

Ka Wai Ola O OHA

Volume 7, No. 3 "The Living Water of OHA" Malaki (March) 1990

OHA, Waihee agree on ceded lands story page 1



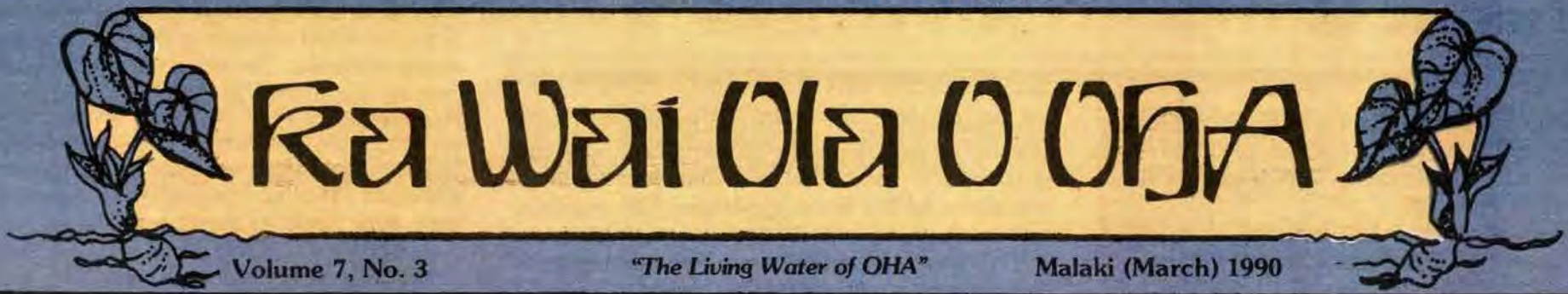
Announcing their agreement on the OHA ceded land trust were: (front) OHA chairman Thomas Kaulukukui and Governor Waihee. Back row (L-R): OHA administrator Richard Paglinawan and trustees Clarence Ching, Moses Keale, Louis Hao, Frenchy DeSoto, Manu Kahaialii, Moanikeala Akaka and Rod Burgess.

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OFFICE OF HAWAIIAN AFFAIRS



Volume 7, No. 3

"The Living Water of OHA"

Malaki (March) 1990

OHA, Waihee agree on ceded lands

By Deborah Lee Ward
Editor, Ka Wai Ola O OHA

The Office of Hawaiian Affairs and Gov. John Waihee announced on Feb. 8 a joint agreement which establishes a formula for calculating the past due and future income that OHA is entitled to for native Hawaiians as its 20 percent pro rata share from state ceded lands revenues.

Announcement of the agreement culminates more than two years of painstaking, complicated negotiations between OHA and the Governor's office as the key responsible parties under law.

An executive bill containing the terms of the agreement had been introduced as companion bills HB 2896 and SB 3104. A joint hearing was held Feb. 13 by the House Committee on Economic Development and Hawaiian Affairs (chair Rep. David Y. Ige) and the Senate Committee on Housing and Hawaiian Programs (chair Sen. Mike Crozier).

At press time the house committee indicated that their bill would be reported out of committee without amendment to the house finance committee. The senate committee held its bill and will wait for the house version to cross over. Sen. Crozier announced he will schedule hearings on that bill in mid-March. This early notice is to allow more time for community review of the bills and for public input.

Trustee Frenchy DeSoto complimented Rep. Ige for the strength of his support. She also said: "Senator Crozier's action is an essential part of a successful legislative strategy. Mike has, by his action made passage both simpler and more likely."



Gov. John Waihee receives a symbolic kaula plant from OHA Chairman of Trustees Thomas Kaulukukui Sr. following presentation of the ceded lands proposed settlement at the state Capitol.

The legislation clarifies the State of Hawaii's legal obligations, through OHA, to native Hawaiians of 50 percent or more Hawaiian blood as they are specified in Chapter 10 of the Hawai'i Revised Statutes. The joint agreement represents a crucial first step toward resolving all controversies relating to state trust obligations to Hawaiians and native Hawaiians.

The proposed legislation would clarify:

- which lands comprise the public land trust
- which types of revenues, coming from the trust lands, will be shared with OHA
- what process is to be followed to determine actual amounts due and a plan for repayment.

The first draft legislation establishes two types of revenues from ceded lands, "sovereign" and "proprietary." Sovereign income is the money the state raises through its sovereign power to tax the population. OHA does not have a claim on this sovereign income.

"Proprietary income" comes from lease rents and similar uses of the land. It is on this proprietary income only that the claims for OHA's past-due 20 percent income will be calculated.

The legislation provides that the past due amount for native Hawaiian beneficiaries will be arrived at through a year-by-year evaluation of the type and form of gross income, plus interest, compounded annually. In the next fiscal year the amount due OHA under the proposed bill would be \$8.5 million. This would be an increase of \$7.2 million over the \$1.3 million OHA now receives for native Hawaiian beneficiaries.

The state Office of Management and Budget will determine the total amount of past due income owed retroactively to OHA. The determination will be based on terms of this joint agreement as applied year-by-year from June 14, 1980 through the 1990-1991 fiscal year.

The proposed legislation makes clear it is not intended to replace or affect the claims of native
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Hawaiians vote to be one people

Hawaiians have voted overwhelmingly to adopt a single definition of Native Hawaiian for OHA's trust and entitlements.

The definition identifies a Native Hawaiian as anyone who can trace their ancestry to the native peoples who lived in Hawai'i before the arrival of Captain James Cook in 1778.

Seventy-nine percent of those voting in plebiscite said they want to eliminate the distinction between Hawaiians with 50 percent or more Hawaiian blood and those who do not meet that requirement.

The unofficial results of the plebiscite are as follows:

63,859 ballots mailed out to OHA voters
-3,046 undeliverable
60,813 deliverable ballots

19,247 yes votes total
5,212 no votes total
103 blank votes
46 overvotes (voted both "yes" and "no")

24,608 total ballots returned
(41 percent voter participation)

79 percent "Yes" votes
21 percent "No" votes

On Dec. 5 last year, OHA began sending out secret ballots to the nearly 64,000 Hawaiians who were registered to vote in the 1988 OHA election. The voting period ended Thursday, Jan. 25.

The plebiscite results will be sent to the Hawaii state legislature which requested and funded the plebiscite.

An amendment to the state constitution is necessary for the single definition to be incorporated into Hawai'i laws. Any new law will require ratification by a majority of all Hawai'i's voters.

If enacted, the single definition amendment **will not apply** to the past due entitlement to Native Hawaiians of 50 percent or more blood. Changes in law can only affect the future, past due entitlements must — by law — comply with the law that was in force at the time.

Approximately 41 percent of all deliverable ballots were returned. This high rate of participation for a mail plebiscite demonstrates the importance which the Hawaiian people place on the opportunity to determine their own membership, OHA Chairman Thomas K. Kaulukukui Sr. said.

At the Jan. 30 news conference, following the ballot tabulation, the chairman said, "The outcome of our single definition plebiscite is truly an expression of self-determination on the part of our
continue page 8



On Valentine's Day, Amoe Kealoha received a bone marrow transplant and came through in satisfactory condition. The donor was a male, part-Hawaiian, unrelated, in his late twenties according to Norma Kop public relations spokesperson for St. Francis Medical Center, Liliha.

OHA Board Business

By Ann L. Moore

The board of trustees of the Office of Hawaiian Affairs held its January business meeting Friday, Jan. 26, at OHA's office, 1600 Kapiolani Blvd., Suite 1500, Honolulu.

Present were Chairman Kaulukukui and trustees Burgess, Ching, DeSoto, Hao, Kahaialii and Keale.

Chairman's Report

The administrator and deputy administrator reported a call from Arnold Leong of the county of Kaua'i public works division about worried Hawaiian residents concerned about possible flooding in the Kekaha area of Kaua'i. The chairman authorized the administrator to investigate the matter with Trustee Keale. Mayor Yukimura's office was called and they advised there was no imminent danger and that the county would go immediately to pump the neighborhood yards, free.

Davianna MacGregor and Edward Ayau presented the bill relating to burials authorized by Hui Malama I Na Kupuna which was introduced at the current session of the legislature. The board voted unanimously to receive the report and refer it to staff for review and recommendations.

The chairman announced he will seek advice from the trustees concerning the 1990 community meeting schedule for the board of trustees.

The board voted unanimously to approve a letter to the Administration for Native Americans (ANA) in support of the Native Hawaiian Advisory Council's application for a grant to protect and preserve Native Hawaiian rights and uses of water.

Administrator's report

Announcement was made of an informational hearing on the status of the Hanapepe Cliffside and Lahaina projects on Monday, Jan. 29 at 3 p.m. at the state Capitol conference room 226.

The trustees voted unanimously that the Native Hawaiian Legal Corporation represent OHA in the Public Utilities Commission investigation on Integrated Resource Planning; that an initial \$1,000 be allocated to begin the process and that NHLC submit a detailed line-item budget request and a time frame for the intervention process so that funding sources may be determined.

Committee reports

Committee on Native Hawaiian Status and Entitlements

A committee recommendation to waive OHA's "Hawaiian versus Hawaiian policy" was unanimously approved to allow the Native Hawaiian Legal Corporation to provide services to disinherited Hawaiian descendants of John Palmer Parker.

The board voted unanimously to accept and fund a \$65,000 contract with Professional

Communications so OHA can provide information to the general public on settlement, with the governor, of the ceded land revenues issue as mandated by the state legislature. The approval was made provisional on settlement of the issue.

The trustees voted unanimously to adopt a position statement recommended by the committee which provides that a coordination of all interested agencies, organizations and individuals will be actively pursued by OHA and that OHA does not support, and will not support, any efforts which exclude or ignore the Office of Hawaiian Affairs. This position was taken in regards to an ANA grant request by pro-sovereignty groups that wanted to exclude OHA, Alu Like and the Association of Hawaiian Civic Clubs from proposed sovereignty information workshops.

Committee on Operations and Development

Acting on recommendations by the Committee on Operations and Development, trustees had a second reading of an amendment to the OHA policy and procedures manual regarding public hearings.

Also on a recommendation by the committee, the board voted unanimously to approve \$63,348 for the Hawai'i County Economic Opportunity Council to cover the cost of house designs and administrative work for a self-help housing project at Keaukaha-Panaewa.

Programs Committee

Responding to a recommendation by the committee, trustees voted unanimously to approve a bill to go to the legislature for an act relating to tuition waivers for Native Hawaiians to attend the University of Hawai'i system.

Trustees also accepted a recommendation by the committee to oppose the application of Bowner/Brown for land use reclassification in Waioli, Hanalei, Kauai, and to seek penalties for the destruction of historic and cultural sites on the property.

Committee on External Affairs

There were no action items to report. Committee chair Louis Hao gave a brief report on the external affairs workshop held Jan. 24 regarding sites G5-86, G5-110 and the H3 freeway.

Executive Session

Following an executive session the board, in open session, ratified the following actions taken in closed session. Trustees approved the administrator's recommendation to hire Jean Luka as legislative assistant on a temporary basis to assist the Government Affairs Division officer. Trustees announced a primary lobbying team for the anticipated negotiated settlement on ceded lands. The team will consist of trustees Burgess, Ching, DeSoto, Kaulukukui and Keale.

The trustees accepted the resignation of Keone Nunes, OHA cultural specialist.

Auwe

In the February Ka Wai Ola O OHA article on Rich Budnick's book on the "Street Names of O'ahu, the last number of the ZIP code was accidentally dropped. To order the book people may contact the author at P.O. Box 4183, Honolulu, Hawai'i, 96812.

The front page story on the 'Aha 'Opio (Hawaiian Youth Legislature) in February's issue gave June 18-30 as the dates. That is incorrect. The 'Aha 'Opio correct dates are June 18 through June 23. Applications for the 'Aha 'Opio, and information, are available now at high schools on all islands.

Publication of this month's notice of NHCAP's solicitation of project funding proposals was originally intended for last month's issue in order to give a required 30 days' notice. Due to an editorial oversight, the article did not appear then. Ka Wai Ola O OHA regrets any inconvenience to NHCAP.

Next issue, April 1
Articles, releases deadline, Mar. 1
Staff written news deadline, Mar. 9

Contributors are asked to submit articles and releases as far ahead of the deadline as possible.

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NOTICE OF PUBLIC HEARING

Adoption of Hawaii Water Plan

Public hearings will be held by the State Commission on Water Resource Management on the proposed Hawaii Water Plan, as mandated by the State Water Code, Chapter 174C, HRS.

The proposed Plan will provide the Commission with an integrated program for the protection, conservation and regulation of waters of the State and serve as a continuing long-range guide for water resource management.

The public hearings will be held at the following dates, times and places:

March 14, 1990 (W) 7:00 p.m., Hawaii County Building, Room 201, 25 Aupuni Street, Hilo, Hawaii

NOTE: This hearing will be held jointly with the Hawaii County Council
March 15, 1990 (TH) 7:00 p.m., Kahakai Elementary School Cafeteria, 76-147 Royal Poinciana Drive, Kailua-Kona, Hawaii

NOTE: This hearing will be held jointly with the Hawaii County Council
March 21, 1990 (W) 7:00 p.m., Kalaninimoku Bldg., Rm. 132, 1151 Punchbowl Street, Honolulu, Oahu

March 22, 1990 (TH) 7:00 p.m., Wilcox School Cafeteria, 4319 Hardy Street, Lihue, Kauai

March 27, 1990 (TU) 7:00 p.m., Kahului Library, 90 School Street, Kahului, Maui
NOTE: This hearing will be held jointly with the Maui County Council

March 28, 1990 (W) 7:00 p.m., Kaunakakai Sch. Cafeteria, Kaunakakai, Molokai
NOTE: This hearing will be held jointly with Maui County Council

March 29, 1990 (TH) 7:00 p.m., Lanai High School Cafeteria, Fraser Avenue, Lanai City, Lanai
NOTE: This hearing will be held jointly with the Maui County Council

All interested persons are urged to attend and submit comments, orally or in writing.

