

**SB 985**



## **Committee on Hawaiian Affairs**

### **SB 985 RELATING TO THE BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS**

**February 9, 2011, 2:45PM**

#### **Board of Trustees**

Rowena N. Akana  
Trustee-At-Large

Robert K. Lindsey Jr.  
Trustee, Hawai'i Island

Peter Apo  
Trustee, O'ahu

Colette Y. Machado  
Trustee, Moloka'i & Lāna'i

S. Haunani Apoliona  
Trustee-At-Large

Boyd P. Mossman  
Trustee, Maui

Donald B. Cataluna  
Trustee, Kaua'i & Ni'ihau

Oswald Stender  
Trustee-At-Large

John D. Waihe'e IV  
Trustee-At-Large

#### **Administration**

Clyde W. Nāmu'o  
Chief Executive Officer

The Office of Hawaiian Affairs (OHA) is in **strong support** of the passage of Senate Bill 985 (SB 985).

Mahalo for the opportunity to provide testimony.

OHA was requested, at the joint WAM/FIN budget briefing held on January 6, 2011, to provide information relating to our budget request for fiscal years 2011-2012 and 2012-2013. A summary of that testimony follows. Your consideration of this testimony in support of SB 985 is appreciated.

### **Mission Statement**

To mālama (protect) Hawai'i's people and environmental resources and OHA's assets, toward ensuring the perpetuation of the culture, the enhancement of lifestyle and the protection of entitlements of Native Hawaiians, while enabling the building of a strong and healthy Hawaiian people and nation, recognized nationally and internationally.

### **Economic Impact**

#### **Introduction**

In general terms the current economic and fiscal conditions affect OHA operations in a number of ways including:

1. The economic downturn has resulted in increased demand for Native Hawaiian services and assistance. The number of inquiries from beneficiaries has increased by almost 30% since the start of the economic downturn.
2. Trust funds available to OHA decreased due to under-performance of its investment portfolio as a result of the volatile stock market.
3. Continued legal challenges that could seriously impact Native Hawaiians have and will continue to require financial resources that could otherwise be used to address the increased demand for Native Hawaiian services and assistance.
4. State budget cuts will reduce services and programs that support low to moderate income individuals including OHA beneficiaries. As seen in the past, these beneficiaries, or the organizations serving beneficiaries, often turn to OHA to fill the gap.

#### **Increased Demand for Native Hawaiian Services and Assistance**

The primary purpose of the OHA general funds received from the State of Hawai'i is to provide services and assistance to Native Hawaiians in the areas of:

1. **Social services** to OHA beneficiaries to: include information and referral services, case management and counseling, establishment of individual development accounts, financial literacy, and financial assistance. Referral services include those relating to education assistance, employment and income security, individual and family care, health needs, housing, legal services, genealogy research, business assistance, and general information.
2. **Legal services and legal representation** to OHA beneficiaries for: the assertion and defense of quiet title actions; assistance with ahupua'a and kuleana tenant rights, including rights of access and rights to water, land title assistance, including review of title and genealogy, preservation of traditional and customary practices, protection of culturally significant places, and preservation of Native Hawaiian land trust entitlements.
3. **Educational enrichment programs** for Native Hawaiian children in grades K through 12 to: optimize learning for Hawaiian students, develop a stronger interest in learning, connect learning and education to one's Hawaiian identity, and explore possible educational, career and academic goals the students may not have considered.

In pursuit of its mission, OHA partners with a number of state agencies and the University of Hawai'i. Significant reductions in OHA funding sources would negatively impact future OHA funding for many of these programs.

