



LATE TESTIMONY

ALBERT "ALAPAKI" NAHALE-A
CHAIRMAN
HAWAIIAN HOMES COMMISSION

ROBERT J. HALL
DEPUTY TO THE CHAIRMAN

**STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS**

P.O. BOX 1879
HONOLULU, HAWAII 96805

TESTIMONY OF **ALAPAKI NAHALE-A**, CHAIRMAN
HAWAIIAN HOMES COMMISSION
BEFORE THE SENATE COMMITTEES ON JUDICIARY AND LABOR & WAYS AND MEANS

**SB 1 SD 1, RELATING TO STATE RECOGNITION OF THE NATIVE HAWAIIAN
PEOPLE, THEIR LANDS, ENTITLEMENTS, HEALTH, EDUCATION, WELFARE,
HERITAGE, AND CULTURE.**

February 28, 2011

Chair Hee, Chair Ige and Members of the Committees:

The Department of Hawaiian Home Lands (DHHL) supports the purpose and intent of **SB 1 SD 1** which provides for the recognition of Native Hawaiians as the indigenous people of Hawaii and establishes a process for the reorganization and recognition of a Native Hawaiian Governing Entity.

DHHL has supported the various versions of the Native Hawaiian Government Reorganization Act that have been vetted in the U.S. Congress since 2000. The premise for DHHL **supporting** this federal legislation was achieving federal recognition to protect the Hawaiian Home Lands trust from 14th Amendment legal challenges and to advance Native Hawaiian self-governance and self-determination. We do support state recognition of a Native Hawaiian entity as an intermediate step for Native Hawaiians to ultimately achieve federal recognition, however, our department must further study this measure and engage in consultation with our beneficiaries to fully understand its impact to

*DHHL Comments on SB 1 SD 1
Senate Committees JDL-WAM
February 28, 2011
Page 2*

our trust and its legal implications. Thank you for the opportunity to testify.

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 27, 2011 11:01 PM
To: JDLTestimony
Cc: dreanalee.k.kalili@hawaii.gov
Subject: Testimony for SB1 on 2/28/2011 10:00:00 AM
Attachments: SB1 SD1_HHL_02-28-11_JDL-WAM.doc

LATE TESTIMONY

Testimony for JDL/WAM 2/28/2011 10:00:00 AM SB1

Conference room: 211
Testifier position: support
Testifier will be present: Yes
Submitted by: Alapaki Nahale-a
Organization: Department of Hawaiian Home Lands
Address:
Phone:
E-mail: dreanalee.k.kalili@hawaii.gov
Submitted on: 2/27/2011

Comments:

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 27, 2011 6:28 PM
To: JDLTestimony
Cc: kaiokauai@gmail.com
Subject: Testimony for SB1 on 2/28/2011 10:00:00 AM

LATE TESTIMONY

Testimony for JDL/WAM 2/28/2011 10:00:00 AM SB1

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Kaiopua Fyfe
Organization: Individual
Address:
Phone:
E-mail: kaiokauai@gmail.com
Submitted on: 2/27/2011

Comments:

Statewide community hearing have not occurred in Hawaiian communities on this issue in over a decade. Community hearings must be conducted first, prior to the passage of any legislative act, pertaining to Recognition for Hawaiians.

If this measure is passed, the State Legislature has circumvented the people of Hawaii and their right to a democratic process by not allowing them an opportunity to participate in the dialogue through community hearings. More importantly, their right to vote on Recognition has been circumvented.

The State of Hawaii is in one of the worst financial crisis and the thought of diverting our tax dollars to support this legislation's implementation is unthinkable when the people of Hawaii (particularly Hawaiians) were not included in a community based dialogue.

Help the people of Hawaii by first funding education and programs that address homelessness and hunger with our tax dollars.

LATE TESTIMONY

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 27, 2011 7:20 PM
To: JDLTestimony
Cc: Jrkeoneakapu@gmail.com
Subject: Testimony for SB1 on 2/28/2011 10:00:00 AM

Testimony for JDL/WAM 2/28/2011 10:00:00 AM SB1

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Keoneakapu Williams
Organization: Individual
Address:
Phone:
E-mail: Jrkeoneakapu@gmail.com
Submitted on: 2/27/2011

Comments:

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 27, 2011 7:41 PM
To: JDLEstimony
Cc: kanikapu@yahoo.com
Subject: Testimony for SB1 on 2/28/2011 10:00:00 AM

LATE TESTIMONY

Testimony for JDL/WAM 2/28/2011 10:00:00 AM SB1

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Andre Perez
Organization: Individual
Address:
Phone:
E-mail: kanikapu@yahoo.com
Submitted on: 2/27/2011

Comments:
Do Not Pass!