For the island of Hawaii, Commission staff will be available to receive additional testimony at the following dates and places:

March 19, 1990 (M) 7:00 p.m., State Office Building, Conference Rooms A, B, and C, 75 Aupuni Street, Hilo, Hawaii

March 20, 1990 (TU) 7:00 p.m., Kealakehe Elementary School Cafeteria, 74-5118 Kealakaa Street, Kailua-Kona, Hawaii

Copies of the draft Hawaii Water Plan may be reviewed at any public library, at the Division of Water and Land Development, State Department of Land and Natural Resources, 1151 Punchbowl Street, Room 227, Honolulu, Hawaii 96813 (548-7539), or at the following locations:

District offices of the Division of Land Management, State Department of Land and Natural Resources:

State Office Building, 75 Aupuni Street, Hilo, Hawaii
 State Office Building, 54 High Street, Wailuku, Maui
 State Office Building, 3060 Ewa Street, Lihue, Kauai

The Commission on Water Resource Management will continue to accept written testimony until April 17, 1990. Testimony should be sent to the Division of Water and Land Development, P.O. Box 373, Honolulu, Hawaii 96809.

State of Hawaii
 Commission on Water Resource Management
 WILLIAM W. PATY, Chairperson



Ka Wai
Ola
O OHA

"The Living Water of OHA"

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At Keaukaha-Panaewa

OHA helps finance self-help housing

By Ann L. Moore

Twenty-two families on homestead lands at Keaukaha-Panaewa may soon be building homes with the cooperation of three agencies: the Office of Hawaiian Affairs, the Department of Hawaiian Home Lands and the Hawai'i County Economic Opportunity Council (HCEOC).

The first 22 families to participate in the project will be selected by DHHL and will put sweat equity into the homes. These homes represent Phase I in what homesteaders hope will be a continuing statewide project.

The proposed plan for Keaukaha-Panaewa came to OHA when the Hilo Hawaiian Homebuilders' Support Group advised the group had a vote endorsing the concept of self-help housing on the home lands from DHHL and that HCEOC had agreed to administer the project.

For many homesteaders in Keaukaha-Panaewa this may be the only chance they will ever get to obtain an affordable loan to build a house on their lot the homebuilders' support group said.

On Jan. 26, the OHA board of trustees voted to give \$63,348 to the HCEOC to cover costs for house designs and administration.

Based on need, DHHL will make loans to homesteaders ranging from \$32,000 to \$35,000. A total of \$770,000 in loan money will be available for the 22 homes. HCEOC will supervise Phase I over the seven-month construction phase.

Construction may begin as early as this summer since there is no requirement for a bid process and so contracts can be expedited.

DHHL will be the lead agency in the project coordinating the homesteaders, the Hilo Hawaiian Homebuilders' Support Group and the HCEOC.

HCEOC will do self-help housing presentations to any homestead group, on any island, upon request. For information people may call 961-2681.

The Hilo Hawaiian Homebuilders' Support Group is made up of Hawaiian homesteaders committed to finding ways to build their own homes on their lots, including the self-help process.

Officers of the support group are Ed Kanahale, president, Eleanor Ahuna, vice-president, Elizabeth Lee Loy, secretary, Abbie Napeahi, chaplain, Sonny King of Alu Like, resource person and the Rev. Tuck Wah Lee, advisor.

The support group, formed over a year ago, worked with homesteaders on Kaua'i, Maui, and O'ahu who wanted to start their own homebuilders' support group. To contact the group, write care of Eleanor Ahuna, 171 King Ave., Hilo, Hawai'i, 96720.

Holoku Ball to honor three Hawaiian women



Hoaliku Drake



Genoa Keawe



Agnes Cope

The gala Holoku Ball is the annual scholarship fundraising event of the Hawaiian Civic Club of Honolulu. This year's ball, with the theme "Ke Ali'i Hulu Mamo" will be held Sat. March 24, at 6 p.m. at the Queen Kapi'olani Hotel. The annual Holoku Ball began in the early 1920s.

Proceeds are used to assist students of Hawaiian ancestry to pursue graduate and undergraduate college degrees in Hawai'i and on the mainland.

Each year, one or more Holoku Ball honorees are selected by the club based on their contributions to the Hawaiian community. This year's honorees are three prominent and well-respected women from within the Hawaiian community: Agnes Cope, executive director of the Wai'anae Coast Culture and Art Society, Inc.; Hoaliku Drake, newly-appointed director of the Department of Hawaiian Home Lands; and Genoa Keawe, renowned musician and entertainer.

The ball will feature music by the Royal Hawaiian Band, a Hawaiian buffet dinner, musical entertainment, a holoku parade and dancing, a craft fair and silent auction. Admission is \$40 per ticket (\$20 tax-deductible). Holoku Ball co-chairs are Haunani Apoliona and Ted Takai. Tickets may be obtained by calling Takai at 735-2894 or 737-5677.

Holoku Ball honorees

Agnes Cope

For the past 20 years, Agnes Cope has been executive director of the Wai'anae Coast Culture and Art Society. A resident of the Wai'anae coast for 39 years, she is known to her community as a caring and generous kupuna whose contributions have led to an increased appreciation for and preservation of the culture, language and arts of na po'e Hawai'i.

"Aunty Aggie," as many call her, is a dual member of the Hawaiian Civic Club of Wai'anae (she is also a director) and the HCC of Nanakuli. She serves on the board of directors of Kahumana, the Moanalua Foundation (as treasurer); West O'ahu Employment Corporation (as vice-president); is trustee for the Native Hawaiian Culture and Arts Program; and is a published author.

Cope is married to George H. Cope and they have three sons, two daughters and 12 grandchildren. She attended Farrington High School, Honolulu Business College and the University of Hawai'i where she studied education administration.

Hoaliku Drake

Hoaliku Lucia Drake brings to her new position as director of the Department of Hawaiian Home Lands both knowledge of DHHL (she was a Hawaiian Homes Commission member in 1983-

85) and outstanding experience in diverse areas of public service plus management ability. In her career she has been director of the Office of Human Resources for the City and County of Honolulu, a policewoman investigator for the Honolulu Police Department, and a self-employed businesswoman, owner of Hoaliku's Na Mea Hawai'i.

In 1980 she was named by Alu Like, Inc. as outstanding Hawaiian woman in government; in 1978 the U.S. Dept. of Labor cited her for outstanding achievement as director of the Community Employment Training Act (CETA). She was named by the Honolulu City Council in 1979 for outstanding achievement for administration of Community Development Block Grant programs (CDBG) and was named outstanding police-woman of the year in 1969.

She has been a member of numerous service organizations and community associations, including the Nanakuli Community Association, Wai'anae Civic Association, the Association of Hawaiian Civic Clubs, and was directly involved in the model cities program in Nanakuli.

Drake is married to Joseph W. Drake. They live in Wai'anae and have two children, Heila H.

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(presented by Ka Wai Ola O OHA and Alu Like as a public service)

Lum graduates with honors

"I finally graduated, after six-and-half years of going to school!" "And Willie graduated with honors," Edith Lum proudly said about her daughter, Willette Noelani Lum of Molokai.

With a one year stipend from the Alu Like, Inc., classroom training program, Lum has just graduated from the University of Hawaii at Manoa in the top 10 percent of her class. Lum earned a Bachelor of Business Administration degree with a major in management information system, (MIS). She graduated as a member of the U.H. chapter of the National Honor Society, Beta Gamma Sigma.

Lum had a busy year with school, extra-curricular activities, and a part-time job. As treasurer of the MIS Club, she was involved with many activities including fundraisers. She said she will miss the camaraderie shared with her fellow club mates. Lum also worked as a student

programmer at the College of Business computer lab on the University campus. She is now training another student to fill her place.

With school work, studying, late nights, and finals all behind her, Lum is eager to put her acquired knowledge and skills to use. Before graduation, Lum sent her resume to several companies. She already has one job offer as a systems analyst. She would like to work for a while before deciding whether or not to pursue higher education. "It's too soon to think about returning to school," she said.

A spokeswoman for the Alu Like, Inc. Molokai Island Center said, "We feel certain that Willie will be very successful at her new job as she was a successful Alu Like classroom training participant. We wish her the very best."

Summer jobs open for youths

Alu Like, Inc. will provide summer employment and training opportunities for Native American youths. Applications are now being accepted at all Alu Like Centers. All youths 14 to 17 years of age must be accompanied by a parent or guardian at time of application.

Eligibility requirement

Applicants must be Hawaiian, American Indian or Native Alaskan (no minimum quantum); they must be 14 to 21 years of age at the time of start date of employment and meet family income requirements.

Necessary documents

The following documents must be provided by applicants:

Birth certificate which shows Native American.

Documents proving all forms of gross income from all sources by all members of the family for a 12-month period prior to application. (W-2 forms, tax documents, Public Assistance Benefits, Social Security Benefits, OASI, annuities, rental income and all other sources);

- Applicant's social security card;
- Selective service card (Males 18 and over);
- School identification or driver's license.

Training Activities

Classroom training

Alu Like will provide tuition assistance for students who are required to attend summer school. Tuition aid is also provided for eligible students who plan to attend summer school while they participate in part-time work through the Summer Youth Employment program.

On-the-job-training

Alu Like will place students in summer jobs for pay with private sector employers who will train them on the job. Alu Like will reimburse the employer half the student's wages.

Work experience

Alu Like will also place students in summer jobs with non-profit agencies to gain work experience. Pay rate is \$3.85 an hour (up to 1,000 cumulative hours) paid by Alu Like.

Apply at one of the following locations to the named employment and training counselor:

Hawai'i

32 Kinoole St., No. 102, Hilo, Hawai'i, 96720, phone (808) 961-2625 to Carla Kurokawa.

Kaua'i

4334 Rice St., Suite 204C, Lihue, Hawai'i, 96766, phone (808) 245-8545 to Annette Creamer.

Maui

400 Hookahi St., No. 209, Wailuku, Hawaii, 96793, phone (808) 242-9774 to RoseMarie H. Duey.

Moloka'i

Moloka'i Ranch Building, P.O. Box 392, Kaunakakai, Hawai'i, 96748 phone (808) 553-5393 to William Akutagawa.

O'ahu

677 Ala Moana Blvd., Suite 716, Honolulu, Hawai'i, 96813, phone (808) 523-5422 to Nanea Sai.

The Alu Like, Inc. Employment and Training Program is funded by the U.S. Department of Labor Division of Indian and Native American Programs Job Training Partnership Act enacted in 1982.

PUBLIC NOTICE
Change in Date and Location of the Regular Monthly Meeting of the State Commission on Water Resource Management

This notice is to inform the public of a change in the date and location of the meeting of the State Commission on Water Resource Management. The regular Commission meeting is normally held once a month in Honolulu.

The Commission will hold its next regular monthly meeting on Thursday, March 15, 1990, on the island of Hawaii at 2:00 p.m., at the Kona Surf Hotel, Mauna Kea Room, 78-128 Ehukai Road, Kailua-Kona, Hawaii.

A copy of the Commission's agenda for this meeting will be posted six days before the meeting at the Department of Land and Natural Resources' office on each island throughout the state. The public is invited to attend this meeting and may submit oral or written testimony on the issues being considered at the meeting.

State of Hawaii
 Commission on Water Resource Management
 WILLIAM W. PATY, Chairperson

PUBLIC NOTICE
Special Meeting of State Commission on Water Resource Management

A special meeting of the State Commission on Water Resource Management will be held at 2:00 p.m. on Thursday, March 29, 1990, in the Lanai High School Cafeteria, Fraser Avenue, Lanai City, Lanai.

The purpose of this special meeting is to adopt recommendations regarding the designation of Lanai as a Water Management Area, whereby the Commission would regulate water use throughout the island. Recommendations to the Commission are based on the Findings of Fact and Recommendations are available at the Department of Land and Natural Resources' offices on Oahu and Maui, and will be available at the Lanai Library. Interested parties are invited to attend this meeting.

State of Hawaii
 Commission on Water Resource Management
 WILLIAM W. PATY, Chairperson

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An Adult Residential Care Home

Native Hawaiian Legal Corporation

Lawmakers to consider Hawaiian Home Lands bills

By Alan Murakami
NHLC staff attorney

State legislators managed to introduce more than 30 bills affecting the Hawaiian home land program in this session before the Jan. 26 bill cut-off deadline.

This large number of bills probably resulted from the attention drawn to this subject by Sen. Daniel Inouye's federal oversight hearings on the Hawaiian Homes Commission Act in August, 1989.

Some of the more noteworthy bills included the following:

Water. Several bills call for more water to be reserved to support homesteading. House Bill 2487 and Senate Bill 2701 is an administration-sponsored bill and adds "agricultural operations" to the list of purposes for which "government-owned water" is reserved to support homesteading in Section 221 (c) of the Hawaiian Homes Commission Act (HHCA). House Bill 3094 takes an alternative approach. It expands the reservation of water (needed to irrigate any tract of trust land) to include all government-owned water, rather than just the government-owned surplus water tributary to the Waimea River on Kauai. The Waimea River water is all that is now reserved under Section 221 (d) of the HHCA. It also required the Department of Hawaiian Home Lands (DHHL) to consult with homesteaders who may be affected by any water allocation decision.

In addition, Senate Bill 2394 calls for funds to study the serious water shortage problems at Puukapu, island of Hawaii, and Puu Opae, Kekaha, Kauai, and asks for recommendations to resolve these difficulties.

SB 2393 would amend the state water code to specifically require the Commission on Water Resource Management to reserve sufficient water necessary to support homestead activities on Hawaiian Home lands.