During the fiscal years FY2005 through FY2010, OHA expended \$24,858,753 and projects to expend an additional \$4,976,967 for a total of \$29,834,967 in Trust funds to support State programs and services as follows:

	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010	Projected FY 2011	Total
<b>State Agencies</b>	\$2,493,701	\$2,366,451	\$4,473,903	\$799,535	\$3,343,216	\$3,034,260	\$3,010,000	<b>\$19,521,066</b>
<b>University of Hawaii</b>	\$1,033,370	\$913,873	\$1,264,579	\$1,651,580	\$2,158,398	\$1,325,887	\$1,966,214	<b>\$10,313,901</b>
<b>Total:</b>	\$3,527,071	\$3,280,324	\$5,738,482	\$2,451,115	\$5,501,614	\$4,360,147	\$4,976,214	<b>\$29,834,967</b>

A listing of current and past State programs funded can be found on Attachment #1.

To address the increased demand for services and assistance, OHA is seeking to maintain current general funding levels. If the OHA general legislative funding amount is reduced, Native Hawaiians will be impacted in the following ways:

- A reduction in the legislative appropriation would negatively impact a vast majority of programs and services in the highest need areas including, but not limited to: 1) homelessness; 2) medically uninsured/underinsured; 3) mental health; 4) substance abuse; 5) domestic violence; and 6) chronic disease.
- There would be a significant reduction in services and beneficiary assistance including, but not limited to: 1) reduction in funding to emergency financial assistance programs, 2) reduction and potential elimination of case management services which assist beneficiaries to access community resources, 3) budget cuts leading to loss of clinicians providing mental health and substance abuse counseling and support, and 4) loss of health monitoring/navigation programs that assist those with chronic disease to get needed medical care.
- Important programs such as providing legal services to the Native Hawaiian community, currently provided by the Native Hawaiian Legal Corporation (NHLC), will be severely impacted which would lead to a reduction in staff attorneys and critical support staff (paralegals, legal clerks, etc.) and thus a reduction in available legal services to the Native Hawaiian community.

### **Priority List of Functions**

**Statutory Reference:** HRS10-3(3) Purpose of the office includes: Serving as the principal public agency in this State responsible for the performance, development and coordination of programs and activities relating to Native Hawaiians and Hawaiians.

**Priority #1:** To provide services for the betterment of conditions for Native Hawaiians that will help to achieve the following OHA strategic results:

1. Native Hawaiian average family income will equal 100% or greater than the State-wide average family income.
2. Increase the number of Native Hawaiians living longer than one year (without default) in owner-occupied or rental housing.
3. Increase the number of Native Hawaiian students who meet or exceed standards in elementary, middle, and high school testing; and who graduate from post-secondary institutions.
4. Increase the percent of Ka Pae `āina O Hawai'i managed to create economic value, preserve cultural and natural resources and historic properties, and/or provide cultural and social opportunities for Native Hawaiians in a sustainable and balanced manner.
5. Increase the number of Native Hawaiians participating in cultural activities, including language, and who interact with the `āina for cultural, spiritual, religious and subsistence purposes.

This will be achieved through continuation of the following general and OHA funded services:

**Social services (OHA175) to OHA beneficiaries:** to include information and referral services, case management and counseling, establishment of individual development accounts, financial literacy, and financial assistance. Referral services include those relating to education assistance, employment and income security, individual and family care, health needs, housing, legal services, genealogy research, business assistance, and general information.

**Legal services and legal representation (OHA175) to OHA beneficiaries:** for the assertion and defense of quiet title actions; assistance with ahupua‘a and kuleana tenant rights, including rights of access and rights to water, land title assistance, including review of title and genealogy, preservation of traditional and customary practices, protection of culturally significant places, and preservation of Native Hawaiian land trust entitlements.

**Educational enrichment programs (OHA175) for Native Hawaiian children in grades K through 12:** to optimize learning for Hawaiian students, develop a stronger interest in learning, connect learning and education to one’s Hawaiian identity, and explore possible educational, career and academic goals the students may not have considered.

