony of Chief Maui Loa

Chief Maui Loa to the Hawaii State Legislature Committee on Hawaiian Affairs

Testimony SB-1

Aloha, my friends and neighbors, brothers and sisters, cousins and distant relatives.

The sentence in SB-1 which reads "using the laws of the United States of America" has a profound meaning for my people in general, the native Hawaiians of the Blood

and the tribal band I am chief of in particular, the HOU HAWAIIANS.

The enrollment of the Hou is on file in Washington DC with the Bureau of Indian Affairs.

The Hou is governed, as Indians are permitted, by a traditional form of tribal government that goes back to 1778. The U.S. acknowledges this, it does not *recognize* it.

However, heretofore, the state did not admit this exists. We are grateful the state is changing it's attitude from one of invidious discrimination to acknowledgment of legal reality.

For one thing, this change means that the city and county and its mayors can no longer attach fines with which to alienate land the HOU HAWAIIANS uses as a tribal trading post by claiming such use is illegal.

Federal law always said it was not illegal.

By adding this protection to state law you are making it symmetrical with 200 years of standard federal Indian land use law.

Law encoded in USC 25 and in all US Supreme Court precedents with rulings related to Indian land and Indian sovereignty and all other case law that actually always has regulated land use by the HOU HAWAIIANS since Hawaii became an insular territory of the USA.

Our local courts and our local federal courts will now have to judge native Hawaiian land use issues in this different light.

Sometimes, as human beings struggle to rectify laws with the organic truths that govern human life, we do not always get it right.

Instead we *almost* get it right.

In Hawaii, our history is that in encoding some truth we see, we *almost* get it right but then have to spend a lot of time and a lot of money in courts arguing about what we really are trying to get at. Every group's prejudices and every persons biases enter into the discussion and overwhelm what the law actually is.

This sentence in SB-1 is another instance of our common practice, in my opinion.

The Indian Self-Determination Act defines a Federally recognized tribe as "any Indian tribe, band, nation, or other organized group or community which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians".

The Federally Recognized Indian Tribe List Act of 1994 says "the list of federally recognized tribes which the Secretary publishes should reflect all of the federally recognized Indian tribes in the United States which are eligible for the special programs and services provided by the United States to Indians because of their status as Indians."

After opening up federally recognized native Hawaiians to federal grants in Public Law 93-644 in 1975, the Hou Hawaiians received grants of federal assistance authorized by the Indian Self Determination Act in 1983 and 1984 and again in 1987 and 1988 and is soon going to strengthen its government to government relationship with the United States through further federal grants because the Hou Hawaiians is and was recognized by the United States as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

This legislature, in 1977, HR No. 397, recognized the trailblazing work of the HOU HAWAIIANS in recovering from the native Hawaiian people being marginalized through the statehood political

process.

"BE IT RESOLVED by the House of Representatives of the Ninth Legislature of the State of Hawaii, Regular Session of 1977, that this body does hereby congratulate the HOU HAWAIIANS upon their efforts toward securing federal recognition as native Americans and does urge them to continue their good work..."

The Hou Hawaiians sued the United States in Price v US DOJ in 1980 and settled resulting in the state paying the DHHL six hundred million dollars in compensation for the native Hawaiian trust corpus lands the then governor had alienated wrongfully.

Part of that settlement held that any lands needed for the purposes of the Hawaiian Homes Commission Act are not subject to county zoning. This is consistent with federal law's protections of Indian sovereignty over land it uses, occupies, is in trust or is owned by the Indians involved.

The Hou Hawaiians is preparing to reopen this case to sue both the United States and the state and others, if necessary.

When Hawaii Supreme Court justice Bill Richardson ruled in Public Access Shoreline Hawaii, PASH, that quote unquote Hawaiians have gathering rights on public and private lands they do not own, although he cited the Hawaiian kingdom laws as his precedent, in reality, he was really making Hawaii a little bit more symmetrical with Federal Indian land title law.

Strengthening the one sentence in SB-1 to lessen the chance of further misunderstandings based on biases and racial preferences ought to save us the time and expense of having to go to a court to do so.

When Myron Thompson institutionalized a land use philosophy that has come to be known as Malama Aina, although he thought he was applying a quote unquote Hawaiian value to local land use law, he was really making another tiny step in the direction of Federal Indian land title law.

The US Supreme Court said the state's preference for quote unquote Hawaiians is unconstitutional because, lacking the federally mandated blood quantum and not being enrolled in the Hou Hawaiians, they are not eligible for the special programs and services provided by the United States to Indians because of their status as Indians as they would be were they enrolled as descendants in the Hou Hawaiians Band.

Here is our recommendation for strengthening the language in SB-1 - I am only reading Option 1 - the rest is included in my written testimony made available to the clerk for the committee.