Finally, HB 2225 would appropriate funds to extend the Keokea water transmission line to support the providing water to homesteads at Keokea/Kula, Maui.

Real Property Tax Exemption. HB 2434 and SB 2485 would exempt all homesteaders from real property taxes.

HB2461 and SB 2492 would accomplish the same result for "individual homeowners" only. HB 3032 would transfer liability for property taxes assessed against state general leaseholders and Hawaiian Homesteaders to the state.

SB 2396 would continue to exempt a lessee from taxation so long as he or she cannot reside there because of its unimproved condition.

SB 3200 would exempt any homesteader from property taxes until all necessary infrastructure and improvements, including roads, water and utilities are fully installed in accordance with county requirements.

Purpose Clause. SB 3236 would amend the HHCA to insert a purpose-clause to establish that the act is intended to provide for the self-determination, self-sufficiency, initiative and preservation of the native Hawaiian culture by enabling them to return to their lands.

Infrastructural Improvements. SB 2484 would appropriate capital improvement (CIP) funds for new infrastructure and to improve old infrastructure on Hawaiian home lands.

Economic Development. SB 2527 establishes an economic development research corporation within the DHHL to provide housing and facility development services to assist homesteaders to obtain maximum utilization of their homestead tract. The corporation may 1) study use of trust land by any government agency; 2) investigate use of innovative materials and techniques for building

affordable housing; and 3) counsel lessees on availability of financial assistance for housing development.

Trust Fund. SB 3442 establishes a Hawaiian Homes public land trust fund to be used for mortgages, housing, and home improvements for lessees. The money cannot be used for administration. Requires that \$100 million of funds derived from the ceded land trust be expended by the HHC for benefit of lessees.

Housing. SB 2590 and SB 3001 would authorize DHHL to build suitable housing for needy elderly Hawaiians in conjunction with HHA.

Extension of 99-year Leases. HB 2485 and SB 2699 would allow the DHHL to extend the term of a homestead lease to allow the lessee to qualify for certain loans.

Obtaining Better Lands for DHHL. SB 2395 would require DHHL, with assistance from the UH Department of Tropical Agriculture, to identify all public lands suitable and currently available for homesteading. It would also require DHHL to identify lands not suitable or available for homesteading. It would then require DHHL to report to the legislature and propose a plan to exchange unsuitable Hawaiian home lands for suitable public lands.

Kalawahine Lands. HB 2984 would return lands at Kalawahine, near Papakolea to DHHL.

Funding of DHHL. HB 3106 would amend Section 220 of the HHCA to specify that the legislature shall provide sufficient general funds to the DHHL to operate its programs and projects. It also requires the HHC to assure that sufficient water is reserved for current and unforeseeable use by native Hawaiian homesteaders to irrigate homesteads.

Authority to Contract for Services. HB 3107 would authorize the DHHL to contract with eligible native Hawaiian organizations and individuals to provide essential services to homestead lessees. By contracting for services, beneficiaries of the HHCA would be able to provide benefits to themselves, rather than exclusively rely on DHHL staff.

Minimum Homestead Lot Size. HB 3108 would restore the minimum acreage previously set for agricultural (1), irrigated pastoral (40), first class pastoral (100), second class pastoral (250) lots. It also would create a new category of homestead lots for industrial and commercial purposes and set a maximum of 50 acres for these homesteads. SB 2012 and SB 3208 are similar bills.

Elected HHC. SB 2732 would establish procedures for electing the commissioners on the Hawaiian Homes Commission. Members would be elected from each island, including Lanai.

Restriction on General Leases. HB 3304, SB 2715, and SB 3207 would give first priority to native Hawaiians in the leasing of trust lands, by prohibiting DHHL from general leasing unless it has first offered homestead leases to any eligible native Hawaiian on the appropriate waiting list for the area. SB 2013 is a bill carried over from the 1989 session which would prohibit DHHL from transferring any trust lands to the DLNR or withholding available lands when there are waiting lists for such land. It would also require DHHL to return lands not leased to native Hawaiians to the DLNR.

Formalizing Application Procedure. HB 3305 would require the DHHL to promulgate rules specifying the process for acting on application for homestead lots. It would require DHHL to notify applicants of: 1) the time and date of receipt of completed applications, 2) the place the applicant occupies on the appropriate waiting list, and 3) the time frame in which the DHHL will foreseeably make awards of those lands. The bill would also require DHHL to determine whether any disposi-

tion of land to non-beneficiaries would primarily or directly benefit native Hawaiians.

Capital Improvements. SB 2778 would appropriate funds for expanding the Paukukalo Community Center. SB 3252 would appropriate funds for facilities to support Hale Ola Ho'opakolea, Inc.

For more information on these bills, deadlines, and any hearings scheduled, people may contact State Sen. Mike Crozier (548-4274) or State Rep. David Ige (548-4274).

The deadline for a committee to pass a bill on to a second committee in the same house was Feb. 16, 1990. That second committee, usually a money committee like House Finance or Senate Ways and Means or the respective Judiciary committee in the House or Senate, then has until March 2 to deck a bill for third reading. People who would like to become more involved are urged to contact the Office of Hawaiian Affairs at 946-2642.

Description and disposition of ceded lands

Admissions Act
Section 5: Ceded Lands Disposition

Description	Acreage
5(a) Lands owned in fee simple by the Territory of Hawai'i previous to Statehood. Includes the transfer of ceded lands at Sand Island the day before Admission	600
5(b) Fee title transfer of the bulk of ceded lands from the federal to new State ownership. Includes:	
•Hawaiian Homes Trust Lands	188,000
•Public Trust Lands	1,200,000
5(c) Fee title lands retained by the federal government, Includes:	
•National Parks Lands	228,000
•Others	58,500*
5(d) Lands retained for federal use through Executive Orders, licenses and permits. Includes the Island of Kaho'olawe.	87,200*
*5(e) Federal lands returned to the State within 5 years of Admission.	500
Total	1,762,800

*Section 5(e) was amended in 1963, by Public Law 88-233 which repealed the Admission Act's 5-year deadline for federal return of ceded lands. The newer law mandates continuing review and possible return of more than 145,000 acres of ceded lands still under national jurisdiction. These are the "z" lands.

Census Day, April 1 — make it count

One of the important census issues for Hawaii involves the race question.

This will be the first census that will count all the Asian and Pacific Islanders in their own racial groups.

In the past, the Census Bureau only provided data for the Asian and Pacific Islander groups. Now the 1990 Census will list nine (9) race categories and only one box can be checked.

The Census Bureau does not provide any definition for race. In the case of multi-racial individuals, the Census will recognize and provide data for one race per person, which is **self-determined**.

With the diversity of multi-racial groups in Hawaii, it is important for individuals to understand *how they want to be identified* on the Census questionnaire.

The need for accurate data for each racial group is vital!

Whenever an agency or politician wants to provide services or is requesting federal funds, census data can prove the people behind the statistics are here.

Census facts and figures are used in many ways by civic and neighborhood leaders to help meet community needs. For example: The high number of working women with small children in a community, revealed by a study of census data, prompted community leaders in a midwestern city to seek and win approval for a day care center.

AARP offers free tax preparation

A completely free and confidential income tax service, co-sponsored by the American Association of Retired Persons (AARP) and the Internal Revenue Service, is offered at 30 sites throughout Hawaii.

While designed especially to meet the needs of older adults, help is available for people of all ages on both federal and state tax returns.

For information on the nearest site call 523-4545 or 541-1040.

Neighbor island residents may call 1-800-424-1040.

People should bring a copy of their 1988 tax returns along with the information needed to file their 1989 return.

The deadline for filing 1989 tax return forms in April 15, 1990.

4. Race
Fill ONE circle for the race that the person considers himself/herself to be.

If **Indian (Amer.)**, print the name of the enrolled or principal tribe. _____

If **Other Asian or Pacific Islander (API)**, print one group, for example: Hmong, Fijian, Laotian, Thai, Tongan, Pakistani, Cambodian, and so on. _____

If **Other race**, print race. _____

White
 Black or Negro
 Indian (Amer.) (Print the name of the enrolled or principal tribe.) _____
 Eskimo
 Aleut
 Asian or Pacific Islander (API)
 Chinese
 Filipino
 Hawaiian
 Korean
 Vietnamese
 Japanese
 Asian Indian
 Samoan
 Guamanian
 Other API _____
 Other race (Print race) _____

Each census booklet will include this question. If you consider yourself Hawaiian

be sure to fill in the circle marked "Hawaiian" with a pencil only.

Using census numbers to bolster their request, a senior citizens organization argued successfully before county commissioners for a community center.

Using census facts and figures, minority residents of a western city were able to win a redistricting case that allowed voters to choose additional minority council members.

A suburban Chicago hospital used census statistics on working mothers and their marital status in proposing a program to provide care for sick children.

In Newport News, Va., a church official used age data in planning a new church; a high proportion of elderly meant building a structure of one story instead of two.

Census numbers can save lives. During a severe heat wave, public health officials in St. Louis used

census facts to locate neighborhoods with large numbers of the elderly; city workers went door-to-door, convincing many of the elderly to go to "cooling centers."

In San Francisco, transportation planners used census information to select bus routes and subway stops, and highways that needed widening.

A National Need

Local governments need census facts to perform a number of activities required by law. Census counts determine representation in the U.S. House of Representatives, state legislatures and county and municipal governments.

Census numbers help federal and state governments provide assistance to communities for housing, health, human services and other programs.

Census Day is April 1, 1990.

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Farewell to a cherished place - Luahinewai

by Keone Nunes
OHA cultural specialist

Seldom does one come across a place that is unique — a place that commands the total respect of the traveller.

Hawai'i is fortunate to have many places that inspire people with their beauty and history, but none that this writer has come across has as much power as Luahinewai.

Luahinewai, in North Kona on the island of Hawai'i, is not a very well known place but for those who have travelled there it is unforgettable. Although it has a long history, it is best known for an event that shaped modern Hawai'i.

During the latter part of the 18th century, Kamehameha Paiea was having difficulty in winning the "decisive" battle which would give him total control over the island of Hawai'i. His success in defeating his cousin Kiwala'o at Moku'ohai gave him control over half the island of Hawai'i but control over the other half, including the important region of Ka'u, was still in the hands of his cousin Keouaku'ahu'ula.

Realizing that he needed complete control of Hawai'i before he could raise his sights to the other islands, Kamehameha sent advisors to the island of Kaua'i to consult a kahuna for a construction plan to build a heiau that would ensure his efforts to unify the islands. After successful consultations, Kamehameha's men returned with the plans for what would eventually become Pu'u Kohola heiau. Everyone, even high chiefs with kapu, worked on the construction of the heiau to ensure its swift completion. The heiau was completed in 1791 and ceremonies for its consecration were planned.

Kamehameha sent two counselors, Keaweheulu and Kamanawa, to Kahuku mauka in Ka'u to extend an invitation to Keoua to attend dedication of Pu'u Kohola. Upon hearing of this ceremony Keoua realized that if he attended he would never again see his beloved Ka'u. The obligation of rank and rule required acceptance of Kamehameha's invitation by Keoua. During the journey to Pu'u Kohola in Kawaihae, Keoua directed his canoes to the fresh water pond of Luahinewai.

Luahinewai was said to provide an entrance to a burial cave where, according to long-standing tradition, a mo'o wahine lived who protected the area. It was there that Keoua performed a cleansing ceremony for himself and his companions. At Luahinewai Keoua accepted his fate and, to take revenge on those who would kill him, emasculated himself. Keoua then ordered that all weapons, 'ahu 'ula (feathered capes), and mahi'ole (feathered helmets) were to be placed in the canoe of Keaweheulu. Keoua's two canoes, from that time on, travelled unarmed.

Keoua was greeted by Kamehameha's supporters in the waters below Mailekini with Pu'u Kohola above. One of Kamehameha's men, Ke'eaumoku, then gave the order for the forces of Kamehameha to separate the canoes of Keaweheulu and Kamanawa from those of Keoua. As Keoua stood up to step onshore, Ke'eaumoku threw a spear toward him. Keoua stepped aside, caught the spear, and threw it back to Ke'eaumoku. Ke'eaumoku dodged the attempt by the weakened Keoua and gave the order for the muskets to fire. That was followed by an attack by the supporters of Kamehameha on the double-hulled canoe of Keoua. Only two men, Kuakahela, Keoua's kahuna and La'anui, who had jumped off at Puako, survived the onslaught. The bodies of Keoua and his men were then taken to Pu'u Kohola and the heiau was consecrated. After this event, Kamehameha was successful in all his campaigns except the one for Kaua'i.

Luahinewai was the first place in which the blood of Keoua was spilled. As the nation gives reverence for places such as Valley Forge, the battle green at Lexington, Mass., and Ford's Theater where Lincoln was shot it is unfortunate that a site such as Luahinewai, which was instru-



Photo by Earl Neller

Luahinewai

mental in Hawaiian history, is not given the same status as its mainland counterparts.

As we approach the 21st century, Luahinewai has been fenced in with no public access and a house is being built over this once most sacred of places.

To Luahinewai, I shall miss the coolness of your waters, the protection of your mo'o, and the feel of your mana.

As Kaiheki'oi saw the body of his beloved Keoua being carried to Pu'u Kohola he chanted this lament, to the waters and pond of Luahinewai. Here it shall be recited for you:

Ku'u haku i ka ua Ha'ao e,
Ke lele a'e la ka ua,
Ma uka o 'Au'aulele,
Lele ka ua, lele pu no me ka makani,
E lele po'o ana ka wai o ka ha,
Ku'u haku mai ka wai
Ha'ule po'o e.

My lord of the rain of Ha'ao
The rain flies fast,
Flies over the uplands of 'Au'aulele,
The rain flies driven by the wind,
The rain drives down from the cliffs above,
The tears for my chief
Drop down on the heads of the people.