The following is a brief update on the status of the three programs currently being implemented:

***Social services*** – Summary of Program Deliverables for the period from January 1, 2010 to November 30, 2010:

Information and Referral	8,308 total client contacts 3,135 unduplicated contacts
Case management	310 unduplicated clients
Individual Development Accounts	35 beneficiaries receiving matching funds
Financial Literacy Education	1,143 total participant attendance 407 unduplicated participant attendance
Emergency Financial Assistance	185 beneficiaries received emergency financial assistance \$212,430.37 disbursed  Emergency Fund <ul style="list-style-type: none"> <li>➤ 152 (Beneficiaries Assisted)</li> <li>➤ \$174,124.67 (Total Assistance Disbursed)</li> </ul> Disability Emergency Fund <ul style="list-style-type: none"> <li>• 33 (Beneficiaries Assisted)</li> <li>• \$38,305.70 (Total Assistance Disbursed)</li> </ul>

***Legal services and legal representation*** – For the period spanning July 1, 2009 to Dec. 15, 2010, NHLC's active caseload totaled 367 clients in 99 cases. An additional 37 individuals are currently being assessed for representation. During the same time period, NHLC completed its representation of 70 clients in 52 cases. Another 477 individuals were provided some level of service short of full representation.

***Educational enrichment programs*** – Based on Nā Pua No‘eau’s Final Report for Fiscal Year 2009-2010, concluding on June 30, 2010, Nā Pua No‘eau reported the following:

During the 2009-2010 program year, a total of 108 events were held statewide, including 36 Super Enrichment Saturdays, 7 College-Edge Bound, 5 ‘Ohana Day, 41 Project Kupulau sessions, 1 Hawaiian Family AfFAIR, 2 Ho‘omalamalama sessions, 7 Super Keiki Day/Project Makualoi, 6 Summer Institute events, 1 Information Booth, and 2 Super Enrichment Day events across the islands of Kaua‘i, O‘ahu, Moloka‘i, Lana‘i, Maui and Hawai‘i island. A total of 3,226 students applied to attend these events, with 2,936 actually attending, including students who attended more than one event. Of these students, 2,464 provided documentation of their Hawaiian ancestry. Of the total number of Native Hawaiian students participating in Nā Pua No‘eau-sponsored events, 981 were duplicated or attending multiple events, while 1,483 were unduplicated.

For Fiscal Year 2010-2011, inclusive of the months of July to November, Nā Pua No‘eau reported the following:

A total of 35 events held statewide, on Kaua‘i, O‘ahu, Moloka‘i, Lana‘i, Maui, and in Kona and Hilo on Hawai‘i island. These events included 18 Super Enrichment Saturday, 1 ‘Ohana Day, 10 Project Kupulau sessions, 4 Super Keiki Day, and 2 Summer Institute events involving 906 student participants, with 828 identified as Native Hawaiians, and 724 being first time Nā Pua No‘eau participants.

Nā Pua No‘eau continues to build partnerships and collaborate with other organizations to maintain its teaching staff, the quality of the programs and to provide much needed educational services to Native Hawaiian students and families, who would not otherwise be engaged. Nā Pua No‘eau’s story is one of resilience and brilliance, especially in the face of overwhelming economic challenges, and is noteworthy because of its impact to the Hawaiian community, and is worthy of continued support.

Note: service providers for the delivery of direct services relating to **social services, legal services and legal representation**, and **educational enrichment programs** are procured pursuant to Chapter 103D and 103F, HRS.

The following summarizes our request relating to **social services, legal services and legal representation**, and **educational enrichment programs**.