Statewide community hearing have not occurred in Hawaiian communities on this issue in over a decade. Community hearings must be conducted first, prior to the passage of any legislative act, pertaining to Federal Recognition for Hawaiians.
If this measure is passed, the State Legislature has circumvented the people of Hawaii and their right to a democratic process by not allowing them an opportunity to participate in the dialogue through community hearings. More importantly, their right to vote on Federal Recognition has been circumvented.
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Help the people of Hawaii by first funding education and programs that address homelessness and hunger with our tax dollars.

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 27, 2011 8:00 PM
To: JDLEstimony
Cc: jaspercat52@yahoo.com
Subject: Testimony for SB1 on 2/28/2011 10:00:00 AM

LATE TESTIMONY

Testimony for JDL/WAM 2/28/2011 10:00:00 AM SB1

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Kelea Levy
Organization: Individual
Address:
Phone:
E-mail: jaspercat52@yahoo.com
Submitted on: 2/27/2011

Comments:

- * Statewide community hearing have not occurred in Hawaiian communities on this issue in over a decade. Community hearings must be conducted first, prior to the passage of any legislative act, pertaining to Federal Recognition for Hawaiians.
- * If this measure is passed, the State Legislature has circumvented the people of Hawaii and their right to a democratic process by not allowing them an opportunity to participate in the dialogue through community hearings. More importantly, their right to vote on Federal Recognition has been circumvented.
- * The State of Hawaii is in one of the worst financial crisis and the thought of diverting our tax dollars to support this legislation's implementation is unthinkable when the people of Hawaii (particularly Hawaiians) were not included in a community based dialogue.
- * Help the people of Hawaii by first funding education and programs that address homelessness and hunger with our tax dollars.

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 27, 2011 8:52 PM
To: JDLTestimony
Cc: bydivinedesign@hawaii.rr.com
Subject: Testimony for SB1 on 2/28/2011 10:00:00 AM

LATE TESTIMONY

Testimony for JDL/WAM 2/28/2011 10:00:00 AM SB1

Conference room: 211
Testifier position: oppose
Testifier will be present: Yes
Submitted by: Marguerite Beavers,
Organization: Individual
Address:
Phone:
E-mail: bydivinedesign@hawaii.rr.com
Submitted on: 2/27/2011

Comments:

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 27, 2011 9:40 PM
To: JDLTestimony
Cc: pkaleikini@hawaii.rr.com
Subject: Testimony for SB1 on 2/28/2011 10:00:00 AM

LATE TESTIMONY

Testimony for JDL/WAM 2/28/2011 10:00:00 AM SB1

Conference room: 211
Testifier position: oppose
Testifier will be present: Yes
Submitted by: P. Kaano'hi Kaleikini
Organization: Individual
Address:
Phone:
E-mail: pkaleikini@hawaii.rr.com
Submitted on: 2/27/2011

Comments:

Statewide community hearing have not occurred in Hawaiian communities on this issue in over a decade. Community hearings must be conducted first, prior to the passage of any legislative act, pertaining to Federal Recognition for Hawaiians.

If this measure is passed, the State Legislature has circumvented the people of Hawaii and their right to a democratic process by not allowing them an opportunity to participate in the dialogue through community hearings. More importantly, their right to vote on Federal Recognition has been circumvented.

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Help the people of Hawaii by first funding education and programs that address homelessness and hunger with our tax dollars.

Please do not add any other comments than the above.

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 27, 2011 9:46 PM
To: JDLEstimony
Cc: moanikaleikini@yahoo.com
Subject: Testimony for SB1 on 2/28/2011 10:00:00 AM

LATE TESTIMONY

Testimony for JDL/WAM 2/28/2011 10:00:00 AM SB1

Conference room: 211
Testifier position: oppose
Testifier will be present: Yes
Submitted by: Moani Kaleikini
Organization: Individual
Address:
Phone:
E-mail: moanikaleikini@yahoo.com
Submitted on: 2/27/2011

Comments:

Statewide community hearing have not occurred in Hawaiian communities on this issue in over a decade. Community hearings must be conducted first, prior to the passage of any legislative act, pertaining to Federal Recognition for Hawaiians.