Option 1:

"Using the laws of the United States of America" to include using all of USCFR 25 and using all U.S. Supreme Court precedents covering Native Americans so these apply in state courts to federally recognized native Hawaiians having the federally mandated blood quantum of fifty percent and more, and their descendants, who are eligible for the special programs and services provided by the United States to Indians because of their status as Indians, including the HOU HAWAIIANS Tribal Band of native Hawaiian Indians of Hawaii and to include that using the Commerce Clause of the U.S. Constitution applies in state courts to federally recognized native Hawaiians of the Blood including the HOU HAWAIIANS Tribal Band, so that land use, land occupation and land ownership in the state of Hawaii insofar as native Hawaiians and their descendants are involved, is regulated preeminently by the Constitution and laws of the United States and the laws of the state, despite any state law or state constitution provision appearing to state otherwise.

And
Counties and state agencies concerned with regulating land use shall revise their regulations and practices accordingly as soon as possible to reflect the above language together with the changes the language causes in the routine, day to day practices of these county and state agencies.

In addition, here is in depth language covering the following areas as another option at this time:

Option 2:

RIGHTS OF INDIVIDUALS

That among the individual rights protected by the constitutions of the United States and state of Hawaii are the identical rights of birth of native Hawaiians of the Blood, and their descendants, recognized as the "Indians" of Hawaii by the United States which are inherent to all the Indians of the United States.

EQUALITY OF RIGHTS

That Equality of rights under federal law and state law for native Hawaiians and their descendants shall not be denied or abridged by the State in their regulation by the state.

DUE PROCESS AND EQUAL PROTECTION

That “due process” involving native Hawaiian land use, occupation and ownership means including governance by The Indian Non Intercourse Act.

RIGHTS OF CITIZENS

The public does not have the power to cause alienation by local government of native Hawaiian land being used for the purposes of the Hawaiian Homes Commission Act where grants of federal assistance given only to Indians are also involved.

EXECUTIVE POWERS

That when it involves native Hawaiian land use, occupation and ownership that laws which Hawaii's Chief Executive must faithfully execute are all the historical and contemporary laws of the United States which regulate Indian land use, occupation and ownership as these are encoded in U.S.C. 25 and elsewhere.

That Chief Maui Loa is restored to his inherent civil rights both as a citizen of the United States and of the state of Hawaii as a native Hawaiian of the Blood and that alienation of Chief Maui Loa's land using the excuse of “illegal” usage of it as an Indian Trading Post and Tribal Church was a breach of trust by Hawaii which must never be repeated involving any land of any native Hawaiian of the Blood.

CONSERVATION, CONTROL AND DEVELOPMENT OF RESOURCES - FARM AND HOME OWNERSHIP

That one third of the land and assets of (name the ali'i trusts) are the property collectively of the native Hawaiian of the blood and his descendants in completion of the maheles in accordance with the laws of the land and that these lands and the public lands shall be used for the development of farm and home ownership on as widespread a basis as possible, in accordance with procedures and limitations prescribed by law.

ACCEPTANCE OF COMPACT WITH UNITED STATES

The compact between the state and the United States in good faith must incorporate in state management of Hawaiian home lands an identical management and disposition to federal laws

regulating Indian land use in all the other states without the state legislating state versions of such laws.

That the trust corpus lands and any additions added through license by executive power composing the lands reserved by the United States for exclusive occupation by federal native Hawaiians as leaseholders is not allotted and is inalienable by any other than the United States in accordance with standard federal Indian law and that title to native Hawaiian land cannot be owned by any other than the United States in trust as reserved federal land. That the state's Office of Hawaiian Affairs lease all lands it owns to the United States for use as federal reservations for native Hawaiians together with their direct descendants for one dollar a year in perpetuity.

OFFICE OF HAWAIIAN AFFAIRS; ESTABLISHMENT OF BOARD OF TRUSTEES

That the board of trustees of the state Office of Hawaiian Affairs has no lawful power to exercise control over and to exercise control through managing and administering any proceeds from the sale, lease or other disposition of any lands, natural resources, minerals and income derived from whatever sources for native Hawaiians. That the state Office of Hawaiian Affairs has no lawful power or authority to formulate policy relating to affairs of native Hawaiians.

POWERS OF OHA BOARD OF TRUSTEES

That the state shall regulate all inherent rights of federal native Hawaiians in a manner that is symmetrical with the federal Constitution and that is faithful to federal Indian law of the land.

TRADITIONAL AND CUSTOMARY RIGHTS

That faithful execution of the laws of the land requires that the state confirms there is a direct relationship in which federal jurisdiction protects alienation of native Hawaiian land of the Hou Band of native Hawaiians. Otherwise the state routinely breaches the federal trust between native Hawaiians and native Hawaiian land. The state affirms the Office of the Assistant Secretary, Indian Affairs, coordinates the performance of the administrative responsibilities of the Interior in relation to the native Hawaiian programs of the state of Hawaii. The state agrees that the principal objectives of the HHCA are to place native Hawaiians on the land, to prevent alienation of the leasehold, to provide adequate amounts of water for all tracts, and to aid native Hawaiians to get farming operations well under way to provide rehabilitation, initiative and self-sufficiency to native Hawaiians by putting them back on part of the lands of Hawaii which they had lost when their traditional landholding systems were replaced by the public land laws.