Program	FY 2011-2012			FY 2012-2013			Total Biennium Request
	General Funds	Matching Funds	Total	General Funds	Matching Funds	Total	
<b>Social services</b>	\$ 415,000	\$ 415,000	\$ 830,000	\$ 415,000	\$ 415,000	\$ 830,000	\$ 1,660,000
<b>Legal services and legal representation</b>	524,400	524,400	1,048,800	524,400	524,400	1,048,800	2,097,600
<b>Educational enrichment programs</b>	615,570	615,570	1,231,140	615,570	615,570	1,231,140	2,462,280
<b>Total:</b>	<b>\$ 1,554,970</b>	<b>\$ 1,554,970</b>	<b>\$ 3,109,940</b>	<b>\$ 1,554,970</b>	<b>\$ 1,554,970</b>	<b>\$ 3,109,940</b>	<b>\$ 6,219,880</b>

**Priority #2:** To support OHA personnel and administrative costs to implement the three beneficiary services programs and a number of other services and programs that allow OHA to advocate for and provide services to Hawaiians:

Program ID & Program Title	FY 2011-2012			FY 2012-2013			Total Biennium Request
	General Funds	Matching Funds	Total	General Funds	Matching Funds	Total	
<b>OHA150 – Office of the Trustees</b>	<b>\$ 28,435</b>	<b>\$ 275,687</b>	<b>\$ 304,122</b>	<b>\$ 28,435</b>	<b>\$ 275,687</b>	<b>\$ 304,122</b>	<b>\$ 608,244</b>
Personnel Budget	28,435	275,687	304,122	28,435	275,687	304,122	608,244
Operating Budget	0	0	0	0	0	0	0
<b>OHA160 – Support Services</b>	<b>724,856</b>	<b>2,861,727</b>	<b>3,586,583</b>	<b>724,856</b>	<b>2,861,727</b>	<b>3,586,583</b>	<b>7,173,166</b>
Personnel Budget	427,982	2,564,853	2,992,835	427,982	2,564,853	2,992,835	5,985,670
Operating Budget	296,874	296,874	593,748	296,874	296,874	593,748	1,187,496
<b>OHA175 – Beneficiary Advocacy</b>	<b>1,716,368</b>	<b>2,673,433</b>	<b>4,389,801</b>	<b>1,716,368</b>	<b>2,673,433</b>	<b>4,389,801</b>	<b>8,779,602</b>
Personnel Budget	161,398	1,118,463	1,279,861	161,398	1,118,463	1,279,861	2,559,722
Operating Budget	1,554,970	1,554,970	3,109,940	1,554,970	1,554,970	3,109,940	6,219,880
<b>Total All Programs:</b>	<b>\$ 2,469,659</b>	<b>\$ 5,810,847</b>	<b>\$ 8,280,506</b>	<b>\$ 2,469,659</b>	<b>\$ 5,810,847</b>	<b>\$ 8,280,506</b>	<b>\$ 16,561,012</b>



## **Alternatives Considered**

OHA, like many organizations, has been hit by the severe economic downturn. This has reduced our asset base and operating budget and made it imperative that we become a more streamlined operation. These economic realities make it critical for us as an organization to become as efficient as possible. At the same time, the issues facing Hawaiians make it clear that we can no longer be content with “business as usual.” OHA recognized the need to change from serving individual needs to applying our resources to programs and activities that will lead to systemic change and maximize the impact we have on all Hawaiians.

Therefore, OHA has developed a more proactive strategy to advocate on behalf of Hawaiians while also turning the organization into a more streamlined, performance-based organization. We believe that by focusing our efforts on a few key areas, rather than dispersing our strength, we can maximize the impact we have for all Hawaiians

### **Office of Hawaiian Affairs Strategic Plan 2010-2016**

On September 10, 2009, the Board of Trustees approved the OHA Strategic Plan 2010 to 2016 to include the Mission, Vision, Values, Roles, six Strategic Priorities and ten Strategic Results and using these roles to align the agency to optimize OHA’s ability to effectively fulfill its mission pursuant to Hawai‘i Revised Statutes (HRS) Section 10-6(1) which requires that the Board of Trustees (BOT) develop and continually update a strategic plan for the office.