Hawaiians to gain from federal programs

By Lynn Oamilda

Since 1975 native Hawaiians have received over \$83 million in federal funds towards education, health and human services and labor-related programs to improve their condition. As defined by the federal government, a native Hawaiian is: "Any individual whose ancestors were natives of the area which consisted of the Hawaiian Islands prior to 1778."

This year Congress has appropriated over \$21 million (through 1991) for such areas, said Sherlyn Franklin, government relations officer for Kamehameha Schools/Bishop Estate.

Franklin said continued federal funding is necessary to assist Native Hawaiians to get back on their feet. "The only reason we are asking the federal government is because we believe there is a commitment. There is an obligation. They should have an obligation."

According to Franklin, the first federal moneys to assist Native Hawaiians were appropriated under the control of the Administration for Native Americans in 1975. Alu Like, Inc. was named as the major distributor. Since then funds have been received by Alu Like and numerous other Native Hawaiian groups that provide services.

Some of the continuing programs that will receive a federal boost this year are:

- The Native Hawaiian Library Project under Alu Like, Inc. which created homework centers on Hawaiian Home Lands to provide after school homework assistance, literacy tutoring for high school students and adults and bookmobiles throughout Hawaiian communities.
- College financial aid to non-Kamehameha graduates and to Hawaiians studying in the health professions.
- Native Hawaiian Health Care Centers program in which planning for nine centers is underway.

- Native Hawaiian Drug-Free Schools and Community program which will expand into other communities.

- Infrastructure development on Hawaiian home lands under the Department of Hawaiian Home Lands to provide sewers, water and electricity.

- Native Hawaiian Vocational Education programs under Alu Like, Inc. which will spread into the community college system, high schools and intermediate schools.

- Traveling preschools under the Kamehameha Schools which provide mobile vans. The vans visit parks, churches and Hawaiian Home Lands community centers supplied with educational toys, books and other activities for children two to three years old. Their daytime caregiver may also receive educational information from social workers, health aides, drug-free counselors, literacy tutors and others while they are at the preschool.

Franklin said that it is uncertain how much longer Hawaiians will receive funds for such programs.

Even though the Native Hawaiian Education Act has been authorized for five years (and is expected to run into 1993) and the Native Hawaiian Health Care Act has been authorized for three years, it's doubtful (our) statistics will reach parity with other parts of the nation by those years. If it doesn't we would go for re-authorization of those acts, she said.

The state Department of Health is also trying to target problems of Hawaiians, Franklin said. In the legislature, for instance, she noted a bill was introduced to give free tuition to all native Hawaiians at the University of Hawai'i.

"There's more behind the native Hawaiian effort than ever before. I think we have enough momentum that it will become systemic and statistics will become better so that it's not such a great formidable task," Franklin said.

Filing opens for many seats in 1990

Nomination papers are available for candidates seeking elective office in Hawaii's 1990 primary and general elections.

Candidates for state and federal offices can take advantage of the expanded location of the elections division in Pearl City.

Candidates will be able to obtain and to file nomination papers at the Pearl City office at 802 Lehua Ave., or at the state Capitol office.

Nomination papers are also available at the offices of the city or county clerk in each county. Candidates for county offices may pick nomination papers only at the office of the city or county clerk.

Lt. Gov. Ben Cayetano, the state chief election officer, said nomination papers may be picked up from his office.

The filing deadline for the primary election and other special elections held in conjunction with the primary is Tuesday, July 24, at 4:30 p.m. The filing deadline for Board of Education, Office of Hawaiian Affairs, and other special elections held in conjunction with the general election is Friday, Sept. 7, at 4:30 p.m.

Hawaii will have at least 105 contests this year. Election days will be Saturday, Sept. 22, for the primary and Tuesday, Nov. 6, for the general.

Cayetano says his office, in conjunction with the city and county clerks, will have a statewide computerized candidate filing system to link his office with the office of each county clerk.

The system will allow the Lt. Governor's office to maintain and make statewide candidate filing information available on a weekly basis.

Cayetano urged candidates to pick up nomination papers or call his Elections Division Office at 454-VOTE (454-8683) for additional information. Candidates who reside on neighbor islands may call the elections division office toll free at 1-800-442-VOTE (1-800-442-8683).

Federal offices

For the U.S. House of Representatives, two slots will open. Incumbents are Patricia Saiki (R) and Daniel Akaka (D). No U.S. Senate seat becomes vacant until 1992.

State offices

In Hawaii's state elections the offices of governor and lieutenant governor will be open. Both are four-year terms. Incumbents are John Waihee (D) and Benjamin Cayetano (D).

In the state Senate, 12 of the 25 seats will be open for four-year terms.

All 51 seats in the Hawaii House will be open for two-year terms.

Board of Education

Six of the 13 seats on the state Board of Education will fall vacant for four-year terms. Three slots in the first district are at large, one for central Oahu and one for Windward Oahu. One seat for Maui opens in the second district.

plebiscite from page 1

people. I am delighted and gratified at the results. The overwhelming 'yes' vote reinforces our traditional values. We have always cherished and nurtured the extended family, the 'ohana. Unlike most cultures, Hawaiians consider themselves literally one people, one family. The vote is a reaffirmation of that concept."

KS Class of 1980 reunion

"Palena'ole 1980!"

Exciting activities are being planned for the June 14-17, Kamehameha Schools, Class of 1980 reunion.

Those who haven't sent in their questionnaires, are asked to return them as soon as possible. Those who have not received a questionnaire may contact class representatives Ellen Grambush Ryan or Jamie Kawai by calling the Alumni Relations Office at 842-8680 or 842-8681.

County Councils

For the city and county of Honolulu, all the seats on the council fall vacant for four-year terms.

County of Hawaii elections are not scheduled until 1992.

In the County of Maui, the office of mayor opens for a four-year term and all nine county council seats fall vacant for two-year terms.

In the County of Kauai the office of mayor opens for a four-year term and all seven of the at-large council seats fall vacant.

Office of Hawaiian Affairs

Five of the nine slots for the board of trustees for the Office of Hawaiian Affairs will open. Three seats are "at large" with no residency on a specific island required. Two trustee slots require island

residency, one on Maui and one on Oahu. Trustees must be of Hawaiian ancestry and registered OHA voters.

Incumbent OHA trustees are Rod Burgess, A. Frenchy DeSoto and Kevin Mahoe, (all at large) Manu Kahaialii for Maui, and Clarence Ching for Oahu.

Trustees are elected by Hawaiians only.

Information on requirements for registration as an OHA voter is available through the Office of Hawaiian Affairs, 1600 Kapiolani Blvd., Suite 1500, Honolulu, Hawaii, 96814 (telephone 946-2642) or at any of the OHA liaison offices on neighbor islands.

NHCAP seeks culture projects to fund

The Native Hawaiian Culture and Arts Program has money to award and is inviting proposals on Hawaiian culture projects in the following areas:

- research into ceremony and protocol, language and lore;
- specific projects to perpetuate ceremony and protocol, language and lore;
- survey of existing oral history interviews of Native Hawaiians;
- development of and/or beginning of a plan to work with kupuna to document their knowledge of traditions and language;
- surveys of written materials available to the public that deal with Hawaiian values or world view, ceremony and protocol, language and lore, Polynesian migration and voyaging, selected plant material and health traditions;
- Culturally appropriate management; exchanges with model programs;
- Grant-writing training;
- National-international exchange fellowships for Native Hawaiian artists.

Support will be given for research expenses for practitioners in various traditions

The deadline for submitting completed proposals for funding is March 26. Proposal guidelines are available at the Bishop Museum or by mail.

For further information, or to receive a copy of the overall program plan, contact the NHCAP office at 848-4111, or write to NHCAP, Bishop Museum, P.O. Box 19000-A, Honolulu, Hawaii, 96817.

The Native Hawaiian Culture and Arts Program is dedicated to perpetuating traditional Native Hawaiian culture and values through research, educational programs and support to indigenous artists and culture experts.

NHCAP was established by the passage of the American Indian, Alaska Native and Native Hawaiian Culture and Art Development Act, Title XV of Public Law 99-498. Housed at Bishop Museum, the program is guided by a 13-member appointed board of trustees.

Ceded land from page 1

Hawaiians and Hawaiians to reparations from the federal government.

OHA and the state government will continue discussions for beneficiaries of the OHA trust who are Hawaiians of less than 50 percent native blood. They hope to present a proposal before the 1991 legislature convenes.

OHA will be conducting public information meetings this month on the provisions of the proposed ceded land settlement legislation. The meeting schedule, along with background information on the basis for the settlement is included in the special center-fold section of this newspaper.

O ka pi'i no ia a Koki-o-Wailau. Ascend to the topmost part of Wailau.

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"Iuna A'e" is OHA long-range plan

In 1982, OHA submitted to the Native Hawaiians Study Commission a report entitled "Reparations and Restitution," which set out four general principles to bring native Hawaiians into the modern era of federal Native American relations: 1) Acknowledgement by the U.S. of the wrongful taking of Hawaiian land; 2) Provisions of self-government for native Hawaiians; 3) Provision of a land base for native Hawaiians; and 4) Monetary compensation.

Six years ago OHA pointed out that no final plan for reparations can be achieved without significant input and ultimate approval by the native Hawaiian community. To that end, OHA has begun a detailed and extensive consultation process with the community.

We believe that native Hawaiians are intelligent, aware and capable of making decisions on issues such as self determination, but that the concepts must be developed by the native Hawaiian people themselves. OHA's role is to be the conduit for this development and the repository of the concepts. As facilitator, OHA has developed a long-range plan called "I Luna A'e" (Moving Upward).

Operation 'Ohana (Enrollment)

Operation 'Ohana, part of the "I Luna A'e" program, was initiated on July 27, 1989. 'Ohana is one of those special words inspired by Hawaiian reverence for life — past, present and future. It comes from the word 'oha meaning the rootlets by which the taro plant reproduces itself. It also means family in the most important and extended sense. In order to grow and flourish, the Hawaiian people are re-establishing their familial relationships.

The goal of Operation 'Ohana is to encourage all native Hawaiians to join in one alliance beginning with families and expanding to include the entire community and culture.

To accomplish this, OHA has organized an enrollment program which builds on the traditional family system. OHA's goal is to enroll some 150,000 native Hawaiians.

As part of the enrollment process a follow up validation and survey will take place thereby providing much needed data to develop a benefits package for native Hawaiians. The validation process will also provide a native Hawaiian genealogy data base.

Operation 'Ohana will not only serve to unite the native Hawaiian community, it will also provide the first true demographic information on our people, giving us data based on wants and needs identified by Hawaiians for Hawaiian use. It seeks to give all native Hawaiians an opportunity to transform family decisions into action which keep the community moving upward.

Enrollment in Operation 'Ohana continues. People interested in being trained as registrars may call the OHA office to ask about free training sessions. Volunteers are also needed who are willing to go into communities to register people for Operation 'Ohana.

OHA is applying for a federal grant from the Administration for Native Americans to assist in the enrollment process over three years.

Registrar training sessions have been held in various O'ahu locations. This year training sessions will be added in Waipahu, and will continue to be held at least once a week at OHA in Honolulu.

OHA volunteer coordinator Elaine Tamashiro is planning day and evening training and registration sessions. She is available to conduct registrar training wherever a group has a public facility with a television and a videocassette player.

The next step will be to conduct deputy registrar training on the neighbor islands. Neighbor island residents who want to enroll their family may contact the OHA office in Lihue, Kahului, Kaunakakai, Kona or Hilo. In Honolulu Tamashiro may be contacted for an appointment at 946-2642.

Registration began in September 1989 in California and in October in Hawai'i. To date, an estimated 10,000 forms have been distributed,

1100 forms have been returned (an average of five names are on each form), and approximately 220 registrars have been trained and deputized.

Operation Ka Po'e (Definition of Membership)

A second component of "I Luna A'e" is Operation Ka Po'e. Operation Ka Po'e was designed to provide an opportunity for the native Hawaiian community to define its own membership. By conducting a plebiscite of all OHA voters, Ka Po'e sought to have Hawaiians define "Who is a Hawaiian?" Through Operation Ka Po'e, OHA launched on November 15, 1989 public electronic meetings, mailing, questionnaires, and media campaigns designed to stimulate thinking about this important topic and to provide a forum where those thoughts can be heard. OHA feels strongly that Hawaiians must exercise

breached its trust responsibility to the native Hawaiian community. All the problems we are experiencing stem from the loss of our native Hawaiian lands and self-government. To determine what approach should be taken OHA has developed a discussion document called the draft Blueprint.

The draft blueprint is a *concept* paper proposing possible approaches to the issues of claims and self-governance. It provides a *process* to address these important issues. It is *not* a final plan.

Through our efforts on enrollment, definition and federal entitlement OHA's goal is to develop a proposal which it can take to the state and federal government which truly comes from the Hawaiian people with OHA serving as facilitator/coordinator.



Hawaiians gathered for the announcement of the ceded lands proposed settlement, which is one of several OHA long-range plans for Hawaiian entitlements.

self-determination to define who we are and what we stand for without outside interference. This self-determination process is a critical step to an eventual goal of self-governance.

Last session, the state legislature asked OHA to determine how Hawaiians want the term "native Hawaiian" defined for purposes of the Office of Hawaiian Affairs trusts.

During December 1989 and January 1990, with legislative funding, OHA conducted a mail plebiscite of its registered voters to ask whether they supported the concept of a single definition of "Native Hawaiian." Results of the plebiscite (80% yes) were announced Jan. 30. (See related story this issue)

The plebiscite has no power in itself to change the existing state definition of native Hawaiian. An amendment to the state constitution is necessary for the single definition to be incorporated into Hawaii's statutes. That requires legislative action and ratification by a majority of all the voters. The first of a series of hearings on a bill to amend the definition of native Hawaiian in the Hawaii Revised Statutes (Chapter 10) as it concerns the Office of Hawaiian Affairs was held Feb. 10.