COMPLIANCE WITH TRUST

That the state is obligated to comply with every dimension of the Indian trust relationship native Hawaiians have as a birthright entitlement with the United States in compliance with the compact admitting the state to the union of states without this trust relationship being subject to any judicial review of the question of whether or not it exists in whole or in part or exists at all.

TAX EXEMPTION

That the law of the land shall be faithfully executed in that the native Hawaiian Indian's property, and that of the native Hawaiian's descendants, individually and collectively and whether in leasehold, fee simple or trust is not taxable in accordance with the Indian Commerce Clause of the Constitution.

NATIONAL PARK LANDS

That the state approves of the United States granting permits to homeless native Hawaiians to camp on National Park Lands in designated areas until each individual native Hawaiian or native Hawaiian family returns through the efforts of the state jointly with the United States and together with the Hou Band of native Hawaiians of the Blood and others to parts of their own lands which are no longer subject to alienation by local government or by the public using local government because of federal protection against alienation and the state's and public's compliance with it.

CONTINUITY OF LAWS

That all federal Indian laws in force regulating Indian land use, occupation and ownership are, have been and shall be in force regarding native Hawaiians irrespective of any article or amendment of the state's constitution.

DEBTS

Hawaiians constitute a special group of the public of the state of Hawaii. This is evidenced by their dedication to preserving the customs of the kingdom of Hawaii as well as by their participation with ali'i trusts organized by members of the royal families of the kingdom of Hawaii. In fulfillment of the Hawaiian's commitment to the original native Hawaiian and that society it is so ordered that Kamehameha Schools Trust together with other ali'i trusts owes a debt in land or money or both equal to one third of the lands involved in the mahele to the federal native Hawaiian of the Blood and a sum equal to one third of their liquid assets. That land and those assets shall finance farms and ranches for native Hawaiians as if the sizes of these were Indian allotments although they are not

allotments in fee simple for the purposes of assimilation, but rather are compensation for the bad faith promises made by the kingdom in the maheles.

Respectfully Submitted this 9th Day of February 2011 by Maui Loa - Chief Hou Hawaiians

galuteria1 - Ikaika

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 10, 2011 6:31 PM
To: HWN Testimony
Cc: deetex123@hawaii.rr.com
Subject: Testimony for SB1 on 2/12/2011 10:00:00 AM

Testimony for HWN/WLH 2/12/2011 10:00:00 AM SB1

Conference room: 225
Testifier position: oppose
Testifier will be present: No
Submitted by: Diane Texidor
Organization: Individual
Address:
Phone:
E-mail: deetex123@hawaii.rr.com
Submitted on: 2/10/2011

Comments:

I stongly oppose this legislation.

The United States, through Congress, did not have constitutional, legal, and interational authority over the Hawaiian Kingdom/Hawaiian Nation.

The language in this bill continues to perpetuate the illegal actions of the United States government and challenges the existence of the State of Hawaii.

The bill states "the United States recognized the INDEPENDENCE of the Kingdom of Hawaii, extended full diplomatic recognition to the Hawaiian government, and entered into treaties and conventions with the Hawaiian monarchs to govern commerce and navigation in 1826, 1842, 1849, 1875, and 1887. I would conclude that is was the Hawaiian government that extended diplomatic recognition to the American government which governed commerce and navigation in "Hawaiian waters" under the maritime laws of the Hawaiian kingdoom and between the two countries. It is a fact that Hawaiian Nation was and is part of the Family of Nations being recognized as such and evidenced by the many treaties with other countries. The U.S./State of Hawaii smudged over historical facts (from 1893-1920)and proceeds to the year 1920 - the language in this bill goes on to say "(4) Pursuant to the Hawaiian Homes Commission Act, 1920 (42 Stat. 108, chapter 42), the United States set aside approximately 203,500 acres of land in trust to better address the condition of Native Hawaiians in the federal territory that later became the State of Hawaii (?)" Then it further states "and in enacting the Hawaiian Homes Commission Act, 1920 (domestic within the US but applied to another nation), Congress (the governing body of the U.S.) acknowledged the Native Hawaiian people as a native people of the United States(how does a "native people" of the Hawaiian Nation now become a native people of another Nation, the United States?), as evidenced by the committee report, which notes that Congress relied on the Indian (native people of the Americas) affairs power and the War Powers, including the power to make peace (only applies within the boundaries of the U.S.);" These statements and untruths CONTINUALLY smudge over historical facts, rewrite history, and perpetuate the illegal actions of the United States government - and is the fabrication by the colonizer/occupier.

See the protest of Queen Lili'uokalani and Princess Ka'iulani before U.S. Congress. See the Ku'e petitions of 1897 of Hawaiian Nationals "discovered" in the Library of Congress by Professor Noenoe Silva. See the 1993 Apology Bill signed by President Clinton. See the dissertation of Dr. Keanu Sai. See the bibliography list from "The American Occupation . . ." by Keanu Sai.

