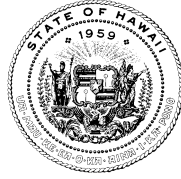


DAVID Y. IGE
GOVERNOR
STATE OF HAWAII

JOSH GREEN
LT. GOVERNOR
STATE OF HAWAII



WILLIAM J. AILA, JR.
CHAIRMAN
HAWAIIAN HOMES COMMISSION

TYLER I. GOMES
DEPUTY TO THE CHAIRMAN

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

P. O. BOX 1879
HONOLULU, HAWAII 96805

TESTIMONY OF WILLIAM J. AILA, JR, CHAIRMAN
HAWAIIAN HOMES COMMISSION
BEFORE THE SENATE COMMITTEES ON HAWAIIAN AFFAIRS & JUDICIARY
HEARING ON MARCH 23, 2021 AT 10:30AM VIA VIDEOCONFERENCE

**SCR 163/SR 128 REQUESTING THE UNITED STATES CONGRESS TO AMEND
CERTAIN ACTS FOR THE PURPOSE OF BROADENING THE SCOPE OF
HAWAIIANS SERVED BY THOSE ACTS**

March 23, 2021

Aloha Chair Shimabukuro, Chair Rhoads, and members of the Committees:

The Department of Hawaiian Home Lands (DHHL) submits comments on these resolutions requesting the United States Congress amend certain Acts for the purpose of broadening the scope of Hawaiians served by those Acts. DHHL appreciates the motivation behind these resolutions, but would prefer SCR 165/SR 130. Requesting the United States Congress to amend certain Acts could expose the Hawaiian Homes Commission Act to amendments that would not be favorable to beneficiaries. The preferred method would be to have the State legislature amend the HHCA and then determine whether those amendments require the consent of the United States.

Thank you for your consideration of our testimony.



ASSOCIATION OF

HAWAIIANS
FOR HOMESTEAD LANDS

Dedicated to Ending the Hawaiian Home Lands Waiting List

March 22, 2021

Honorable Committee Chairs & Members
Hearing for March 23, 2021

Re: OPPOSITION: SR128 and SCR163 – Lowering HHCA Blood Quantum

The Association of Hawaiians for Homestead Lands (AHHL) was founded in 2009 to advocate for the interests of thousands of native Hawaiians on the State of Hawaii, Department of Hawaiian Home Lands (DHHL) waiting list for a homestead land award.

AHHL submits its testimony in strong opposition of the above referenced resolutions. The content of these resolutions further disenfranchises 28,000 native Hawaiians that meet the statutory blood quantum requirement by arbitrarily eliminating any blood quantum.

AHHL stands in opposition to any change to the blood quantum of the HHCA for beneficiaries defined in the HHCA until the State of Hawaii legislature and executive branch fulfill the tenets of the HHCA to the more than 28,000 HHCA beneficiaries as currently defined. This is quite different than the lowering of blood quantum for a Successor of an HHCA beneficiary.

These resolutions create greater chaos and ignore the reality that the State of Hawaii has failed HHCA beneficiaries as defined for the last 100 years, by opening a flood gate to several hundred thousand more beneficiaries without any additional lands brought to the Hawaiian Home Land trust, and without consultation to the kupuna that are literally dying on the waitlist.

We request our legislators to honor a best practice in policy making – to directly engage with citizens directly impacted by proposals of policy makers, particularly given the work of President Obama in 2016, in defining for state and federal officials, the third party to the success of the HHCA, Homestead Beneficiary Associations (HBAs). AHHL is one of several duly registered HBAs with the federal government under 43 CFR representing the interests of the Hawaiian Homes waitlist.

Mahalo.

Mike Kahikina
AHHL Board
Waitlist Policy Committee Chair

SCR-163

Submitted on: 3/22/2021 10:07:30 AM

Testimony for HWN on 3/23/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Edith Kawai	Testifying for Waimea Hawaiian Civic Club	Oppose	No

Comments:

The Waimea Hawaiian Civic Club opposes SCR163 for the following reasons:

1. The 1/8 Hawaiian blood quantum does not conform to Act 80 language of 1/32 for successorship;
2. The ninth WHEREAS clause is not specific in defining the term "certain lands" which raises concern of whether lands covered in the Hawaiian Home Land Act, 1920, would be affected or compromised;
3. The first BE IT FURTHER RESOLVED clause is not specific in clarifying the term "certain lands and raises the same concern as the above paragraph 2.