Operation Ea (Entitlement)

A third component of "I Luna A'e" is Operation Ea. This approach to federal entitlement was initiated by OHA on Sept. 2, 1989, the birthday anniversary of Queen Lili'uokalani. Native Hawaiians believe that the federal government has

In 1989 a series of public information meetings was held in the islands and in cities on the mainland to share with all Hawaiians the contents and purposes of the draft Blueprint, to receive comments and answer the questions of the Hawaiian community.

This year OHA continues to meet with community groups to discuss the draft Blueprint. Clubs, groups or organizations that want to host a meeting or presentation may call the Blueprint coordinator at the OHA Honolulu office, or call liaison offices on Kaua'i, Maui, Moloka'i, and in Kona and Hilo on Hawai'i island.

Free copies of the draft Blueprint are available in the OHA Honolulu office and can be picked up, requested by phone or mail at 946-2642 or by writing to the Office of Hawaiian Affairs, 1600 Kapiolani Blvd., Suite 1500, Honolulu, Hawai'i 96814.

Operation Hui 'Imi

(Task Force on Services to Hawaiians)

The Hawai'i legislature appropriated funds for the Office of Hawaiian Affairs in 1989 to create a task force that will coordinate planning services to Hawaiians. This 20-member task force is headed by the chairman of OHA, and includes representation from several Hawaiian services agencies, plus the state and federal governments.

The task force project has been divided into two phases:

1. Preliminary inventory, to include an examination of the provision of services for both

continue page 16

HEAVY DAY ?



Then
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Mr. Belvedere



Who's the Boss?

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Weeknights beginning at 5

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Very Own*
13
KHNL

State, OHA Announce Agreement On Native Hawaiian Entitlements

The Office of Hawaiian Affairs and the state of Hawai'i have reached a tentative agreement for past income due OHA under provisions of the state constitution.

This settlement, announced jointly on February 8, 1990, now must be ratified by the state legislature. It resolves nearly 10 years of legal maneuvering between OHA and the state over implementation of Article XII of the state constitution.

Governor Waihee hailed the settlement as a major milestone in the history of Hawaiian entitlements.

"This is a longstanding issue in our state, one that desperately needed to be resolved, and a lot of time and effort went into making this historic day possible," the governor said.

Thomas K. Kaulukukui, Sr., chairman of the OHA board of trustees, said OHA is extremely pleased to finally reach this settlement.

"We believe that an equitable settlement has been reached with regard to OHA's native Hawaiian trust."

Kaulukukui said the agreement clarifies provisions of Chapter 10 of the Hawai'i Revised Statutes, the law adopted in 1980 which implements Article XII. This article provides that OHA shall receive, on behalf of native Hawaiians, a pro rata portion of the income and proceeds derived from certain public lands that were transferred or "ceded" to the United States at the time of annexation. Chapter 10 sets 20 percent as the pro rata share of income due OHA from these lands, part of the crown, public and government lands of the kingdom of Hawai'i. But it does not specify the type of income to be shared.

This agreement differentiates between "proprietary" income, i.e., that which comes from lease rents and similar use of the land, and "sovereign" income, or that

which comes from state power, such as taxes. Twenty percent, of the former is due OHA, but not the latter.

OHA and the state have agreed that the amount due OHA will be based on actual proprietary revenues that were collected or have resulted from the actual use of the public land trust.

In the next fiscal year, OHA's pro rata share of 1990-91 revenues relating to this trust, under the proposed agreement, will be \$8.5 million. This is an increase of \$7.2 million over the \$1.3 million currently budgeted for OHA.

Under the proposed agreement, a plan will be presented to the 1991 state legislature which settles on the amount due OHA retroactively and the method of payment, which may include land and cash.

The governor said this settlement, covering OHA trust obligations to native Hawaiians (those with 50 percent or more native blood), is only part of a bigger picture.

In 1983, OHA sued the state for past payment that had been withheld from OHA pending a resolution of the issue. But in 1987 the state Supreme Court sent the issue back to the legislature labeling it a political and not a legal matter. The legislature responded in 1988 by adopting the "Right-to-Sue" bill.

Informational Meetings

The Office of Hawaiian Affairs will conduct statewide community informational meetings on the OHA and State native Hawaiian entitlement. These meetings will address the recently announced settlement of past due claims now being acted on by the legislature. A schedule of these meetings was not finalized at press time, but will be announced statewide by radio and newspaper advertisements.

This bill directs the governor to present a proposal to the legislature prior to the 1991 session, resolving all controversies relating to state trust obligations to Hawaiians and native Hawaiians.

Still to come are settlements of (1) state obligations to Hawaiian Home Lands, and (2) state obligations to OHA for all Hawaiians, including those with less than 50 percent native blood. Those settlements are expected later this year, along with a proposal for payment method of the past-due amount.

Both the governor and Kaulukukui emphasized that this settlement in no way absolves the U.S. government of its part in the overthrow of the Hawaiian Kingdom in 1893, or the illegal taking of Hawaiian lands upon annexation. Kaulukukui said OHA will continue to press the federal government for restitution, and for the return of ceded lands it still holds.

State, OHA Join Forces

Combined Effort Brings Agreement

"We believe an equitable settlement has been reached with regard to OHA's native Hawaiian trust," said Thomas K. Kaulukukui, Sr., chairman of the board of trustees of the Office of Hawaiian Affairs.

Speaking on behalf of the board at the joint announcement, Kaulukukui said this agreement "achieves a clarification" of the law which allocates to native Hawaiians a portion of the revenues from certain state lands.

"However, as you know, OHA is mandated to meet the needs of all Hawaiians, regardless of blood quantum." He said OHA and the state government "will continue discussions to provide for those beneficiaries of the trust who are Hawaiian, with less than 50 percent blood quantum. The parties hope to present a proposal prior to the 1991 session."

Kaulukukui said this issue has been plaguing the trustees since the founding of OHA 10 years ago. He said this agreement "is the result of two years of negotiations between the trustees and the governor's office."

He said the agreement is a first step, and emphasized that "it in no way is a settlement of OHA's claims against the Federal government as a result of the illegal and immoral overthrow of the Hawaiian Kingdom in 1893, and the subsequent taking of some 1.8 million acres of crown, government and public lands." Kaulukukui said "OHA is pursuing these claims" through its Blueprint for Native Hawaiian Entitlements, or Operation Ea.

The issue of ceded land revenues is one that "desperately needed to be resolved," said Hawaii Governor John Waihee during the joint Office of Hawaiian Affairs-State of Hawai'i announcement February 8.

The governor recognized the time and effort that went into making the "historic event possible," and said he was "extremely excited that this day has finally come."

"This agreement is a result of many years of working toward a single goal, and it began with the formation of the Office of Hawaiian Affairs. That goal is to fulfill the commitment we have to the Hawaiian people," he said.

"This agreement will fulfill part of that goal—the commitment we have to native Hawaiians.

"There are two things, however, that still remain unresolved. We still need to deal with the issues of an identified or committed source of revenues for Hawaiians in this state... We must now continue working on insuring that Hawaiians also receive their fair share of support.

"And finally, and most importantly, this legislature must understand and make very clear that this settlement in no way absolves the reparations due to the Hawaiian people from the U.S. federal government."

The governor said he is pleased and proud of the proposal "we have sent to the legislature. My heart is filled with gratitude to all...who are responsible in seeing this happen."



The full terms of the agreement are explained in the report of the Board's Committee on Ceded Lands Entitlement. The text of this report is featured on the inside of this special feature. Co-chaired by Trustees Rod Burgess and A. Frenchy DeSoto, the committee has been meeting for more than two years to reach agreement with representatives of the Governor's Office.



A Promise in Trust

The Office of Hawaiian Affairs is preparing a 30-minute television special, to be aired on Hawai'i Public Television in March, that will discuss the background and details of the agreement between OHA and the state.

Entitled "A Promise in Trust," the program focuses on the events leading up to the agreement, and the purpose, content and results of the agreement. It features members of the OHA Board of Trustees, the governor and numerous friends and employees of the office.

Broadcast times on public television will be announced in advance by both radio and newspaper advertisements.

The following report summarizes the efforts of the Committee on State Ceded Lands Entitlements, as given to the full Board of Trustees on February 8, 1990. Committee members include trustees Rod Burgess and Frenchy DeSoto, co-chairmen, Moanikeala Akaka, Clarence Ching, Manu Kahaiali'i and Moses Keale. OHA staff support was provided by Administrator Richard Paglinawan, Deputy Administrator Stanley Lum and Land Officer Linda Delaney.

It is our privilege to present the report of the Board Committee on State Ceded Lands Entitlements. This Committee is authorized by the Chairman and Board of Trustees to meet with representatives of the governor's office. As charged by both the OHA board and Governor John Waihee, we are to jointly address the long-standing controversies surrounding the state public trust obligations to the Office of Hawaiian Affairs.

This process of determining both the past due and future trust entitlements of OHA was required by:

1. Continuing disputes between the state and the OHA concerning the application of the 20-percent-of-income entitlement formula to certain public lands, which had forced OHA to sue the state Department of Transportation (DOT) for enforcement of the trust:

2. A state Supreme Court ruling which held that the courts could not decide the OHA case against DOT because the questions of entitlement were political issues requiring legislative clarification: and

3. The procedural mandate contained in Section 5 of the Native Hawaiian and Hawaiian Judicial Relief Act (usually called the "Right-to-Sue" law), which sets forth a mechanism calling on the governor to present a proposal for legislative action in the hope that certain significant Hawaiian trust issues can be resolved without resorting to the long and expensive process of bringing suit in court.

Although each of these events had a part in shaping the need for coming to a resolution, the success of this process was and is only possible with a "good faith" attitude and determination by everyone concerned — the board, the governor, the Legislature, the citizens of Hawai'i, and the Hawaiian people — to seek and to support what is legal and fair to all.

Our only regret is that this work is not finished. The clarifications of the Chapter 10 trust — as it is to be applied to resolve the past entitlement due and the future application of the trust mandate — addresses

OHA-STATE AGREEMENT: FIRST

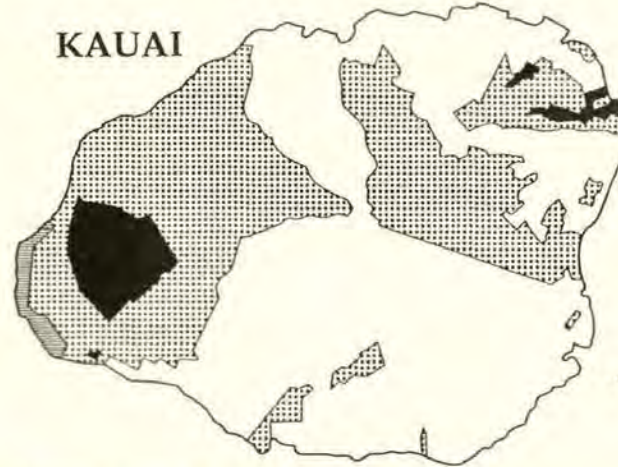
only the native Hawaiian beneficiaries of 50 percent or more Hawaiian blood. The legal definition and implementation of the Hawaiian trust to benefit all Hawaiians regardless of blood quantum is not complete. This Hawaiian trust will be completed later this year.

OHA's dedication and determination to achieve this goal of a full and rightful future entitlement for all Hawaiians, however, demands that we must first keep and make whole the existing trust for native Hawaiians. Only in this way can we assure the integrity of law, maintain our present fiduciary duties and rebuild the foundations of trust among ourselves as Hawaiians and with all the people of Hawai'i.

Finally, in 1980, the Legislature acted to implement the native Hawaiian trust and approved a 20-percent share of all the income from the 5(b) and (e) public lands as the entitlement. No statutory provision has ever been made to address our Hawaiian beneficiaries. Instead, as a budgetary practice, the Legislature chose which programs within the OHA budget would be supported by matching general fund appropriations as the "Hawaiian" share.

The native Hawaiian trust formula of 20-percent of income, and the identification of 5(b) and (e) public lands as the source of where this money is to be derived, are traceable to the terms and history of the Hawai'i Statehood or Admission Act of 1959.

When admitted, the state received title to nearly 1.4 million acres of federal land. Section 5 of the Admission Act describes the disposition of all public lands — both federal and state properties — in a series of alphabetized paragraphs.

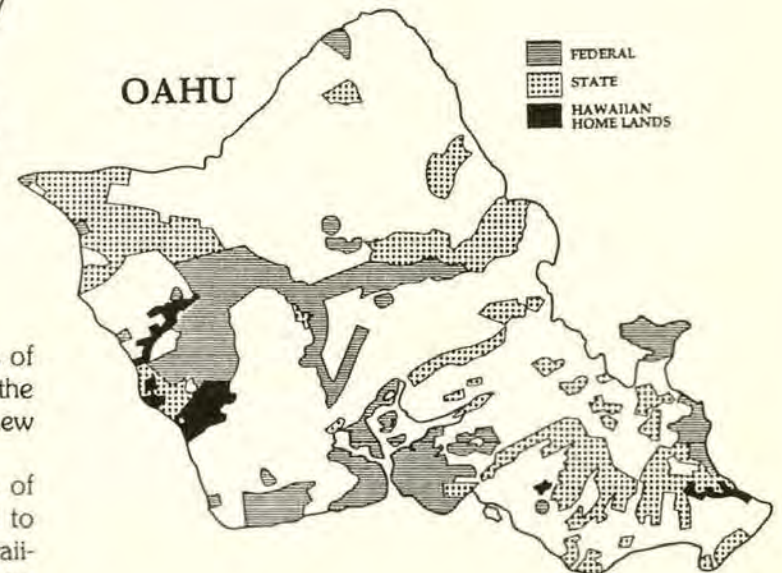


Legal Basis of OHA Trust Entitlement

In 1978, the voters of Hawai'i ratified a series of amendments to the state constitution. Among the changes approved were Sections 4, 5, and 6 of a new Article XII titled Hawaiian Affairs.