The Nation of Hawaii has been and still is illegally occupied by the United States and this legislation continues the falsehood and injustices against the Hawaiian Nation and its people. . . . another attempt to smudge over the truth.

I do not give up my birthright, my ancestral birthright, as a Hawaiian and as a Hawaiian National. Aloha.

galuteria1 - Ikaika

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 2:41 PM
To: HWN Testimony
Cc: inunyabus@gmail.com
Subject: Testimony for SB1 on 2/12/2011 10:00:00 AM

Follow Up Flag: Follow up
Flag Status: Flagged

Testimony for HWN/WLH 2/12/2011 10:00:00 AM SB1

Conference room: 225
Testifier position: oppose
Testifier will be present: No
Submitted by: E. Dunbar
Organization: Individual
Address:
Phone:
E-mail: inunyabus@gmail.com
Submitted on: 2/9/2011

Comments:

Aloha Chairs, Vice Chairs and Members,

The true intent of this bill is concealed. What the bill is claiming to provide is what the State of Hawaii and its political subdivisions should have already been doing according to the HRS and the Hawaii State Constitution. It appears to be an attempt to incorporate the lands in an underhanded last ditch grab for control because the Akaka bill failed. Essentially it takes from Native Hawaiians.

Please extend the recognition of Kanaka Maoli/Native Hawaiians but it is duplicitous to soil the long overdue act of recognition with the intent to incorporate the lands.

It states:

“The purpose of this Act is to provide for the..

2 recognition of the Native Hawaiian people by the State of Hawaii

3 and to implement that recognition by means and methods..” of ¶167lo- Native Hawaiian county corporations; establishment.

SECTION 2. “The Hawaiian Homes Commission Act of 1920 shall be amended, subject to approval by the United States Congress, if necessary, to accomplish the purposes set forth in this Act..”

9 “In facilitating the establishment or amendment and by using the laws of..

15 the United States of America and the State of Hawaii...

The state has been gravely negligent on this section: “..timely, and consistent with the current needs and requirements of the Native Hawaiian people.”

No where in this bill does it state HOW this will facilitate self governance by Kanaka Maoli. It does seem to imply more governance and control by the U.S. in the form of privatization of trust lands.

It is merely more bureaucratic entanglement through U.S. laws of incorporation removing the lands from the public trust, and further out of reach of the Kanaka Maoli.

If this legislature is sincere in their attempt to provide what is lawfully due the Hawaiian people, they would let go of the tight fists that bar any negotiation with legitimate sovereign proponents in the REAL issue, currently on the table, of self-determination.

The bill is disingenuous and an overt attempt to shove the REAL issue aside and substitute a land grab. Actually it is a slap in the face to Native Hawaiians. Please do better than this. Keep the recognition and kill the incorporation.

galuteria1 - Ikaika

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 10, 2011 12:05 AM
To: HWN Testimony
Cc: kawehi11@yahoo.com
Subject: Testimony for SB1 on 2/12/2011 10:00:00 AM

Follow Up Flag: Follow up
Flag Status: Flagged

Testimony for HWN/WLH 2/12/2011 10:00:00 AM SB1

Conference room: 225
Testifier position: comments only
Testifier will be present: Yes
Submitted by: Kawehi Kanui
Organization: Individual
Address: 41-169 Poliala St. Waimanalo, Hi. 96795
Phone: 650-863-3870
E-mail: kawehi11@yahoo.com
Submitted on: 2/10/2011

Comments:

On SB1 Relating to the disposition of the Hawaiian people, lands, waters, ocean, boundaries, welfare and health.

As a native tenant serving other Hawaiians to get on to their lands. I am a private contractor who consults Hawaiians on how to change their assumed status to who they really are that work to help change the status of all Hawaiians and file it in the Bureau until our government is fully restored according to the Liliuokalani Assignment.

We are ready to take on issues that affect the people of Hawai'i by standing right along side the State of Hawai'i's agencies, offices and departments serving the native tenants described in the Great Mahele, our presentation is based on Hawaiian Kingdom Laws. Since the illegal overthrow, there has not been a King, Queen or Konohiki, presently there is only the native tenants. We are the unidentical twin of the State of Hawai'i who is really the Independence nation-state of the Hawaiian government. We are in essence the roots of our ancestors in this native tenant body who have the biggest and real interest that makes the difference.

We believe that everything belonging to the Hawaiian people has to have at it's basis Hawaiian law, no conflicts of interest and that all the profits stay in the community that the land sits in. Our program is the opposite of everything that is in this building.

All we ask is that you all keep to what is pono and not try to figure out ways to hold back our lands for others to use or for you to sell. You cannot do that. We need and want those lands, waters, resources, identity, money and people to stay in Hawai'i.

