

**Testimony of John D. Waihe`e, Chair, Native Hawaiian Roll Commission
In Favor of S.B. 2386, S.D. 2 HD 2, Relating to the Native Hawaiian Roll Commission
April 3, 2012**

Chairperson Oshiro and Members of the Finance Committee:

S.B. 2386, S.D. 2 H.D.2 protects the confidentiality of documents submitted by individuals seeking to be included in the Native Hawaiian Roll. The Native Hawaiian Roll Commission believes that this measure is critical to carrying out its mission, and humbly requests your favorable consideration.

Act 195, SLH 2011 created the Native Hawaiian Roll Commission and entrusted it with the preparation of Native Hawaiians who wish "to participate in the organization of the Native Hawaiian governing entity." The law specifies the criteria for persons who would qualify to be on this register, including cultural, social or civic connection to the Native Hawaiian community, and lineal descent from the aboriginal people who occupied and exercised sovereignty in the Hawaiian islands prior to 1778 or of the people who were eligible in 1921 for programs under the Hawaiian Homes Commission Act.

In carrying out its duties, the Commission will receive documents containing information that will be considered private and, in many cases, sensitive to the individuals involved, with the potential of including but not limited to: names of persons from whom lineal descent can be verified; birth, marriage, adoption, and/or death certificates; statements of kama`aina witnesses; phone numbers, addresses, email addresses and other contact information; birthdates and other personal identification numbers.

The Commission is aware of and sensitive to the confidentiality and privacy concerns expressed by the Native Hawaiian community in previous registration efforts. It is very important for the community to be assured that information gathered in the process of this important effort not be considered public documents. The names of individuals, as established by law, will be published. However, it is the position of the Commission that any documents used to verify any of the criteria by which a person is deemed qualified to be on the roll should remain private and confidential.

For these reasons, the Commission strongly supports S.B. 2386, SD 2 HD 2 and is in agreement with the amendments made by the previous committee to strengthen the characterization of these documents as confidential, and, therefore, not subject to public access.