By the will of all the people, a new Office of Hawaiian Affairs was established and mandated to work for the betterment of conditions of native Hawaiians and Hawaiians. Also created at this time were new public trusts to help fund the office and its work. The legislature was to implement a *pro rata* or percentage of income from certain public lands as trust entitlements to OHA for its beneficiaries.

Beginning in 1979, the state Legislature acted to implement the OHA constitutional amendments through statutory law. Over a period of three years, this implementation was achieved and became Chapter 10 of the Hawaii Revised Statutes. Among these provisions was the adoption of two definitions of beneficiaries — native Hawaiians of 50 percent or more blood and a separate definition for all Hawaiians regardless of their percentage of blood.



These maps of the five principal Hawaiian Islands show the approximate location of state, federal and Hawaiian Home Lands. This agreement covers only those former crown, public and government lands now under the control of the state, as designated in Section 5 of the Admissions Act (see bold paragraph, below). The state constitution, and Chapter 10 of Hawai'i Revised Statutes, provide that OHA is to receive a *pro rata* portion of income and proceeds from all lands described in Section 5(b) and (e), and the "Z" lands.

Section 5(b) transferred title to all land not retained by the federal government to the state. Included among these transfers were the submerged lands and the fee title to the congressionally created Hawaiian Home Lands trust properties. These lands — with the explicit exclusion of the separate "available lands" definition of the Hawaiian Homes trust — are the 5(b) lands named in Chapter 10.

Section 5(e) of the Act set up a five-year property review and possible return of additional federal land to the state if such properties were declared surplus. The lands returned during this time are now known as the 5(e) lands.

Central to the scope and nature of the lands being returned to the State is the description of public trust impressed on these lands and described in Section 5(f). This section acts as a warning to the state that these lands, their disposition and any proceeds from or for their use, may only be used for enumerated public purposes. Among the five general public purposes listed are the "betterment of the conditions of native Hawaiians." The *pro rata* native Hawaiian trust enacted by the Legislature repeats the idea that as one of five purposes a 20-percent entitlement to income is consistent.

What cannot be over-emphasized in reviewing the legal basis for the OHA trust entitlements, is that we are working within the confines of a state trust. The basis or legal linkage for the transfer of lands to the state and the 5(f) trust can be found in the terms of the "Resolution of Annexation" adopted in 1898 — and the Organic Act of 1900.

In no way should or can these provisions be confused with the deep harms inflicted on the Hawaiian people by the events of 1893, and the overthrow of the Kingdom of Hawai'i with the assistance of armed American troops and agents. These claims for stolen

'We Are One People...Not a Divided People'

By Hoaliku Drake

"Mr. Governor, Uncle Tommy, Trustees of the Office of Hawaiian Affairs, fellow Commissioners, Hawaiian Home Commissioners whom I love very much, and the 'Ohana of Hawaiian communities who work very diligently for our people, to the Homesteaders who are our beneficiaries, I send my love to all of you.

"Today is the dawn of a new decade for the Hawaiians. A historic occasion. It is *pololei* right that our Governor and elected Trustees of the Office of Hawaiian Affairs have called us here to begin resolving long-standing concerns in the Hawaiian community. Their efforts and those of their staff need to be recognized.

We acknowledge the strength and the courage provided during these long negotiations by our Governor and the OHA Trustees toward the settlement derived on behalf of our beneficiaries.

"We are now on a voyage of a very skilled navigator and negotiator, our Governor, at the helm of our ship. If we hoe and paddle together in the spirit of *Lokahi*, our vessel will always remain upright through any waters that we travel. Yes, we still have concerns but, today we are "Na O'iwi O Hawai'i nei," Bone of Bone, Flesh of Flesh, One Blood, Brothers and Sisters of Hawai'i nei, not native Hawaiian, or part Hawaiian, or even Hawaiian. We are one 'Ohana, E Kui No Lima. We put our hands together and grasp as One. We clasp our hands. We embrace. Our *Mana* flows one to the other. It transfers one to the other. Life to Life. We are one People. We are not a divided People. We are one People."



Hawaiian Homes Commission Chairperson Hoaliku Drake made an impassioned plea for Hawaiian unity during the February 8, 1990 joint state-OHA announcement on native Hawaiian entitlements. Pictured with Mrs. Drake and Governor John Waihee are Board of Trustees chairman Thomas K. Kaulukukui, Sr., and trustees Louis Hao, Frenchy DeSoto and Manu Kahaiali'i.

ST STEP TO FULL ENTITLEMENT

lands and lost sovereignty are the basis for yet-unanswered Native Hawaiian claims against the national government.

The Disputes Over the OHA Trust

As enacted by the Legislature, the native Hawaiian trust required that 20 percent of all the income from the 5(b) and (e) lands would be transferred to OHA for the betterment of the conditions of native Hawaiians. As we quickly learned, what seemed simple was not.

First, neither the state nor the federal government had maintained land records which identified and segregated properties returned to the state by their Section 5 designation. A three-year effort by the Department of Land and Natural Resources resulted in a public lands inventory which identified the properties under their jurisdiction by Section 5 categories. Other lands which had been acquired by the state outside the provisions of the Admission Act were also catalogued and assigned a code.

Lands outside the jurisdiction of DLNR, however, were more difficult to inventory. The "X" lands for example now identify former privately-owned properties acquired for public purposes by the state through condemnation or purchase. An example of this type of land is the former Damon Tract property which was condemned and used for the construction of the Honolulu International Airport. These lands were outside the defined OHA corpus of 5(b) and (e) lands — but was there an implied-trust connection created by the inseparability of airport activities conducted on the abutting 5(b) lands used for the airport runways?

MOLOKAI



Further complicating the issue of airport revenues, the Department of Transportation contended that it has prior bond and funding constraints which were superior to the OHA trust. Moreover, DOT asserted that even if there were a native Hawaiian trust obligation, it would only apply to "net" and not "gross" departmental proceeds.

Another difficulty was inherent in the designated "Z" lands.

In what many considered a virtual amendment to Section 5(e) of the Statehood Act, Public Law 88-233 was passed by Congress in 1964. By the terms of this law, the return of surplus federal lands to the state continued, regardless of the previous five-year deadline imposed in 5(e).

However, because this federal statutory history was not explicitly recognized in the OHA trust description, there was disagreement regarding the inclusion of "Z" lands and their income in the OHA trust.

Frustrated by the struggle to win either clarification or compliance with the trust, OHA sued the state, selecting the Department of Transportation as the focus of litigation because of the size and scale of its operations on public lands. As stated earlier, the state Supreme Court ruled in 1987 that the issues surrounding the OHA trust were political and could not be redressed in court.

Reacting to the OHA suit, the state Legislature did authorize a final legislative auditor's report to address and inventory land categories within DOT. This same report also contained recommendations for resolution which only complicated an already complex subject.

From the experience of those 10 years, however, we have isolated and are now addressing the main areas of dispute or questions clouding the trust.

Clarification of the Chapter 10 Entitlement

The answers to those questions form the heart and substance of our report and the proposed settlement. Once enacted by the state Legislature, this resolution will establish a clear and enforceable trust entitlement

for our native Hawaiian beneficiaries of 50 percent or more blood quantum.

With the concurrence and support of Governor John Waihee and the executive branch, companion House and Senate bills clarifying the Chapter 10 trust entitlement are now before the state Legislature for ratification.

These clarifications are best understood as answers to questions regarding the current entitlement. First:

• Which lands, under what state departmental jurisdictions, are to be identified as the source of trust income?

We have agreed that the income from all 5(b), (e), and "Z" lands — with the sole exception of the Hawaiian Homes trust lands — were and are subject to the native Hawaiian trust regardless of departmental jurisdiction. Thus, these lands — whether administered by the Department of Land and Natural Resources, Transportation, Agriculture, the University of Hawai'i, or any other department of the State — are subject to the 20 percent of income entitlement.

Second, in response to the question:

• What kind or kinds of income from these lands are subject to the 20-percent pro rata share of the trust?

Revenues from the 5(b), (e) and "Z" lands were and are segregated in two categories — sovereign or proprietary incomes.

Sovereign revenues are those which the state generated as an exercise of governmental or sovereign power — these monies are not subject to the OHA trust. Among the revenues included in this sovereign category are personal and corporate income taxes, fines collected for violations of state law, and federal grants or subsidies received by the state for public programs.



MAUI

Proprietary income — those funds which are generated from the use or disposition of the identified public lands — is subject to the OHA trust. Among the revenues included in this proprietary category are rents, leases and licenses for the use of 5(b), (e) and "Z" lands, minerals and runway landing fees.

As another example, as now defined, OHA will receive 20 percent of the rents paid for faculty housing at the Manoa campus, but not 20-percent of student tuitions.

Method of Payment

• Now that those questions are answered, how will the clarified entitlement be honored?

We have agreed to address this question both retroactively and prospectively.

In response to the "past due" OHA entitlement, we will be guided by the following process:

1. The identification of lands will be based on the current DLNR inventory of public lands and the chain of title inventory conducted for lands under the jurisdiction of the Department of Transportation and contained in the Legislative Auditor's Report of 1986;
2. The retroactive application of the clarified entitlement will — subject to audit and verification of sovereign or proprietary revenue source — be calculated from the effective date of the 20-percent formula on June 16, 1980, to June 30, 1991;
3. The Department of Budget and Finance will be responsible for preparing and presenting actual year-

by-year incomes for this period to determine the full amount due; and

4. The allowed statutory limit of interest — 6 percent through June 30, 1982 and 10 percent for the years thereafter — will be paid and compounded annually on the actual amounts due.

The final computation of amount due is expected to be completed and available for public review during this legislative session. The computation of this "past due" or retroactive clarification of the native Hawaiian trust, however, will not mean that the check will be in the mail on July 1st.

Rather, we have agreed to and are seeking legislative authorization to negotiate a settlement package whose dollar value may be reflected by a selection of or combination of land and money.

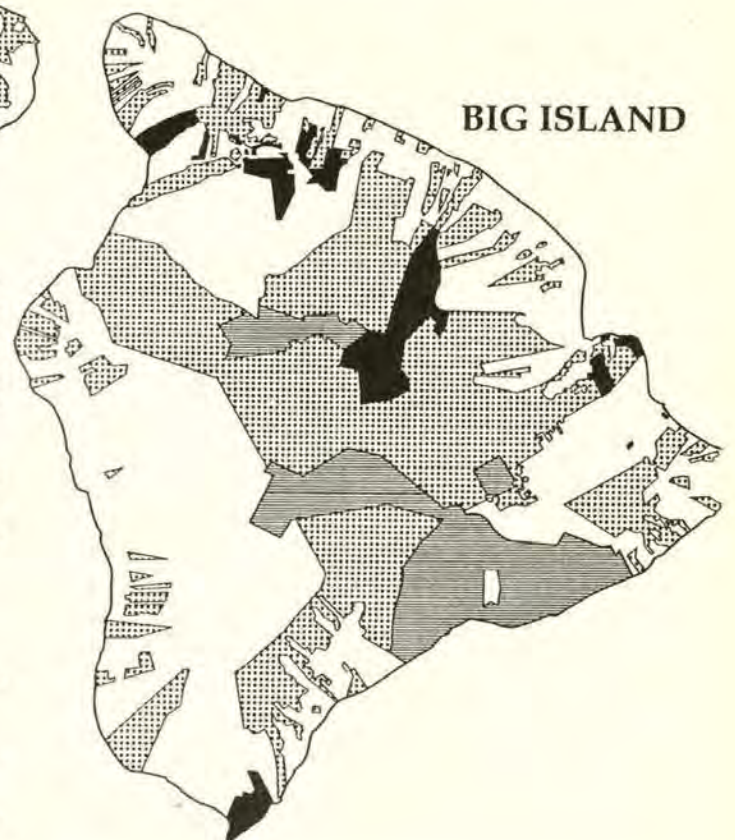
What must be clearly stated and understood is that the legal basis for, and this clarification of, the OHA trust describes a percentage of income. Especially as it affects the retroactive resolve, the law only asserts a beneficiary interest in income from specified land.

The Hawaiian claims for land and federal recognition can only be addressed by the national government. Those claims are a debt of national honor which cannot and should not be borne solely by the citizens of Hawai'i, but by all the people of the United States. Our "Blueprint" or operation Ea outlines the overwhelming legal and moral basis for this national obligation and the return of lands as an entitlement.

As a method of payment, however, the exchange of dollar value for land value has been agreed to by the governor and your committee. To allow for the fullest expression of this potential draw-down on land as a means of payment, we have further agreed to leave the submittal of actual cash due until after land selections are completed. This process will be submitted to the 1991 Legislature.

However, in recognition of the immediate impact of the entitlement clarification when enacted, the bills now before the Legislature also contain an appropriations section for \$7.2 million to meet the expected increase over current OHA trust income.

Another \$500,000 request for the Office of State Planning and other state departments charged with the responsibility for assessing and assuring payment is included in the bill.



BIG ISLAND

The agreement between the Office of Hawaiian Affairs and the state of Hawai'i for native Hawaiian entitlements through OHA is the first step toward complete settlement of all entitlement claims. Still to come are agreements on entitlements for all Hawaiians, and Hawaiian Home Lands past-due entitlements. Also pending is action to obtain federal restitution for the overthrow of the Hawaiian Kingdom in 1893, and the return of and compensation for former crown, public and government lands taken by the federal government at annexation in 1898.