Onipa'a,
Kawehi Kanui, Po'o
Hawaiian Kingdom Law Office

galuteria1 - Ikaika

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 10, 2011 10:09 PM
To: HWN Testimony
Cc: Kealii8@hotmail.com
Subject: Testimony for SB1 on 2/12/2011 10:00:00 AM

Testimony for HWN/WLH 2/12/2011 10:00:00 AM SB1

Conference room: 225
Testifier position: oppose
Testifier will be present: No
Submitted by: Kealii Makekau
Organization: Individual
Address:
Phone:
E-mail: Kealii8@hotmail.com
Submitted on: 2/10/2011

Comments:

The proposed Bill is not what it might profess to be. It is purportedly for "recognition of the Native Hawaiian People" and intended to "facilitate their self governance." There is no framework description of what they call "recognition" or "self governance." Nonetheless, a State in Union with a central or federal government cannot extend recognition to another Nation. Only a Nation can extend recognition to another Nation and only when certain rights and obligations can be truthfully performed.

It looks like the State is attempting to take over and expropriate lands and resources, in whole or in part, that rightfully belong to the Hawaiian people. To give effect to their proposed actions, it is suggested to create a separate corporation in their own image and within their own interests and controls attached.

In addition, those domestic lands and resources are already encumbered. That is obviously so when the other party, the United States, must give it's consent and relinquish its right to use, enjoy (manage) and dispose of those expropriated lands and resources. And there are other interests as well.

The United States has pledged all of the property and resources within its grasp to international treaties and agreements. Those too are clouds upon the title, and more importantly, restrictions upon the use, enjoyment and disposition of those domestic assets.

Of course there will be a substantial annual management fees too. And who will be paying that service fee and for material commodities needed to perform corporate duties, and before it becomes a labor and material suppliers lien on and against that same property?

Lastly It looks like the State is trying to acquire revenue by any means necessary and is devising a scheme to further cloud title and interest in the management owner's favor and in those who might provide services or labor or who would lease those lands from the State and its new corporation.

In addition, the proposed Bill does not describe the means and manner in which the proceeds of their expropriation corporation would be allocated and distributed either. It is reminiscent of the English colonization and monopoly trade entity known as the East Indies Company.

Please oppose this bill and all like it,

Mahalo Kealii Makekahu

galuteria1 - Ikaika

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 08, 2011 5:34 PM
To: HWN Testimony
Cc: Ken_Conklin@yahoo.com
Subject: Testimony for SB1 on 2/12/2011 10:00:00 AM

Follow Up Flag: Follow up
Flag Status: Flagged

Testimony for HWN/WLH 2/12/2011 10:00:00 AM SB1

Conference room: 225
Testifier position: oppose
Testifier will be present: No
Submitted by: Ken Conklin
Organization: Individual
Address: 46-255 Kahuhipa St. # 1205 Kane'ohe HI
Phone: 247-7942
E-mail: Ken_Conklin@yahoo.com
Submitted on: 2/8/2011

Comments:

Below are two types of analysis: General principles explaining why racial separatism is wrong for Hawaii; and specific items in this bill that must be rejected.

GENERAL PRINCIPLES EXPLAINING WHY THIS BILL IS BAD

It's time for this legislature to stop encouraging racial separatism. It's time to stand up in support of unity and equality. Just say no to SB1 and all other bills motivated by the same mentality.

The concept of this bill violates the first sentence of the first Constitution of the Kingdom of Hawaii, sometimes called the "kokokahi" (one blood) sentence, which proclaimed "Ua hana mai ke Akua i na lahuikanaka a pau i ke koko hookahi, e noho like lakou ma ka honua nei me ke kuikahi, a me ka pomaikai." In English, it can be translated into modern usage as follows: "God has made of one blood all races of people to dwell upon this Earth in unity and blessedness." What a beautiful and eloquently expressed concept! King Kamehameha III wrote the kokokahi sentence as the first sentence of his Declaration of Rights in 1839, which was then incorporated in its entirety to become the preamble of the Constitution of 1840. In making that proclamation the King exercised sovereignty and self-determination on behalf of his native people, and on behalf of all people of all races who were subjects and residents of his Kingdom.

Today's Hawaiians are ethically bound to respect the wisdom of their ancestors. They are also legally and morally bound to respect the full partnership between natives and non-natives which enabled the Kingdom to be established and to thrive. All subjects of the Kingdom were fully equal under Kingdom laws, regardless of race, including voting rights and property rights. When partners work together in full equality to create and sustain a business or nation, it is morally and legally wrong for one partner to toss out or set aside or segregate other partners.