Thank you,

Edith Kawai - Waimea Hawaiian Civic Club President

INTERNATIONAL LONGSHORE & WAREHOUSE UNION



1188 FRANKLIN ST
SAN FRANCISCO
CALIFORNIA 94109
(415) 775-0533
(415) 775-1302 FAX
www.ILWU.org

LATE

WILLIAM E. ADAMS
President

ROBERT OLVERA JR.
Vice President

WESLEY FURTADO
Vice President

EDWIN R. FERRIS
Secretary-Treasurer

SENATE COMMITTEE ON HAWAIIAN AFFAIRS SENATE COMMITTEE ON JUDICIARY

Tuesday, March 23, 2021 at 10:30 A.M.
State Capitol, Via Videoconference

RE: TESTIMONY IN SUPPORT OF SCR163/SR128 - REQUESTING THE UNITED STATES CONGRESS TO AMEND CERTAIN ACTS FOR THE PURPOSE OF BROADENING THE SCOPE OF HAWAIIANS SERVED BY THOSE ACTS

Aloha Chairs Shimabukuro and Rhoads, Vice Chair Keohokalole and Members of the Hawaiian Affairs and Judiciary Committees:

The International Longshore and Warehouse Union is testifying in STRONG SUPPORT of SCR163/SR128, Requesting the United States Congress to Amend Certain Acts for the Purpose of Broadening the Scope of Hawaiians Served by those Acts as currently written.

We believe this resolution to be prudent and necessary. In 1920, Congress passed the Hawaiian Homes Commission Act with the goal of providing its beneficiaries with the opportunity to return to their land and enhance and perpetuate their self-sufficiency and cultural preservation provided they met a "blood quantum" requirement. Since then Hawai'i has evolved into the multi-cultural community we know and live in today. Many Native Hawaiians have married non-Native Hawaiians thereby affecting the "blood quantum" of subsequent and future generations of Native Hawaiians.

Native Hawaiians continue the hard work of improving their conditions, but it will take time to break the generational struggles we have faced as a people. Continuing to allow a policy that would break our efforts mid-stride would only serve to further hurt our community; negating the intent of that Congress and the ultimate purpose of the Hawaiian Homes Commission Act - to ensure self-sufficiency and the preservation of Native Hawaiians.

For the above reasons, the ILWU SUPPORTS the passage of SCR163/SR128 as currently written. We respectfully request that this measure be passed "as is" for further consideration by the full Hawai'i State Senate and eventually the Hawai'i State House. We thank your committee for the opportunity to testify.

Sincerely,

Dustin Dawson
Representative, International Longshore and Warehouse Union

INTERNATIONAL LONGSHORE & WAREHOUSE UNION



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Sincerely,

Dustin Dawson
Representative, International Longshore and Warehouse Union

SCR-163

Submitted on: 3/18/2021 1:26:38 PM

Testimony for HWN on 3/23/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Allix Hessick	Individual	Support	No

Comments:

I vote yes on this amendment

SCR-163

Submitted on: 3/18/2021 4:06:59 PM

Testimony for HWN on 3/23/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
cheryl B.	Individual	Comments	No

Comments:

Comments

Stop talking. The lands and the \$\$ earned from and for those lands belong to the Hawaiian people, the kanaka. Let's get it to them instead of always talking and skirting the issues with resolutions and bills that come to little.

SCR-163

Submitted on: 3/21/2021 1:25:14 PM

Testimony for HWN on 3/23/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Dana Keawe	Individual	Support	No

Comments:

I support scr163

SCR-163

Submitted on: 3/21/2021 7:37:31 PM

Testimony for HWN on 3/23/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kilohana Hirano	Individual	Comments	No

Comments:

Hawaiian Civic Club of Laupāhoehoe

Laupāhoehoe, Hawai'i 96764

Committee on Hawaiian Affairs

Committee on Judiciary

Re: SCR 163/SR128 REQUESTING THE UNITED STATES CONGRESS TO AMEND CERTAIN ACTS FOR THE PURPOSE OF BROADENING THE SCOPE OF HAWAIIANS SERVED BY THOSE ACTS.

Aloha Chair Shimabukuro, Chair Roads, Vice Chair Keohokalole, Members of the Committee on Hawaiian Affairs and Members of the Committee on the Judiciary,

The Hawaiian Civic Club of Laupāhoehoe offers COMMENTS FOR SCR163/SR128 REQUESTING THE UNITED STATES CONGRESS TO AMEND CERTAIN ACTS FOR THE PURPOSE OF BROADENING THE SCOPE OF HAWAIIANS SERVED BY THOSE ACTS. We support the intent of these resolutions to maintain the purpose of the Hawaiian Homes Commission Act of 1920 with amendment to the successor language from one-eighth Hawaiian to one thirty-second Hawaiian.

Session Law of Hawai'i 2017 ACT 80 states, "relatives of the lessee who are (1) at least one thirty-second Hawaiian." The change to one thirty-second Hawaiian in these resolutions will align to SLH2017 ACT 80.