If this measure is passed, the State Legislature has circumvented the people of Hawaii and their right to a democratic process by not allowing them an opportunity to participate in the dialogue through community hearings. More importantly, their right to vote on Federal Recognition has been circumvented.

The State of Hawaii is in one of the worst financial crisis and the thought of diverting our tax dollars to support this legislation's implementation is unthinkable when the people of Hawaii (particularly Hawaiians) were not included in a community based dialogue.

Help the people of Hawaii by first funding education and programs that address homelessness and hunger with our tax dollars.

Please do not add any other comments than the above.

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 27, 2011 9:48 PM
To: JDLTestimony
Cc: mahiaimoku@yahoo.com
Subject: Testimony for SB1 on 2/28/2011 10:00:00 AM

LATE TESTIMONY

Testimony for JDL/WAM 2/28/2011 10:00:00 AM SB1

Conference room: 211
Testifier position: oppose
Testifier will be present: Yes
Submitted by: Tuahine Kaleikini
Organization: Individual
Address:
Phone:
E-mail: mahiaimoku@yahoo.com
Submitted on: 2/27/2011

Comments:

Statewide community hearing have not occurred in Hawaiian communities on this issue in over a decade. Community hearings must be conducted first, prior to the passage of any legislative act, pertaining to Federal Recognition for Hawaiians.

If this measure is passed, the State Legislature has circumvented the people of Hawaii and their right to a democratic process by not allowing them an opportunity to participate in the dialogue through community hearings. More importantly, their right to vote on Federal Recognition has been circumvented.

The State of Hawaii is in one of the worst financial crisis and the thought of diverting our tax dollars to support this legislation's implementation is unthinkable when the people of Hawaii (particularly Hawaiians) were not included in a community based dialogue.

Help the people of Hawaii by first funding education and programs that address homelessness and hunger with our tax dollars.

Please do not add any other comments than the above.

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 27, 2011 9:58 PM
To: JDLTestimony
Cc: thirr33@gmail.com
Subject: Testimony for SB1 on 2/28/2011 10:00:00 AM
Attachments: King Kamehameha Lei.jpg; Ana III.jpg

LATE TESTIMONY

Testimony for JDL/WAM 2/28/2011 10:00:00 AM SB1

Conference room: 211
Testifier position: support
Testifier will be present: No
Submitted by: Arvid Tadao Youngquist
Organization: The Sky Ohana
Address:
Phone:
E-mail: thirr33@gmail.com
Submitted on: 2/27/2011

Comments:
Chair, Senate JDL/WAM Committees
Honorable Committee Members

We support SB 1 SD1.

Recommend that the measure be reported out without any further amendments.

Mahalo nui loa,

Arvid Tadao Youngquist
Administrator & Editor
The Sky Ohana

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 27, 2011 11:20 PM
To: JDLEstimony
Cc: BLEHyden@gmail.com
Subject: Testimony for SB1 on 2/28/2011 10:00:00 AM

LATE TESTIMONY

Testimony for JDL/WAM 2/28/2011 10:00:00 AM SB1

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Brandi Hyden
Organization: Hawai'i'imiloa
Address:
Phone:
E-mail: BLEHyden@gmail.com
Submitted on: 2/27/2011

Comments:

- * Statewide community hearing have not occurred in Hawaiian communities on this issue in over a decade. Community hearings must be conducted first, prior to the passage of any legislative act, pertaining to Federal Recognition for Hawaiians.
- * If this measure is passed, the State Legislature has circumvented the people of Hawaii and their right to a democratic process by not allowing them an opportunity to participate in the dialogue through community hearings. More importantly, their right to vote on Federal Recognition has been circumvented.
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- * Help the people of Hawaii by first funding education and programs that address homelessness and hunger with our tax dollars.