The process of developing the Strategic Priorities unfolded over a five-month period from December 2008 to April 2009 in which information was gathered from OHA Trustees, staff, stakeholders, students, and Native Hawaiians from across the State and the continental U.S. regarding the issues and trends facing Native Hawaiians in the coming years. Over 3,000 responses were collected and reviewed.

Many critical elements were discussed during the development of OHA’s Strategic Plan including: the pending Native Hawaiian Government Reorganization Act of 2009 legislation (Akaka Bill); the current economic climate; key cultural values and concepts; the inter-relationships between issues; the need to continue to provide services to individuals until advocacy initiative can affect systemic change for our beneficiaries and to work with other Native Hawaiian organizations in implementing the Strategic Plan.

Consideration was given of OHA’s limited resources and finite time in which to implement the Strategic Plan. The hierarchical structure of the Plan and the integration of achieving measureable results required that only a “handful” of priorities be identified.

Under the strategic plan adopted by the Board of Trustees, OHA will focus on six key areas as follows:

**KAHUA WAIWAI**

*Economic Self-Sufficiency*

To have choices and a sustainable future, Native Hawaiians will progress toward greater economic self-sufficiency.

**‘ĀINA**

*Land & Water*

To maintain the connection to the past and a viable land base, Native Hawaiians will participate in and benefit from responsible stewardship of Ka Pae ‘Āina ‘O Hawai‘i.

**MO‘OMEHEU**

*Culture*

To strengthen identity, Native Hawaiians will preserve, practice and perpetuate their culture.

**MAULI OLA**

*Health*

To improve the quality and longevity of life, Native Hawaiians will enjoy healthy lifestyles and experience reduced onset of chronic diseases.

**EA**

*Governance*

To restore pono and ea, Native Hawaiians will achieve self-governance, after which the assets of OHA will be transferred to the new governing entity.

**HO‘ONA‘AUAO**

*Education*

To maximize choices of life and work, Native Hawaiians will gain knowledge and excel in educational opportunities at all levels.

These priorities are supported by ten result statements that transcend typical goals and singular objectives as they are expressed in quantifiable measurements that commit us to monitoring performance over time, and ultimately, hold OHA staff accountable to our constituents.

With the approval of the OHA Strategic Plan 2010 to 2016 the BOT authorized the CEO to align the agency based on the Strategic Priorities, Strategic Results, and the three primary roles of advocacy, research, and asset management to effectively fulfill OHA’s mission pursuant to HRS Chapter 10. A copy of the OHA Strategic Plan can be found as Attachment #2.

**Cost Saving Measures**

The adoption of the new Strategic Plan resulted in a more efficient and cost effective organization structure based on the three roles of asset management, research and advocacy. The previous organization structure had three divisions: Administration, Support Services, and Beneficiary Advocacy and Empowerment which included seven programs. The new organization structure consolidated these program areas into four lines of businesses resulting in 28% fewer management positions. The previous 10 Director positions were replaced with 4 Line of Business Directors. The total number of management positions in the FY09 organizational structure was 36 as compared to 26 in FY10. As a consequence, management salary went from \$2,852,332.00 in FY09 to \$2,326,000.00 in FY10 which resulted in a savings of \$526,332.00 for FY10. In addition, the total number of staff positions was reduced by 12 full-time positions from 173.5 to 161.5. This reduction is estimated to provide OHA with total personnel savings attributable to the restructure totaling \$2,014,957 for the current fiscal Biennium (FY10 & FY11).