The oldest bones in Mauna Ala (The Royal Mausoleum) are the bones of John Young (Olohana), an Englishman without whom Kamehameha The Great could not have unified the Kingdom. Young's bones are buried below a monument designed to look like a heiau, and guarded by a pair of

pulo'ulo'u (sacred taboo sticks). Young served as battlefield general, and member of the council of ruling chiefs. Kamehameha appointed him as Governor of Hawaii Island and gave him a home immediately next to the great Pu'ukohola Heiau. Young's son, Keoni Ana, was Kuhina Nui, second in rank only to King Kamehameha III, and his signature was required alongside the King's before any act of the legislature could become law (those are the only two signatures on the second Kingdom Constitution of 1852). His granddaughter was Queen Emma. Hundreds of other people with no native blood served as cabinet ministers, members of the legislature, judges, and department heads throughout the Kingdom's history.

A zealous minority within the ethnic Hawaiian minority now demands racial separatism. That idea would be totally repulsive to the Hawaiians who actually lived in the Kingdom. Should we allow that? Will you legislators be accomplices to such evil?

Consider the historical struggle for identity within the African-American community. Elijah Muhammad's Nation of Islam, and the early Malcolm X, advocated racial separatism and portrayed the white man as a devil. Some radicals called for setting aside several southern states for a Nation of New Africa. Fortunately Martin Luther King used Gandhi's spiritual tool of non-violence to appeal to people's inner goodness, which led to full integration. After his pilgrimage to Mecca Malcolm X understood the universal brotherhood of people of all races, but was gunned down by the separatists when he tried to persuade them to pursue integration.

In Hawaii we see a similar struggle now unfolding. Some demagogues use racial grievances to stir up hatred, and leaders use victimhood statistics to build wealthy and powerful institutions on the backs of needy people who end up getting very little help.

The Akaka bill, and SB1, would empower the demagogues and racial separatists. These bills are supported primarily by large, wealthy institutions; not by the actual people they claim to represent. Institutions like the \$400 Million Office of Hawaiian Affairs, and the \$9 Billion Kamehameha Schools, seek to entrench their political power. They want an exemption from the 14th Amendment requirement that all persons be given the equal protection of the laws regardless of race.

But Hawaiians are voting with their feet against the Akaka bill. After seven years and untold millions of dollars in state government money for advertising (and free T-shirts!), fewer than one-fourth of those eligible have signed up for the Kau Inoa racial registry likely to be used as a membership roll for the Akaka tribe. Sadly, if either the Akaka bill or SB1 passes then the separatists will be able to create their tribe even though the majority of ethnic Hawaiians oppose the idea. And 80% of Hawaii's people, having no native blood, will see our beautiful Hawaii carved up without even asking us.

Do the racial separatists have a right to go off in a corner and create their own private club for members only? Perhaps. But should the rest of us give them our encouragement and the resources of our State to enable them to do that? Absolutely not.

Please read my 302-page book "Hawaiian Apartheid: Racial Separatism and Ethnic Nationalism in the Aloha State." 27 copies are available in the Hawaii Public Library system. Portions are available on a webpage where the book can also be purchased: <http://tinyurl.com/2a9fqa>

SPECIFIC ITEMS IN THIS BILL THAT MUST BE REJECTED

Section 1 says "The purpose of this Act is to provide for the recognition of the Native Hawaiian people by the State of Hawaii and to implement that recognition by means and methods that will facilitate their self governance, including the establishment of or the amendment to programs, entities, and other matters that relate, or affect ownership, possession, or use

of lands by the Native Hawaiian people, and by further promoting their entitlements, health, education, welfare, heritage, and culture."

While it's a wonderful thing for Native Hawaiians, and people of all races, to own and use land, it is morally and legally wrong to designate particular lands as belonging solely and exclusively to people who have any particular racial component in their ancestry. Some suburban communities and gated communities across America formerly had racial covenants in their property deeds whereby it was prohibited for non-Caucasians to own land there. But such racial covenants have been ruled unconstitutional. Are we going to create such racial covenants in Hawaii?

There should not be racial "entitlements" as mentioned in this bill. Hawaiian culture is the core of what makes Hawaii a special place, and it has the active participation of thousands of people with no Hawaiian blood. This bill would seem to demand racial ownership of particular art forms and language. The concept of indigenous intellectual property rights might be appropriate for a small, homogeneous primitive tribe living a subsistence lifestyle in isolation from surrounding population, but it is not appropriate for Hawaii. See "Indigenous Intellectual Property Rights -- The General Theory, and Why It Does Not Apply in Hawaii" at <http://tinyurl.com/2b77k>

Pages 2 and 3 would establish a "Native Hawaiian corporation, which shall be a body corporate and a public instrumentality of the State ..."

Hey, wait a minute! Isn't it contrary to the U.S. Constitution to establish a corporation whose membership is restricted by race? And even if it were legal to have a private corporation that is racially restricted, isn't it illegal to have a government agency whose executives and beneficiaries are racially restricted?

Page 3 says that one purpose of this racist corporation shall be to receive title to "The public lands conveyed to the State pursuant to section 5 (f) of the Admission Act, and commonly referred to as 'ceded lands' ... These lands collectively shall be referred to as the Native Hawaiian lands."

