



**HB 1557**  
**RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS**

House Committee on Ocean, Marine Resources, & Hawaiian Affairs

January 22, 2014

9:30 a.m.

Room 325

The Administration of the Office of Hawaiian Affairs (OHA) will recommend to the Beneficiary Advocacy and Empowerment Committee of OHA's Board of Trustees a position of "**Comment**" on HB 1557, which would establish an Office of Hawaiian Affairs Legislative Oversight Committee.

OHA acknowledges and appreciates the legislative interest in learning more about what we do, and OHA strives for transparency and accountability. For example, in the last year, we have implemented several ambitious transparency initiatives, including online live-streaming of Board of Trustee meetings and the publication of all Board of Trustee actions in Ka Wai Ola o OHA, our monthly newspaper that reaches about 68,000 Native Hawaiians.

However, OHA has reservations about this bill and questions its necessity. Powerful legislative oversight mechanisms for OHA already exist, including the regularly scheduled state audits of OHA and the Legislature's rigorous review of OHA's budget requests.

Should the committee or community have concerns, we welcome the opportunity to discuss them.

Mahalo for the opportunity to testify on this measure.



**TESTIMONY OF JAN K. YAMANE, ACTING STATE AUDITOR,  
ON HOUSE BILL NO. 1557,  
RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS**

**Committee on Ocean, Marine Resources, & Hawaiian Affairs  
Committee on Water & Land**

January 22, 2014

Chair Hanohano, Chair Evans, and Members of the Committees:

Thank you for the opportunity to provide comments on this bill, which would establish a Legislative Oversight Committee for the Office of Hawaiian Affairs (OHA). Under a new section to be added to Chapter 10 of the Hawai'i Revised Statutes, *Office of Hawaiian Affairs*, the committee would ensure the office's transparency; analyze the effectiveness of its governance, operations, fiscal responsibility, loan programs, management of resources, and administration of its programs and services; review assignments of commercial leases to ensure terms are beneficial to beneficiaries and to OHA; and review any other issues impacting OHA.

As you are aware, our mission is to assure the accountability of government agencies for their implementation of policies, management of programs, and expenditure of public funds. We support efforts to improve the efficiency, effectiveness, and transparency of state government. If the Legislature's intent in creating such an oversight committee is, at least in part, to promote and enforce recommendations made by the State Auditor in our reports, then we are in support of this measure.

I am available to answer any questions you may have.



## **Association of Hawaiian Civic Clubs**

P. O. Box 1135  
Honolulu, Hawai'i 96807

### **HOUSE COMMITTEE ON OCEAN MARINE RESOURCES, AND HAWAIIAN AFFAIRS**

#### **HOUSE BILL 1557 RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS**

Wednesday, January 22, 2014; 9:30AM; Room 325

Aloha Madam Chair Hanohano, vice chair Cullen and members of the Committee. I am Soulee Stroud, president of the Association of Hawaiian Civic Clubs (AHCC) here to represent sixty six affiliate clubs in fifteen states on the continent as well as throughout Hawaii.

The AHCC Board of Directors met over the weekend and had an opportunity to review this bill relating to the establishment of a legislative oversight committee for the Office of Hawaiian Affairs(OHA).

After some discussion it was decided that the AHCC will not support HB1557. The AHCC has at times past also been disappointed in action, or inaction, by OHA Trustees, adopting resolutions to express our dissatisfaction. The AHCC is also keenly aware of how often the legislature imposes its will on OHA, forcing budget expenditures when none are anticipated and not necessarily in the best interests of OHA beneficiaries.

Unlike the appointed Commissioners of the Department of Hawaiian Home Lands, OHA Trustees are elected and as trustees are held to the very highest standards of conduct and responsibility on behalf of their beneficiaries. Unlike the HHL Commission, it is the OHA electorate, not the State Administration that has final say over who shall be held accountable for the OHA trust upon election as a Trustee.

And perhaps most importantly, OHA was created to benefit all Hawaiians regardless of blood quantum...unlike the Department of Hawaiian Homes that is saddled with the amendment to Prince Kuhio's original bill limiting benefits only to those with 50% blood quantum.

It is revealing that despite the Rice v. Cayetano suit that invalidated the Hawaiian-only vote for OHA in the year 2000, there has been an element of deference by the general public that has consistently chosen to elect a Hawaiian-only Board of Trustees.

In consideration of the election “oversight” provided by OHA’s voters, and regular “oversight” reports by the State Legislative Auditor on OHA’s finances and management, the AHCC Directors felt that an oversight committee in the legislature is not necessary. This legislation would erode the very last vestiges of autonomy and self governance established by the constitutional convention of 1978 when OHA was created. Whatever little hope offered at that time by creating OHA would be wiped out.

The AHCC cannot support HB1557. Thank you for the opportunity to express our concerns.