Chronology of Events Leading to Agreement

1898 Hawai'i was annexed by the United States. The Joint Resolution of Annexation stated that all formerly public, crown and government lands, originally belonging to the Kingdom of Hawai'i, be transferred or "ceded" to the United States Government as a stipulation of American annexation of the Islands. These lands were to be held in trust for use by the people of Hawai'i.

1900 The Organic Act provided that the Territory of Hawai'i would retain control of the ceded lands. The Organic Act allowed certain parcels to be formally "set aside" for the United States by either the governor's or president's Executive Order.

1920 The Hawaiian Homes Commission Act was enacted. It officially recognized the trust obligations contained within the ceded lands, and put aside 200,000 acres of these lands for direct use by native Hawaiians. This act includes the first legal reference to a two-tier definition of Hawaiian, crafted by non-Hawaiian sugar interests in an effort to prevent homesteading on cultivated sugar lands.

1959 When Hawai'i was admitted as a state, the federal government returned to the State of Hawai'i ownership and trust obligations of all but about 400,000 acres of ceded lands it formerly held.

1978 No action had yet been taken on the trust obligation dating back to annexation until the state Con-

stitutional Convention of 1978. It called for amendments to the state constitution that would recognize that "ceded" lands were held as a public trust for native Hawaiians, and the general public, and specified that Hawaiians were to receive a pro rata share of the trust "for the betterment of conditions of native Hawaiians." These amendments were passed by a vote of all the people of Hawai'i.

A series of state constitutional amendments, and subsequent enabling legislation, adopted in 1978 - 80, also established the Office of Hawaiian Affairs and recognized OHA's trust entitlement. The trust stipulates that OHA is entitled to the trust revenues and, as the official agency of the Hawaiian people, shall "secure for native Hawaiians a pro rata portion of the public land trust and offer representation for all Hawaiians."

1980 A pro rata portion of the trust designated for native Hawaiians was set at 20 percent by the state Legislature and entrusted to OHA to be used for "the betterment of conditions of native Hawaiians."

1983 The State Attorney General ruled that ceded lands transferred to the Department of Transportation for airport use are exempt from the OHA land trust (because the parcels were transferred and not sold) and therefore, OHA is not entitled to revenues from airports and harbors. When meetings with the DOT disintegrated, OHA decided to sue the Department of Transportation for non-compliance to the 20 percent share of ceded land revenues owed OHA from airports and harbors.

1985 The Hawai'i Circuit Court ruled that, despite objections by the Attorney General, OHA was indeed entitled to sue for its 20 percent share of ceded land revenues from airports and harbors.

1987 The Hawai'i Supreme Court ruled that the dispute between OHA and the DOT was a political matter for the legislature to resolve, since it had implemented the pro rata entitlement but left unclear its full application.

The U.S. Supreme Court in October declined to review the decision of the State Supreme Court without comment.

1988 The legislature responded to the court ruling by adopting the "Right-to-Sue" bill. OHA trustees formed an ad hoc committee on ceded land entitlements to begin negotiations with the governor's team, which were ongoing until the settlement was reached.

1990 The Office of Hawaiian Affairs and Hawai'i Governor John Waihee publicly announced a tentative agreement for past income due OHA under provisions of the state constitution. The agreement, which must be ratified by the legislature, clarifies the provisions of Chapter 10 of the Hawai'i Revised Statutes. The total amount of past-due income due OHA for native Hawaiians is to be calculated by the state Department of Budget and Finance. The agreement also sets the amount of income due OHA for fiscal year 1990-91 at \$8.5 million.

Entitlement Formula Distinguishes Between Two Types of State Income

The formula contained in the agreement between the Office of Hawaiian Affairs and the state of Hawai'i regarding income due OHA under Hawai'i law distinguishes between two types of income: proprietary and sovereign.

Proprietary income is that which is generated from use or disposition of those public lands described in Section 5(b) and (e) of the Admissions Act, and those described in P.L. 88-233 (also known as "Z" lands). Examples of proprietary income include rents, leases, licenses, mineral rights and airport landing fees. By law, OHA is entitled to 20 percent of all revenue received under this category.

Income derived from sovereign powers over these lands — those generated as an exercise of government —

are not included under the agreement. Examples include personal and corporate income taxes associated with use of the land, fines collected for violations of state law, and federal grants and subsidies received by the state for public programs. Also exempted are such community necessities as school lunch payments.



WATER COLLECTION IN EAST MAUI

The state Department of Land and Natural Resources has jurisdiction over several hundred thousand acres of ceded land returned by the federal government at statehood and now designated for conservation or similar use. The department manages state licenses for water rights on this property, the largest being those licenses held by East Maui Irrigation Company (pictured). Income from such licenses — including water, logging and grazing — is proprietary, and subject to the agreement. Since 1980, the department has been forwarding to the Office of Hawaiian Affairs the statutory 20-percent pro rata share of this income.



HONOLULU HARBOR AND CONTAINER FACILITIES

Most of the land under and around Honolulu Harbor is ceded land returned to the state at Statehood, or later through P.L. 88-233. This includes both the Matson Navigation Company and Sea Land Service container yards at Sand Island, the Young Brothers terminal at Pier 24, and part of the Aloha Tower complex. As a result, OHA is entitled to 20-percent of all state income derived from gross commercial shipping operations on these facilities, but not to a portion of taxes or other similar income.



FACULTY HOUSING AT UH MANOA

Parts of the University of Hawaii campus in Manoa Valley occupy ceded land subject to the agreement. As spelled out in the formula, University income from faculty housing rentals is proprietary, while income from tuition, fees and books at the campus are not.

Advertiser Photo by Ron Jett



HONOLULU INTERNATIONAL AIRPORT AND TERMINAL

Because the runways of Honolulu International Airport (above) sit on ceded land turned over to the state at Statehood, the Office of Hawaiian Affairs is entitled to 20-percent of all landing fees at the airport. However, the terminal building and parking structure do not occupy these lands, and income from those concessions (below) are not included.



ALOHA TOWER DEVELOPMENT PLAN

About one-quarter of the planned redevelopment of Aloha Tower will involve ceded lands covered by the announced agreement. OHA will receive 20-percent of the income from all lease rents, fees and licenses derived from project activities on the 5(b) lands. In addition, 20-percent of the negotiated premium—money paid for development rights—also will be part of the entitlement.

Royal Order of Kamehameha celebrates 125th year

Ladies of the Royal Order of Kamehameha I recently held officer installation ceremonies for their chapters on O'ahu, Kaua'i and Maui.

Celebrating the special year of the organization's 125th anniversary, the ladies were installed in regular chapter form.

On the island of O'ahu, Edward Kaopuiki-Ali'i Aimoku o Hawai'i, assisted by Ali'i Okana-John Spencer, Ali'i Wayne Davis, Ali'i Franklin Pao and Mamo Alan Kaopuiki conducted the installation ceremony and the presentation of appropriate symbols to elected officers and standing committee chairwomen. The installation followed a banquet at the U.S. Coast Guard Club 14, Sand Island, O'ahu, chaired by Mamo Duke Akina and Lady Anne Kaapana.

Betty Kawohiokalani Ellis Jenkins, OHA's kupuna alaka'i was installed president, receiving the symbol of kalo. Also installed were Maria Lindsey as vice-president, Janice Akana as secretary, Pua'ala McElhaney as treasurer, and Verna Low, Martha Maunakea and Bernice Waiwaiole as trustees.

Mary Lou Kekuewa was installed as sgt.-at-arms and accepted her symbol of the ipu. Chaplain kupuna Elizabeth Ellis and Hope Kahu Kupuna Wenonah Kamakawiwoole were installed and accepted their symbols of the kukui.

Past president Moana Umi was presented the rainbow-of-colors bouquet with the order's thanks.

Attired in the official regalia of the Ladies of the Royal Order of Kamehameha I, standing committee chairwomen were invested and presented the symbol of their offices, the ohe.

Invested were Anne Kaapana for special events; Mary Ann Hutchinson for legislation; Roxanne Davis for laws and revisions; Rita Gora for education; Maile Caban for scholarship; Annie Lee for protocol; Lani Nakoa for aloha; Momi Kahawaiolaa for health and welfare and Carolyn Chandler as historian.

Ali'i Joshua Akana, acting as master of ceremonies led members and guests during the evening through the theme "Flight of the Butterfly".

Invited by the Ali'i Aimoku o Hawai'i, Edward Kaopuiki, president Jenkins addressed the gathering of members, 'ohana and friends.

In her address she said:
 "When we gathered for our last installation in silver celebration of our women's 25th anniversary, we focused on the value of lokahi and enlightenment through the wisdom of the kukui. Collectively we worked toward and met that ambitious target.

"In this new decade we are bursting from the cocoon in great anticipation of the 125th Royal Order Commemorative Celebration Anniversary through our 1990 theme 'Flight of The Butterfly.'

"May our flight of the butterfly be of one heart, I ho'okahi, kahi pu'uwai — I ho'okahi, kahi ka mana'o, (of one thought) I ho'okahi, kahi ke aloha, of one love, E malama i ka maluhia, preserve the peace. May it always be."

Maui

On the island of Maui, Grace Spenser was installed president of Kahekili Chapter No. 4,



Hawai'i Auxiliary officers (left to right): Moana Umi, Betty Jenkins, Maria Lindsey, Janice

Akana, Pua'ala McElhaney.

Women's Auxiliary by Ben Keau, Ali'i Aimoku witnessed by the men of Kahekili Chapter No. 4 dressed in full regalia.

Other Kahekili officers installed were Katherine Marciel, vice president; Shirley Fujimoto, secretary; Gladys Anakalea, treasurer; and Margaret Higgins, Bea Kahanu and Martha Chang as trustees. Also installed were Esther Campbell as chaplain and Pearl Haili as sgt.-at-arms.

Kaua'i

The Ladies of Kaumuai'i Chapter No. 3 Kauai'i, under the leadership of Ali'i Aimoku James Burgess were installed with the assistance of Ali'i Okana, John Kaliloa.

President Loke Kaliloa, a fluent Hawaiian speaker and a recent retiree kupuna at Kauai's Punana Leo, was installed. Lovey Apana, a kumu hula and na mea Hawai'i specialist, was installed vice-president along with Faith Burgess, a business clerk, as secretary and Marlene Burgess an Alu Like career counselor as treasurer. Journalist and educator Jean Holmes was installed as sgt.-at-arms, supported by Gertrude Kapahulehua as chaplain and La Plane Kekahu and Annie Kaliloa as directors.

An installation dinner preceded the formalities and included initiation of four new members to the auxiliary, Jean Ilei Beniamina, song writer and professor of language at Kaua'i Community College; Winona Barringer, retired educator and twin sister Verna Duvauchelle; and Linda Viado, a Sheraton Poipu employee.

The Ladies of the Royal Order of Kamehameha I are supportive of the goals and objectives of their men and exist as a strong advocate for those historical, cultural and spiritual aspects of fraternalism as set forth by founder Kamehameha V and as it resurfaced under Prince Jonah Kuhio Kalaniana'ole.

Leaders gather at Mauna 'Ala

Clifford Anderson, Ali'i Nui, Royal Order of Kamehameha, officially called for an 'aha kuka (conference) at Kamehameha Schools to deliberate the business of the Royal Order of Kamehameha and place in motion a commemorative celebration of the order's 125 years.

Statewide leaders of the Royal Order of Kamehameha along with their ladies gathered for a ceremony at Mauna 'Ala Jan. 13 during the 'aha kuka. Traditional chants and ho'okupu were presented at the Kamehameha Tomb.

Kalaimoku Adrian Hussey (Maui), Ali'i ai moku Edward Kaopuiki (O'ahu), James Burgess, Ali'i ai moku (Kaua'i), and Ben Kaeo Ali'i ai moku (Maui) led by Ali'i Kahunanui Franklin Pao participated in the ceremony. Lydia Namahana Maioho, kahu of Mauna 'Ala gave a lecture in the chapel.

The 'aha kuka ended with a dinner at the Kapi'olani Hotel.



Members enter chapel at royal mausoleum for commemorative service.



Ali'i nui Clifford Anderson



Mai Wakinekona

By Paul Alexander
Washington, D.C. Counsel for OHA



Sovereignty — what does it mean? Part Two — who has jurisdiction?

The February column began a series exploring aspects of sovereignty as it relates to Native Hawaiians. Sovereignty refers to governmental power.

In the context of Native people, certainly in the legal system of the United States, sovereignty generally means "dependent domestic sovereignty." This implies that while the Native governments have power over their territories and people they do not have the power to engage in international relations.

Coupled with this dependency status is the idea of the trust responsibility of the United States to manage and protect the resources of Native governments.

Domestic governments usually have the power to enact laws that can: guide conduct, relationships, and management of real property; establish courts and other enforcement systems for such laws; tax or otherwise raise revenues; regulate family relationships (marriage, divorce, child custody, adoption, inheritance, etc.); regulate the use of property (zoning, building standards, environmental standards, etc.); regulate hunting, fishing, or gathering; and establish the provisions of education and social services.

An important legal aspect of sovereignty is jurisdiction.

Jurisdiction refers to the physical area the government may properly exercise power over. This is territorial jurisdiction. The government also has power over specific behavior or conduct. This is called subject matter jurisdiction.

Territorial jurisdiction means that a government has jurisdiction over the lands that are within its territory. That is a fairly simple concept where a Native land-base is intact and its boundaries are recognized.

In actuality, Native land bases are not usually intact and significant patterns of mixed ownership prevail.

Currently, on Indian reservations, there is a significant question as to whether or not a tribe has jurisdiction over lands within its recognized boundaries when that land is not held in trust by the United States and not owned by a Native government or person.

Government powers of jurisdiction are not usually recognized outside of their territories (extra-territorial jurisdiction.)