But wait! The U.S. Supreme Court issued a unanimous ruling on March 31, 2009 declaring that the State of Hawaii owns the ceded lands in fee simple absolute, and that the apology resolution of 1993 has no power to undo the granting of the ceded lands to the State in the Admissions Act of 1959, nor to retroactively impose new requirements on them. So these lands SHOULD NOT COLLECTIVELY BE REFERRED TO AS THE NATIVE HAWAIIAN LANDS. They must be referred to collectively as THE PUBLIC LANDS OF THE STATE OF HAWAII. This legislature must not take away the public lands belonging to 100% of our people and give them over to a racially defined group of 20% of our people.

Shame on anyone who votes for this racist bill.

THE SENATE
THE TWENTY-SIXTH LEGISLATURE
REGULAR SESSION OF 2011

COMMITTEE ON HAWAIIAN AFFAIRS

Senator Brickwood Galuteria, Chair

Senator Pohai Ryan, Vice Chair

Fax to: 586-6829

COMMITTEE ON WATER, LAND, AND HOUSING

Senator Donovan M. Dela Cruz, Chair

Senator Malama Solomon, Vice Chair

NOTICE OF HEARING

DATE: Saturday, February 12, 2011 TIME: 10:00am

PLACE: State Capitol, Conference Room 225
415 South Beretania Street

A G E N D A

SENATE BILL 1

RELATING TO STATE RECOGNITION OF THE NATIVE HAWAIIAN PEOPLE, THEIR LANDS, ENTITLEMENTS, HEALTH, EDUCATION, WELFARE, HERITAGE, AND CULTURE.

HWN/WLH,
JDL/WAM

Provides for the recognition of the Native Hawaiian people by the State of Hawaii and implements that recognition by means and methods that will facilitate their self-governance, including the establishment of or the amendment to programs, entities, and other matters that relate, or affect ownership, possession, or use of lands by the Native Hawaiian people, and by further promoting their entitlements, health, education, welfare, heritage, and culture.

Aloha Senators:

My name is Leona M. Kalima.

I speak on behalf of myself and my adult family members ... numbering 10. AND WE VOTE...

Mahalo for the opportunity to submit testimony in **SUPPORT** of **SENATE BILL 1**.

I have the counted support of family members, who don't engage in the legislative process but do care about their beloved inherent rights as Kanaka Maoli. I am their voice. I believe **Senate Bill 1 and Senate Bill 1520** is the right way to establish recognition for the Native Hawaiians, the indigenous first peoples of Hawaii. Start at home first... should send a message to the Federal ~"rallies" that Hawaii stands behind its indigenous native peoples.

Mahalo to the brilliance of Senator Solomon, Senator Hee, and the supporting Senators, for taking the bold initiative of introducing these pieces of legislation; these measures are long overdue. Over 10 years and millions of dollars spent on promoting the Native Hawaiian Reorganization Act, better known as the Akaka Bill on the Federal level, has proven to be unproductive and divisive.

I hope the Native Hawaiian Community is widely and properly informed on this initiative so they too can assist in submitting testimony and engage in communicating with their respective legislators to support this measure as it goes through the Senate and the House.

Taking the best from both I suggest Senate Bills 1 and 1520 merge into one. By crafting the measure into a vital and living document, it will be the most excellent, monumental piece of legislation that has come out of the Hawaii State Legislature.

Please feel free to recycle this testimony as **SENATE BILL 1 and SENATE BILL 1520** move through the legislature; as the opportunity may not lend itself to personal attendance. MAHALO and GOD BLESS

galuteria1 - Ikaika

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 09, 2011 8:30 AM
To: HWN Testimony
Cc: mariebro@hawaii.edu
Subject: Testimony for SB1 on 2/12/2011 10:00:00 AM

Follow Up Flag: Follow up
Flag Status: Flagged

Testimony for HWN/WLH 2/12/2011 10:00:00 AM SB1

Conference room: 225
Testifier position: oppose
Testifier will be present: No
Submitted by: Marie Alohalani Brown
Organization: Individual
Address: 430 Keoniana St. Apt. 301 Honolulu, Hawaii
Phone: (808) 282-0451
E-mail: mariebro@hawaii.edu
Submitted on: 2/9/2011

Comments:

How can we support a bill that leaves out the "methods" by which Native Hawaiians will be defined? The Western idea of blood quantum (%50) as a method to define who is Native Hawaiian is directly in opposition with the traditional Native Hawaiian understanding of what constitutes a "Native Hawaiian," which is genealogy. If you really want to support Native Hawaiians, do away with the blood quantum requirement imposed by non-Hawaiians - - a requirement that has historically been used to our disadvantage.



Indigenous Consultants, LLC

Mililani B. Trask, Principal

P.O.Box 6377 ❖ Hilo, HI 96720

Millani.trask@gmail.com



Senate Bill #1

Hearing: 2-12-11

Room: 225

Time: 10:00 am

Committees: Hawaiian Affairs & WLH

Support with Amendments

Aloha Committee Members,

Following the informal meeting held at the State Legislature on February 11th I am submitting this testimony as a contribution to efforts to merge the concepts in SB#1 and SB#1520. SB 1520 is an effort to obtain State legislative support for the failed Akaka Bill in the US Congress. The Akaka Bill and SB 1520 are measures that exclude a significant portion of Hawaiians (70%) who are not “constituents” of the Hawaiian non-profit service agencies and NGO’s who receive federal funding.