Contact: [jalna.keala2@hawaiiantel.net](mailto:jalna.keala2@hawaiiantel.net)

**cullen2**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, January 18, 2014 3:00 PM  
**To:** omhtestimony  
**Cc:** kealii8@hotmail.com  
**Subject:** Submitted testimony for HB1557 on Jan 22, 2014 09:30AM

**HB1557**

Submitted on: 1/18/2014

Testimony for OMH on Jan 22, 2014 09:30AM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kealii Makekau	Individual	Support	No

Comments: Offer an amendment to line #7 to now read; (1) Ensure "CONSTITUTIONAL COMPLIANCE AND" transparency in the operations of the office of Offer an amendment to line #11 to now read; responsibility, "GRANTS AND" loan programs, management of

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Re: Testimony for HB 1557

January 21, 2014

Aloha mai House Chair Representative Hanohano, vice chair and committee members of Ocean, Marine Resources and Hawaiian Affairs committee,

My name is Juanita Mahienaena Brown Kawamoto and I am a Native Hawaiian Citizen advocate. I am a member of numerous Hawaiian, agricultural and environmental organizations, committees and councils and have participated in events to educate and support our ohana, Hawaiian people and our community .

I support HB 1557 relating to the Office of Hawaiian Affairs.

The Office of Hawaiian affairs has for way to many years kept information on their activities to a bare minimum. The process required to get an objective and simple answer on issues such as budgets, decision making, programs, projects, videoconferencing or even request to receive an issue of their periodicals has been inefficient, ineffective, costly and time consuming to the Hawaiian beneficiary. A commission instilled by the Hawaiian community and organizations vested in educating and maintaining the grass roots voices of our Hawaiian people and our Hawaiian nation is imperative and a necessity. The commission should be for the Hawaiian people and by the Hawaiian people and utilized to monitor bylaws, policies, the trustees and the executive director and administration. OHA's current descriptions and activities too often go unattended, unrestricted and poorly orchestrated and badly administered due to lack of community interaction and the time needed to properly be inclusive. The long term and short term planning for the original purpose sought by the Hawaiian people when OHA was formed was focused on our nation and our sovereignty, but instead OHA has become nothing but a controlled state agency completely bureaucratic and purposely intent on keeping our Hawaiian people excluded in participation to reinstate our status as the Hawaiian nation. We cannot permit OHA/U.S. to continue to be the invasive mongoose taking care of the Hawaiian Chicken coop!

I support the monitoring of OHA with the condition that the outcome is directed by the Hawaiian people through its community participation and is focused on our foundation for the Hawaiian Kingdom.

Please pass this bill.

Mahalo for the opportunity to testify.

Imua no kakou,  
Juanita Mahienaena Brown Kawamoto  
Native Hawaiian Citizen Advocate



**LATE**



**HB 1557  
RELATING TO THE OFFICE OF HAWAIIAN AFFAIRS**

House Committee on Ocean, Marine Resources, & Hawaiian Affairs

January 22, 2014

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However, OHA has reservations about this bill and questions its necessity. Powerful legislative oversight mechanisms for OHA already exist, including the regularly scheduled state audits of OHA and the Legislature's rigorous review of OHA's budget requests.

Should the committee or community have concerns, we welcome the opportunity to discuss them.

Mahalo for the opportunity to testify on this measure.

**cullen3**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Wednesday, January 22, 2014 9:08 AM  
**To:** omhtestimony  
**Cc:** dkapua@gmail.com  
**Subject:** Submitted testimony for HB1557 on Jan 22, 2014 09:30AM

**HB1557**

Submitted on: 1/22/2014

Testimony for OMH on Jan 22, 2014 09:30AM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kapua Keliikoa-Kamai	Individual	Oppose	No

Comments: Aloha kakou, While I support the intent of HB1557 I believe that it can be accomplished without its passage, at this time. I will be seeking further information about this Bill. Mahalo. kapua

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**cullen3**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Tuesday, January 21, 2014 8:59 PM  
**To:** omhtestimony  
**Cc:** mkhan@hawaiiantel.net  
**Subject:** Submitted testimony for HB1557 on Jan 22, 2014 09:30AM

**Follow Up Flag:** Follow up  
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**HB1557**

Submitted on: 1/21/2014

Testimony for OMH on Jan 22, 2014 09:30AM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Leimomi Khan	Individual	Oppose	Yes

Comments: Strongly oppose this legislation. It impedes on the responsibilities of the Executive branch of our government, duplicates the work of the State Auditor's Office, appears to be against the intent of the Hawaii State Constitution provisions concerning the Office of Hawaiian Affairs and more importantly is contrary to Native Hawaiian initiatives for self-determination/governance. Like elected officials, let us allow the community to decide whether OHA trustees are doing their job.

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