One hundred years ago, Prince Jonah KĀʻĪʻĪ Kalanianaʻole advocated for the future of Native Hawaiians at the United States Congress. The Hawaiian Homes Commission Act of 1920 intended to serve Native Hawaiians for generations with land for residences, farms and businesses. The change to one thirty-second Hawaiian ensures that these families continue to be tied to these lands for future generations.

The Hawaiian Civic Club of Laupāhoehoe advocates for Native Hawaiians to build agency for their future, including the ability to access ʻĀina. The Association of Hawaiian Civic Clubs at its 58th Annual Convention in 2017, adopted resolution 2017-37 ENCOURAGING THE DEPARTMENT OF HAWAIIAN HOME LANDS TO EXPEDITE THE PROCEDURE TO AMEND THE HAWAIIAN HOMES COMMISSION ACT AS REQUIRED UNDER 43 CFR 48.15 TO ENABLE ACT 80, SESSION LAWS OF HAWAII 2017 AND URGING MEMBERS OF HAWAII'S CONGRESSIONAL DELEGATION TO INTRODUCE LEGISLATION TO APPROVE ACT 80, SESSION LAWS OF HAWAII 2017 IMMEDIATELY.

Mahalo for the consideration,

A Kilohana Hirano

Pelekikena

SCR-163

Submitted on: 3/22/2021 9:42:20 AM

Testimony for HWN on 3/23/2021 10:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Alexander K.D. McNicoll	Individual	Support	No

Comments:

I am in strong support of SCR163.

COUNTY COUNCIL

Arryl Kaneshiro, Chair
Mason K. Chock, Vice Chair
Bernard P. Carvalho, Jr.
Felicia Cowden
Bill DeCosta
Luke A. Evslin
KipuKai Kualii



OFFICE OF THE

Jade K. Fountain
Scott K. Sato, Deputy County Clerk

LATE

Telephone: (808) 241-4188
Facsimile: (808) 241-6349
E-mail: cokcouncil@kauai.gov

Council Services Division
4396 Rice Street, Suite 209
Lihu'e, Kaua'i, Hawai'i 96766

March 22, 2021

**TESTIMONY OF KIPUKAI KUALI'I
COUNCILMEMBER, KAUAI COUNTY COUNCIL
ON**

**SCR 163 / SR 128, REQUESTING THE UNITED STATES CONGRESS TO
AMEND CERTAIN ACTS FOR THE PURPOSE OF BROADENING THE SCOPE
OF HAWAIIANS SERVED BY THOSE ACTS**

Senate Committee on Hawaiian Affairs
Senate Committee on Judiciary

Tuesday, March 23, 2021

10:30 a.m.

Via Videoconference

Dear Chair Shimabukuro, Chair Rhoads, and Members of the Committees:

Thank you for this opportunity to provide testimony in strong OPPOSITION to SCR 163 / SR 128, Requesting the United States Congress to Amend Certain Acts for the Purpose of Broadening the Scope of Hawaiians Served By Those Acts. My testimony is submitted in my individual capacity as a Member of the Kaua'i County Council, Chair of the Kaua'i County Council's Housing & Intergovernmental Relations Committee, Vice Chair of the Kaua'i County Council's Finance & Economic Development Committee, Co-Chair of SCHHA's Policy Board, longtime advocate for DHHL waitlistees, an Anahola homesteader, and an Anahola agricultural lot waitlistee.

SCR 163 and SR 128, though well-intended, are harmful because they have been developed without bringing Hawaiian Homes Commission Act (HHCA) beneficiary organizations to the table to work with our State Government to advance our Hawaiian Home Land trust.

Lowering or eliminating the blood quantum of HHCA beneficiaries should not be undertaken until the State of Hawai'i Legislature and executive branch fulfill the tenets of the HHCA to the more than 28,000 HHCA beneficiaries as currently defined. What is being proposed is not the same as what I and many other HHCA beneficiaries support, which is the removal of a set blood quantum for a Successor of an HHCA beneficiary only. And, while it is being proposed to lower the blood quantum for a Successor to one-eighth (1/8) blood quantum, what we prefer is "any persons of Hawaiian ancestry, regardless of blood quantum" or no set blood quantum.

Senate Committee on Hawaiian Affairs

Senate Committee on Judiciary

RE: SCR 163 / SR 128, Requesting the United States Congress to Amend Certain Acts for the Purpose of Broadening the Scope of Hawaiians Served By Those Acts

March 22, 2021

Page 2

I extend my *mahalo nui loa* to you for receiving my testimony and humbly ask that you not pass this resolution. Should you have any questions, please feel free to contact me or Council Services Staff at (808) 241 4188 or via E-mail to cokcouncil@kauai.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Kipukai Kualiti". The signature is written in a cursive, fluid style.

KIPUKAI KUALI'I

Councilmember, Kaua'i County Council