I strongly support the intent of SB#1 – to have legislation whereby the State 1) recognizes Native Hawaiians as the only aboriginal peoples of the Hawaiian archipelago, and 2) implements that recognition by means and methods that facilitate their will, as a peoples, to be self governing.

I recommend the following changes to SB#1:

- A. I support the inclusion of language submitted by the OHA page 1- Section 1 (line 1) to page 5 line 21, ending with the sentence... “The purpose of this bill is to recognize Native Hawaiians as the only indigenous, aboriginal, “maoli” population of Hawaii...” Thereafter, I recommend that the language of current draft of SB#1 be inserted... [SB#1 page 1 line 3... “and to implement that recognition by means and methods that will facilitate their self governance ... continuing on to page 2, and ending with the language of subsection 3 (line 11).
- B. SB#1 moves for the establishment of “Native Hawaiian Corporations”. SB # 1520 moves to establish a Commission of 9 people appointed by the governor to oversee a State controlled process for Hawaiian nation building. Neither of these mechanisms should be pursued at this time. Rather, in acknowledgement of Hawaiian self determination, the Hawaiian peoples themselves should be given the opportunity to determine a fair process.
- C. Rather, I recommend that a new Section 2 be drafted that directs the State Office of Hawaiian Affairs Trustees to conduct hearings on each of the Hawaiian Islands

to gather testimony from the Hawaiian peoples on their recommendations for a fair process for the creation of a Hawaiian Nation. should be required to cover all costs relating to the hearings and the compilation of a draft Legislative Report, that will be copied and distributed to the Hawaiian community (at a second round of statewide community hearings) for their input and comment. The OHA should thereafter be required to report the sentiments and recommendations of the Hawaiian peoples to the State Legislature 30 days before its' next convening (December, 2012).

- D. The Hawaiian peoples who are the subject of this measure, have not been afforded the opportunity to participate in the process of creating a Hawaiian procedure for Hawaiian participation in nation building. They should be afforded their right to full and informed participation in structuring a process for their own self-governance. The legislature should not preempt the right of Hawaiian peoples right to self-determination by substituting its own, (or the federal Akaka Bill) procedures.

I look forward to working with the Committees on this measure,

Sincerely,
Mililani B. Trask

TESTIMONY BY
PRESIDENT SOULEE STROUD

IN SUPPORT OF SENATE BILL 1
**Relating to State Recognition of the Native Hawaiian People, their Lands,
Entitlements, Health, Education, Welfare, Heritage, and Culture**

Before the Joint Senate Committees on
Hawaiian Affairs and Water, Land and Housing
February 12, 2011; 10:00 a.m. Room 225

Aloha Chairman Galuteria and Chairman Dela Cruz and members of the Senate committees meeting jointly today. I am Soulee Stroud, President of the Association of Hawaiian Civic Clubs here today to support the passage of SB 1 .

The first civic club was founded in 1918 and we continue to thrive with clubs on all islands of the State of Hawaii, 11 states on the continent and the District of Columbia. We now have sixty component clubs participating in those activities that our founders envisioned – historic preservation, education of Native Hawaiian students, protection of traditional culture and advocacy for Hawaiian Home Lands.

We have also been very active in the support and protection of the public land trust that was created with the annexation of Hawai'i by the United States in 1898. These lands, were the original public, government and crown lands of the Kingdom of Hawai'i and were taken and held in a federal and later with the admission of Hawai'i as a State, in a State public land trust for the benefit of the people of Hawai'i in general and the native Hawaiian people, in particular.

The purpose of this bill for an Act is to provide for recognition of the Native Hawaiian people by the State of Hawai'i and to implement that recognition by methods that will facilitate self-determination.

On January 22, 2011 the Board of Directors of the Association of Hawaiian Civic Clubs met at an annual quarterly meeting. Among other business on the agenda was a discussion of Senate Bill 1, the bill before us today. Considering the

demise of the Akaka Bill, the Board agreed to support Senate Bill 1 in concept as another possible path toward self determination.

There are concerns, however, over amendments to the Hawaiian Homes Commission Act of 1920, and Chapter 10, Hawaii Revised Statutes that would remove lands of the Department of Hawaiian Homes trust corpus to establish the Corporation. We humbly suggest that those hundreds of native Hawaiians already on the Hawaiian Homes waiting list be given due consideration and voice as to the outcome and implementation of this bill that would directly affect them.

Thank you for the opportunity to testify on this bill.

For further information please contact our Government Relations Chair, Jalna Keala at jalna.keala2@hawaiiantel.net.
www.aohcc.org