## Attachment #1

### State Agencies

- DHHL for debt service on bonds
- Charter schools funding
- DOE for various grants and programs
- DLNR for planning and management of Wao Kele 'O Puna
- DHHL for home ownership assistance to lessees and first time buyers
- HTA grant to support Museum of Hawaiian Dance & Music
- DOH for Moloka'i General Hospital construction
- DAGS for emergency & transitional housing for homeless
- DOH grant for the Caregiver Training & Apprenticeship program
- DOE for various grants & programs, including Hawaiian Language School Immersion program
- DOH for Kukala Aloha Holistic Mental Illness Treatment program:

### University of Hawai'i System

- University of Hawai'i:
  - Achieving the Dream legislative proviso (budgeted trust fund portion)
  - Support for UH School of Social Work master's candidates
  - College of Education 'Aha Ho'ona'auao 'Oiwī program
  - Study on the criminal justice system & Native Hawaiians, Richardson School of Law
  - William S. Richardson School of Law Center for Excellence in Native Hawaiian Law
  - College of Education Aha Ho'ona'auao 'Oiwī program
  - Ho'okulaiwi Center for Hawaiian & Indigenous Education
  - Hawaii Innocence Project
  - School of Social Work Master's program
  - 'Oiwī Ake Akamai Fellowship Program
  - Kawaihuelani programs for ceded lands inventory, agriculture, aquaculture and oceanography
- University of Hawai'i at Hilo:
  - Nā Pua No'eau (budgeted trust fund portion)
  - Ho'omau 'Aha 'Opio Alaka'i design program
  - 'Ohana strengthening education programs and other programs
  - Running Start program
  - Ka Haka 'Ula O Ke'elikelani Hawaiian Language College
  - 'Imiloa Astronomy Center Pocket Theatre
  - Ku Kilakila writing anthology
  - Youth leadership program
  - Hawaiian language and literature master's and bachelor's degree program

## Attachment #1 (continued)

- Kamakakuokalani Center of Hawaiian Studies program student sponsorship to the United Nations
- Kua‘ana Native Hawaiian student development services to train UHM students to be tutors and mentors
- Geomorphological study of Papohaku dune preservation plan
  
- Kaua‘i Community College:
  - Youth and family educational support program
  - Tuition for students from Ni‘ihau
  
- Windward Community College:
  - Employment Training Center certified nurse aid program
  - Economic Summit: \$87,940
  - Technical assistance for Native Hawaiian Revolving Loan program

## OFFICE OF HAWAIIAN AFFAIRS STRATEGIC PLAN 2010-2016

### VISION STATEMENT

"Ho'oulu Lāhui Aloha" - To Raise a Beloved Nation. OHA's vision statement blends the thoughts and leadership of both King Kalākaua, and his sister, Queen Lili'uokalani. Both faced tumultuous times as we do today, and met their challenges head on. "Ho'oulu Lāhui" was King Kalākaua's motto. "Aloha" expresses the high values of Queen Lili'uokalani.

### MISSION STATEMENT

To mālama Hawai'i 's people and environmental resources and OHA's assets, toward ensuring the perpetuation of the culture, the enhancement of lifestyle and the protection of entitlements of Native Hawaiians, while enabling the building of a strong and healthy Hawaiian people and nation, recognized nationally and internationally.

### CORE VALUES & GUIDING PRINCIPLES

Kākou: E alu like mai kākou i ka ho'okō 'ana i ko kākou mikiona.

*We work together, unified to accomplish our mission.*

Aloha Kekahi i Kekahi: 'Olu'olu a maika'i kākou i nā kānaka a pau.

*We are kind and compassionate to all whose lives we touch.*

Pono Pau'ole: E hana kūpono kākou i me ka 'oia'i'o.

*We act with integrity and truthfulness.*

Mālama Kekahi i Kehahi: E hō 'ihi a mālama kākou i nā po'e a pau a me nā mea 'ē a'e a pau.

*We respect and care for others and all that surrounds us.*

Kuleana: E ho'okō kākou i ko kākou kuleana hana.

*We carry out our individual and collective responsibilities.*

Kūlia: E ho'okumu kākou i ka hana e pili ana i nā kuleana Hawai'i me ka ho'ohulu.

*We take initiative and are resilient in advocating for Hawaiian rights.*

Po'okela: E hana kākou me ka 'oi a e ho'omaika'i iā kākou iho.