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 27, 2011 11:20 PM
To: JDLEstimony
Cc: zuriaki@gmail.com
Subject: Testimony for SB1 on 2/28/2011 10:00:00 AM
Attachments: letter_of_opposition-sb1_011.doc

LATE TESTIMONY

Testimony for JDL/WAM 2/28/2011 10:00:00 AM SB1

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Z. 'Aki
Organization: Hawai'i'imiloa Movement
Address:
Phone:
E-mail: zuriaki@gmail.com
Submitted on: 2/27/2011

Comments:

LATE TESTIMONY

February 27, 2011

Hawai'i State Legislature
State of Hawai'i

RE: THE OPPOSITION of SB1 SD1 by the Hawai'i'imiloa Movement.

The Hawai'i'imiloa Movement opposes SB1 SD1 as a violation of Articles 43 and 55 of the Hague Regulations (HR) of the Fourth Geneva Convention (IVGC) in regard to the international laws of occupation.

Article 43 of the HR states, "The authority of the legitimate power having in fact passed into the hands of the occupant, the latter shall take all the measures in his power to restore, and ensure, as far as possible, public order and safety, while respecting, unless absolutely prevented, the laws in force in the country."

Whereas article 55 of the HR states, "The occupying State shall be regarded only as administrator and usufructuary of public buildings, real estate, forests, and agricultural estates belonging to the hostile State, and situated in the occupied country. It must safeguard the capital of these properties, and administer them in accordance with the rules of usufruct."

The Hawai'i'imiloa Movement is a coalition of Kānaka Maoli and non-Kānaka Maoli Hawaiian Nationals, both individuals and organizations who recognize the sovereignty of the de jure and de facto government of the Hawaiian Kingdom whose last sovereign agent was Queen Lili'uokalani and thereby have a vested interest in the matters of State.

Mālama pono,

Z. 'Aki
Hawai'i'imiloa Movement
95-175 Wailawa St.
Mililani, HI 96789

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 27, 2011 11:26 PM
To: JDLTestimony
Cc: Rick@RickLaney.com
Subject: Testimony for SB1 on 2/28/2011 10:00:00 AM

LATE TESTIMONY

Testimony for JDL/WAM 2/28/2011 10:00:00 AM SB1

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Richard Laney
Organization: Individual
Address:
Phone:
E-mail: Rick@RickLaney.com
Submitted on: 2/27/2011

Comments:

- Statewide community hearing have not occurred in Hawaiian communities on this issue in over a decade. Community hearings must be conducted first, prior to the passage of any legislative act, pertaining to Federal Recognition for Hawaiians.
- If this measure is passed, the State Legislature has circumvented the people of Hawaii and their right to a democratic process by not allowing them an opportunity to participate in the dialogue through community hearings. More importantly, their right to vote on Federal Recognition has been circumvented.
- The State of Hawaii is in one of the worst financial crisis and the thought of diverting our tax dollars to support this legislation's implementation is unthinkable when the people of Hawaii (particularly Hawaiians) were not included in a community based dialogue.
- Help the people of Hawaii by first funding education and programs that address homelessness and hunger with our tax dollars.

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 28, 2011 12:11 AM
To: JDLTestimony
Cc: castanha@hawaii.edu
Subject: Testimony for SB1 on 2/28/2011 10:00:00 AM

LATE TESTIMONY

Testimony for JDL/WAM 2/28/2011 10:00:00 AM SB1

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Anthony Castanha
Organization: Individual
Address:
Phone:
E-mail: castanha@hawaii.edu
Submitted on: 2/28/2011

Comments:

Statewide community hearings have not occurred in Hawaiian communities on this issue in over a decade. Community hearings must be conducted first, prior to the passage of any legislative act, pertaining to Federal Recognition for Hawaiians.

If this measure is passed, the State Legislature has circumvented the people of Hawaii and their right to a democratic process by not allowing them an opportunity to participate in the dialogue through community hearings. More importantly, their right to vote on Federal Recognition has been circumvented.

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 28, 2011 2:10 AM
To: JDLTestimony
Cc: tane_1@msn.com
Subject: Testimony for SB1 on 2/28/2011 10:00:00 AM

Testimony for JDL/WAM 2/28/2011 10:00:00 AM SB1

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: David M. K. Inciong, II
Organization: Individual
Address:
Phone:
E-mail: tane_1@msn.com
Submitted on: 2/28/2011

Comments:

As native Hawaiians, my family and I strongly oppose this nefarious bill. There hasn't been a statewide community hearing on this issue since 2000 a.d. which was held only on Oahu. There should be a series of meetings conducted on all the islands so people can attend and voice their opinions.