*We do our absolute best and continuously seek improvement.*

Ho'omau: E ho'omau kākou i ke ea o ka 'āina, na mea e ho'opuni ana, ka mo'omeheu a me ka po'e Hawai'i.

*Together, steadfast we preserve and perpetuate our culture, people, land and environment.*

## Attachment #2 (continued)

### OHA ROLES

In order to achieve our Priorities and Strategic Results, we are focused on the roles of advocate, researcher, and asset manager to improve conditions for all Native Hawaiians through systemic change.

Advocacy means making changes to laws, policies, and practices which broadly impact the Priorities the BOT has approved in the OHA Strategic Plan. This includes community outreach to mobilize the community, monitoring activities to identify harmful policies and laws, and advocacy initiatives to change laws, policies and practices in ways that improve conditions for Native Hawaiians as outlined in the Priorities.

Research means to compile and gather data to identify gaps and important issues, inform our advocacy efforts and ensure our actions and initiatives are based on the best information available.

Asset manager means to fulfill our sacred trust by analyzing opportunities, making critical decisions, and maximizing the value of our portfolio and other investments.

### STRATEGIC PRIORITIES

#### KAHUA WAIWAI

##### *Economic Self-Sufficiency*

To have choices and a sustainable future, Native Hawaiians will progress toward greater economic self-sufficiency.

#### ‘ĀINA

##### *Land & Water*

To maintain the connection to the past and a viable land base, Native Hawaiians will participate in and benefit from responsible stewardship of Ka Pae ‘Āina ‘O Hawai‘i.

#### MO‘OMEHEU

##### *Culture*

To strengthen identity, Native Hawaiians will preserve, practice and perpetuate their culture.

#### MAULI OLA

##### *Health*

To improve the quality and longevity of life, Native Hawaiians will enjoy healthy lifestyles and experience reduced onset of chronic diseases.

#### EA

##### *Governance*

To restore pono and ea, Native Hawaiians will achieve self-governance, after which the assets of OHA will be transferred to the new governing entity.

#### HO‘ONA‘AUAO

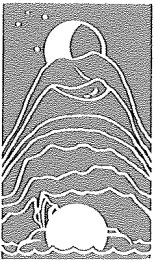
##### *Education*

To maximize choices of life and work, Native Hawaiians will gain knowledge and excel in educational opportunities at all levels.

Attachment #2 (continued)

**STRATEGIC RESULTS**

1. Native Hawaiian average family income will equal 100% or greater than the State-wide average family income.
2. X Percent of Native Hawaiians living longer than one year (without default) in owner-occupied or rental housing.
3. X Percent of Native Hawaiian students meet or exceed standards in elementary, middle, and high school testing; and who graduate from post-secondary institutions.
4. X Percent of all Hawai'i residents understand and agree that a viable land base is necessary for the new Native Hawaiian governing entity.
5. X Percent of Ka Pae 'Āina O Hawai'i managed to create economic value, preserve cultural and natural resources and historic properties, and/or provide cultural and social opportunities for Native Hawaiians in a sustainable and balanced manner.
6. X Percent of Native Hawaiian families actively improving lifestyle choices by engaging in health programs (weight loss, diet, substance abuse treatment) and supportive family development practices (prenatal screening, early education, family oriented activities, parent/child learning.)
7. Adoption by the Board of Trustees of a Transition Plan that includes the legal transfer of assets and other resources to the new Native Hawaiian governing entity.
8. X Percent of all Hawai'i residents appreciate and value Native Hawaiian history and culture as a basis for residing in Hawaii.
9. X Percent of Native Hawaiians participating in cultural activities, including language, and who interact with the 'āina for cultural, spiritual, religious and subsistence purposes.
10. Native Hawaiian chronic disease rates will be equal to or less than the general population of Hawaii for each of the following: cardiovascular disease, obesity, diabetes, asthma and cancer.



# NATIVE HAWAIIAN LEGAL CORPORATION

*Serving Hawai'i since 1974*

1164 Bishop Street, Suite 1205 • Honolulu, Hawaii 96813 • Phone (808) 521-2302 • Fax (808) 537-4268

**SENATE BILL 985**  
**RELATING TO THE BUDGET OF THE OFFICE OF HAWAIIAN AFFAIRS**  
**BEFORE THE**  
**SENATE COMMITTEE ON HAWAIIAN AFFAIRS**

DATE: Wednesday, February 9, 2011  
TIME: 2:45 p.m.  
PLACE: Conference Room 224

Chairperson Galuteria, Vice-Chairperson Ryan and members of the Senate Committee on Hawaiian Affairs. Aloha. Thank you for this opportunity to provide testimony in support of Senate Bill 985, relating to the budget of the Office of Hawaiian Affairs.

My name is Moses Haia and I am the Executive Director of the Native Hawaiian Legal Corporation (NHLC). NHLC is a non-profit, public interest law firm which endeavors to provide low cost legal assistance to Native Hawaiian individuals, families and communities in their individual and collective efforts to preserve their traditional Hawaiian lifestyle. Much of what NHLC has done and continues to do would be impossible without funding from the Office of Hawaiian Affairs. OHA's support makes it possible for Native Hawaiians to continue their deep familial relationship to their lands and natural resources via traditional cultural/religious/subsistence practices. The work made possible by OHA funding ensures that the very essence of Hawaii, the Native Hawaiian identity, is protected and perpetuated.

The cases undertaken on behalf of OHA beneficiaries are complex and protracted, often requiring many years to complete. Representation includes quiet title defense on behalf of the heirs of the original awardees of kuleana, assertion of ahupua'a tenants and kuleana rights; access and water rights; translation of Hawaiian legal documents, title abstracting and genealogy research to support land inheritance claims and to qualify as a beneficiary of the Hawaiian Home Lands trust, the Kamehameha Schools, and other similar programs; the protection and preservation of traditional and customary practices; protection of culturally significant places; and preservation of native Hawaiian land trust entitlements. In the last eighteen months, NHLC has represented 437 clients in 151 cases. NHLC also provided some level of service short of representation to another 538 individuals. Much of this would have been impossible without OHA funding.

Thank you for this opportunity to submit testimony in support of Senate Bill 985.

*Services made possible with major funding from the Office of Hawaiian Affairs.*





# KO`OLAUPOKO HAWAIIAN CIVIC CLUB

February 8, 2011

TO: Senator Brickwood Galuteria, Chair/And Members  
Senate Committee on Hawaiian Affairs

FROM: Alice P. Hewett, President *Alice P Hewett*  
Ko`olaupoko Hawaiian Civic Club

SUBJECT: S.B. 985 – Relating to the Budget of the Office of Hawaiian Affairs

The Ko`olaupoko Hawaiian Civic Club offers its strong support for the proposed budget of the Office of Hawaiian Affairs.

Our civic club works with people in the nine ahupua`a around Kane`ohe bay, from Kualoa to Kane`ohe. Our communities have benefited from OHA`s support to help advance programs to preserve the history, heritage and culture of the Ko`olaupoko area. We firmly believe that OHA`s primary mission – as stated in their strategic plan and in our own state constitution – is to provide support to native Hawaiian organizations such as ours and to the kanaka maoli of ka pae`aina o Hawai`i. We also believe that it is imperative that the State of Hawai`i continue to do its part to enable OHA to fulfill its kuleana.

While we recognize that there are many pressing demands upon you for state resources to address the needs of Hawai`i`s people, we urge you to – at least – maintain current funding support for OHA for the coming fiscal year.

Mahalo for this opportunity to offer our mana`o.

P. O. Box 664  
Kaneohe, HI 96744  
Ph. (808) 235-8111  
koolaupokohcc.org