We insist on a say in this matter rather than have special interest elitist groups speak for us. We don't take kindly into being railroaded and ignored on these issues and want to be heard.

At this time, the State can ill-afford diverting taxpayeres' dollars to this legislative implementation during its financial crisis. It's reprehensible to override the people's wishes. Concerns for the homeless, foreclosures on homes, funding education and hunger issues should be foremost. We suggest those be tackled with first.

We've waited a 118 years to rectify the wrongs against the Kingdom of Hawaii and can wait a bit longer. Set up community hearings statewide; it makes more sense in a democracy based society.

Mahalo,
Tane

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 28, 2011 8:09 AM
To: JDLEstimony
Cc: kekahunakeaweivi@yahoo.com
Subject: Testimony for SB1 on 2/28/2011 10:00:00 AM

LATE TESTIMONY

Testimony for JDL/WAM 2/28/2011 10:00:00 AM SB1

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Foster Ampong
Organization: Individual
Address:
Phone:
E-mail: kekahunakeaweivi@yahoo.com
Submitted on: 2/28/2011

Comments:

Statewide community hearing have not occurred in Hawaiian communities on this issue in over a decade. Community hearings must be conducted first, prior to the passage of any legislative act, pertaining to Federal Recognition for Hawaiians.

If this measure is passed, the State Legislature has circumvented the people of Hawaii and their right to a democratic process by not allowing them an opportunity to participate in the dialogue through community hearings. More importantly, their right to vote on Federal Recognition has been circumvented.

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Help the people of Hawaii by first funding education and programs that address homelessness and hunger with our tax dollars.

LATE TESTIMONY

Lana Ululani Robbins

POB 700

New Port Richey, Florida 34653

February 28, 2011

RE: SB1

To the Senate who insists on passing the Akaka Bill on the state level after it failed on the federal level:

As a property tax payer in Hawai'i, I **OPPOSE** SB1 because it is another version of the Akaka Bill which Neil Abercrombie and Mazie Hirono both voted for.

On February 23, 2010 Abercrombie and Hirono both voted to STRIP Hawaiians and their legal heirs of their property rights

<http://clerk.house.gov/evs/2010/roll059.xml>

SB1 does something similar. SB1 will STRIP ali'i of ali'i lands which some people INACCURATELY call "ceded lands."

It is NOT ceded lands. Ali'i never ever ceded them

http://www.capitol.hawaii.gov/session2011/Bills/SB1_.HTM

For that reason I demand that you vote NO on SB1.

MAHALO.

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 28, 2011 8:22 AM
To: JDCTestimony
Cc: kaigirlsurf@gmail.com
Subject: Testimony for SB1 on 2/28/2011 10:00:00 AM

LATE TESTIMONY

Testimony for JDL/WAM 2/28/2011 10:00:00 AM SB1

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Kaiulani Mahuka
Organization: Individual
Address:
Phone:
E-mail: kaigirlsurf@gmail.com
Submitted on: 2/28/2011

Comments:

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 28, 2011 9:03 AM
To: JDLTestimony
Cc: sabrakauka@aol.com
Subject: Testimony for SB1 on 2/28/2011 10:00:00 AM

LAI E TESTIMONY

Testimony for JDL/WAM 2/28/2011 10:00:00 AM SB1

Conference room: 211
Testifier position: oppose
Testifier will be present: No
Submitted by: Sabra Kauka
Organization: Individual
Address:
Phone:
E-mail: sabrakauka@aol.com
Submitted on: 2/28/2011

Comments:

Statewide community hearings have not occurred in Hawaiian communities on this issue in over a decade. Community hearings must be conducted first, prior to the passage of any legislative act, pertaining to Federal Recognition for Hawaiians. If this measure is passed, the State Legislature has circumvented the people of Hawaii and their right to a democratic process by not allowing them an opportunity to participate in the dialogue through community hearings. More importantly, their right to vote on Federal Recognition has been circumvented. The State of Hawaii is in one of the worst financial crisis and the thought of diverting our tax dollars to support this legislation's implementation is unthinkable when the people of Hawaii (particularly Hawaiians) were not included in a community based dialogue. Help the people of Hawaii by first funding education and programs that address homelessness and hunger with our tax dollars.