For example, if as a citizen of the United States you commit a crime in France, then France has jurisdiction over the crime unless there is an agreement (treaty) between France and the United States to the contrary.

A significant territorial issue arises with Native governments when problems or questions come up about traditional sacred areas that are outside Native governments' territories. The Native go-

vernments do not have jurisdiction to regulate or protect their sacred areas when the areas are outside their territories.

Subject matter jurisdiction is both civil and criminal jurisdiction. Criminal matters are wrongs against the public which are punishable by imprisonment and/or fines. Civil jurisdiction relates to private or individual relationships. A matter can have both criminal and civil aspects.

For example: an automobile accident can involve a civil dispute over who is responsible for the damages caused, and also involve a criminal prosecution for the violation of specific criminal laws relating to driving.

The United States Supreme Court has decided that Indian Tribes do not have jurisdiction over non-Indians who commit crimes within Indian tribe territories. The Supreme Court found that such tribal jurisdiction was inconsistent with tribal dependency status.

The Court reached this decision even though the non-Indians in question were disrupting a tribal celebration, the danger was imminent, and non-Indian law enforcement agencies had declined a tribal request for assistance.

Conflict over jurisdiction is a fact of life for Indian tribes. As of today, states, their subdivisions (counties, cities, towns etc.), as well as the

federal government, all have some jurisdiction within the reservations. Although each jurisdictional question is different and extremely technical (depending on an interplay of federal-Indian law principles, specific federal statutes, and factual matters) there are several generalities that are relevant. States aggressively assert exclusive and/or concurrent (state and tribe) jurisdiction over Native people and their territories. This assertion-of-jurisdiction is present even when states have not historically provided the services that go with the jurisdictional authority. Perhaps the most important generalization applicable to the jurisdiction of Native governments is the power of the United States to *unilaterally* alter the jurisdiction of Indian tribes. The United States through a series of jurisdictional laws which were upheld by the courts has limited the tribal jurisdiction and provided for both its own federal jurisdiction and the jurisdiction of states and their subdivisions, within the boundaries of Indian reservations.

When Native Hawaiians determine what model of sovereignty is appropriate, significant attention will be required on the scope and type of jurisdiction that that sovereign entity (or entities) will have, and what jurisdiction will be held by the United States, and the State of Hawai'i and its subdivisions over the Hawaiian sovereign entity.

Iluna A'e from page 9

the elderly and youth, the availability of legal and cultural services, and an assessment of the needs of "at risk" school drop-outs, juvenile offenders and pregnant adolescents. Also included are medical and employment needs, and access to government services and transportation for those in rural areas. An interim report will be submitted to the legislature in 1990.

2. Comprehensive inventory and recommendations, to include an analysis of services and needs, plus recommendations to improve accessibility, coordination and delivery of services for unmet needs to the legislature in 1991.

Operation Hui 'Imi is closely tied to OHA's Operation 'Ohana.

Operation Malama Mau (Historic Preservation Task Force)

In the regular session of 1989, the House of Representatives and Senate approved House Concurrent Resolution No. 136, entitled: "House concurrent resolution requesting a study of ways for the state to better respond to the discovery of important historical sites within the state."

An interim report has been submitted to the members of the 15th state legislature. This report clearly identifies the areas where state laws should be changed in the interests of giving Hawaiian sites greater and stronger protection. More important, it clearly identifies the central role which the Native Hawaiian people and culture must assert and assume in law if the protection effort is not only to succeed, but to truly live.

In HCR No. 136, the Legislature resolved that the OHA study "include, but not be limited to, the following:" (1) A review and analysis of the existing laws and rules that pertain to Hawaiian historic sites; (2) Problems with the existing process that weaken attempts by the State to better protect Hawaiian historical sites; (3) Recommendations for resolving these problems; (4) A plan on how the Office of Hawaiian Affairs would promulgate rules relating to Hawaiian historic sites if given the authority to play a major role in the management of historic sites; and (5) Recommendations on the type of role the Office of Hawaiian Affairs, itself,

would assume if it was authorized to respond to the discovery of important Hawaiian historical sites."

Operation 'Alohi (Public Relations)

The Office of Hawaiian Affairs seeks to expand its influence and effectiveness as the official representative of the Hawaiian people. It is perceived that the role and responsibility of OHA are not well known or understood among its constituency, or the general public.

The objectives of this plan are to: (1) Determine the nature and extent of feelings and understanding of Hawaiians and non-Hawaiians of Hawaiian issues and OHA; (2) Increase awareness, and understanding of Hawaiian issues, and of OHA (3) Educate the Hawaiian and non-Hawaiian community on purposes, goals and programs of OHA; and (4) Generate a network of support for OHA and its efforts to improve the conditions of Hawaiians.

Operation Ho'okuleana (State Entitlements)

The objectives of this plan are to: (1) Identify issues relating to native Hawaiian and Hawaiian trust entitlements, 2) Determine the nature and manner for honoring these trusts, and 3) Clarify existing laws to embody such trust covenants.

As recently announced, the Office of Hawaiian Affairs and the Governor have completed the first stage of negotiations regarding entitlements due OHA. Legislation addressing the "past due" and future entitlement for native Hawaiians of 50 percent or more blood is now before the legislature (see related articles, this issue).

To be completed by 1991, is a resolution of the prospective entitlement for all Hawaiians regardless of blood quantum.

Operation Lokahi

This plan is to develop an issue-oriented response team for Hawaiian community issues that are related to, or may affect other components of Operation I Luna A'e. The team will meet with concerned groups such as 'Ohana organizations.

Hawaiian culture funds available

Applications for the funding of projects relating to the perpetuation of traditional Hawaiian culture are now being accepted by The University of Hawai'i Committee for the Preservation and Study of Hawaiian Language, Art and Culture.

Projects may pertain to audio-visual presentations, texts, hula, chant, history, literature and other topics.

Proposals will be accepted for consideration in this year on Aug. 20 and Oct. 19. Interested people may contact Marion Morrison at 948-7357 for application forms.

Makaku

By Rocky Ka'iouliokahihikolo 'Ehu Jensen ©



A program to rescue the Hawaiian arts

Contributing columnist
Herb Kawainui Kane

We cannot be Hawaiians by blood alone. Without Hawaiian culture, there can be no Hawaiian-ess. Moreover, no culture can exist without its objects. The artifacts of a culture are its tangible embodiment, surrounded by meanings, processes, language, and lore. All these are inevitably lost with the loss of objects and the result is cultural disintegration.

The key to a genuine revival of the art of making Hawaiian artifacts is found in the meaning of "excellence." The ancient artisan knew that the survival of his people and the enrichment of his culture depended upon his excellence and productivity. If he did not strive for excellence he would not be acting with proper respect for his art, and would be unworthy for receiving helpful mana from the spirit^s of those eminently talented ancestors who were worshipped as the patron spirits of his guild.

Each guild, or specialization, was headed by a kahuna (master or leading expert) who also served as a living library for all knowledge about his profession. The kahuna also served as the chaplain, or priest, for his profession, performing those rituals which invoked spiritual help for those in his guild.

The most effective way to rescue the Hawaiian material arts would be to recruit, educate, and establish a new group of masters who, through their complete knowledge of their art and the excellence of their own work, would win respect and recognition as "living treasures" of the Hawaiian people; and who would perpetuate their art by training disciples.

Like the kahuna of old, who were professionals well paid in goods and privileges, these new masters would be an elite group who would raise the material arts out of their present amateurism to full professional status. The excellence of their work would raise the material arts out of the category of "cheap souvenir" to command status and prices as art objects, finding a ready market among collectors.

Elitism may not be popular today, for we are the products of an era of progressive education and democratic mediocrity. But old Hawai'i was an elitist society with no tolerance for amateurism. Therefore a revival can happen only if it is spearheaded by dedicated, talented individuals who approach their challenges with an attitude of professionalism. The Hawaiian material arts cannot be revived in elementary school "Hawaiiana" craft lessons, or hobby classes. These may be spin-offs, but the main effort must be made by an elite few. Here are some ways this could happen:

The Program

The Steering Committee:

1) OHA (Editor's note: or the Native Hawaiian Culture and Art Program) could form a panel of Hawaiian scholars who would be capable of helping the "masters candidates" conduct their research, organize their experiments and programs of self-development. OHA could compensate the members of this panel for their time and expenses.

2) The first mission of the panel would be to search for and select as masters candidates those Hawaiians who have demonstrated the potential to develop mastery in one or more of the Hawaiian material arts.

Here I would not suggest that their first search should be done among our kupuna. I believe that our candidates should be mostly from our younger Hawaiians who have the energy and resilience of mind to face the challenges ahead of them.

Among our kupuna are experts, primarily in the 19th century adaptations of Hawaiian material arts. These kupuna, and they are few in number, should receive full recognition by OHA for their expertise and their knowledge.

But there is no one among our kupuna who can plait a makaloa mat of the quality of those huge mats in the Bishop Museum. There is no one who knows the lost art of twining of olona and 'ie'ie, except a few of our younger experimenters. There are only two persons in Hawai'i, that I know of, who can flake a perfect adz-head out of dense basalt rock, and these are not kupuna, but younger experimenters.

Candidates may be of any age and from any walk of life, for talent knows no boundaries. Those selected as candidates should be offered a fellowship which would support and certify them and support the costs of their individual programs. Candidates should be offered some compensation to enable them to work unhindered by financial pressures.

3) Research: With the help of a panel member, each candidate would conduct full research, each candidate would conduct full research, gathering and organizing all available information about his or her chosen art field that may be obtained from literature, museums, private collections and from our kupuna.

4) Experiments: Truth can be obtained about the processes involved in the making of artifacts only by subjecting them all to the test of planned experiments.

5) Application of findings in a program of self-development: The candidate must go through the self-development of basic skills, then refinement of skills, in his or her chosen art field.

6) Publicity: An exhibit should be held when the work of the candidate shows sufficient promise and is deemed worthy of exhibit: a travelling exhibit should be organized to be displayed in various places throughout the State.

7) Organizing "halau": helping each master in setting up a halau in which others can come and learn.

8) Spin-offs from the exhibit would be printed matter, film and television.

Need for adequate funding

In the excitement about the exotic goods and materials brought by the first Europeans, Hawaiians would trade precious feather capes for a few objects of metal and glass. This de-valued Hawaiian artifacts. Because we are living in a world in which the value of any object is recognized by the price in dollars that someone will pay for it; and because Hawaiians like everyone else must pay in dollars the costs of living, there can be no successful renaissance of Hawaiian artifact-making without adequate pay for the effort. There can be no possibility that such a renaissance will be self-perpetuating unless the objects can be marketed. Prices must be sufficiently high to give them and their makers status and the respect of others, and to enable them to pay their bills from the sale of their work.

I feel that it is necessary to make this statement because some Hawaiians have been swindled into believing that it is somehow demeaning or "commercial" to sell the products of their talents. The truth is that throughout history, art has flourished most in time when it has been best patronized.

Need for adequate recognition

Kupuna as well as younger Hawaiians who have distinguished themselves in the arts should be recognized by OHA as "living treasures" of the Hawaiian people.

We live in a world of credentials.

Testimony or writings of a U.H. professor about a Hawaiian matter are often given greater credence than a statement by one of our kupuna, who may in fact know more than the professor, but doesn't have a PhD. Yet the PhD doesn't hesitate to use the kupuna, usually for free, as an "informant." OHA should go to the state and insist that OHA be given the right to designate certain Hawaiians as "research associates" at the University of Hawai'i and the Bishop Museum, entitling them entry to archives and collections.

Mai ka po mai 'o'ia'i'o

Topolinski feted on 50th birthday

Kumuhula and noted Hawaiian scholar John Renken Kaha'i Topolinski celebrated his 50th birthday anniversary at a dinner reception with friends on Feb. 7.

Credited with the revival of male hula in 1973, Kaha'i Topolinski, a Hawaiian history teacher at Mililani High School, has risen to the heights of perpetuating traditional hula in his generation.

A graduate of the halau headed by Kumu hula Maiki Aiu Lake, he went on to study with other masters including Dr. Mary Kawena Pukui, her daughters Pele Pukui Sukanuma and Pat Namaka Bacon, Sally Wood Naluai and Henry Pa.

Ka Pa Hula Hawaii, Topolinski's prize winning halau, has performed for many dignitaries including European royalty.

Topolinski graduated from Brigham Young University at Provo, Utah, and he earned a masters degree in Pacific Island Studies from the University of Hawaii. Topolinski is married to the High Chiefess Anne Kamamoakualii Kekuiapoiwa Kauapiokamakaala Buffandau. They have a daughter, Rose Wahinekapu Kahakuikawaiea Kahaopulani Sumner Topolinski and a son, Micah Kahanuiakamehameha Tehuiarii-Pomare Sumner Topolinski.

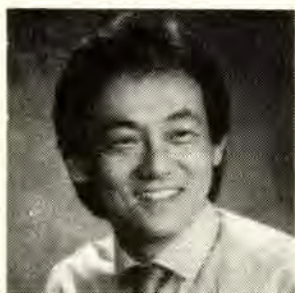


John Renken Kaha'i Topolinski

**'Ai Pono,
E Ola**

By Terry Shintani, M.D., M.P.H.

Limu: a source of calcium for strong bones



People interested in the Wai'anae Diet Program often ask me questions about where the calcium comes from. This is a reasonable question because there is no dairy food in the Wai'anae Diet. In fact, dairy food

was never part of the ancient Hawaiian diet. It was brought in by Westerners. For that matter, dairy food was never part of the diet of most of the world until Western influence brought this food with them.

The sad truth is that dairy food has been one of the most oversold foods in America. You've heard of the four main food groups of which dairy is one? Have you ever looked at one of those posters? Often, you will find that dairy food is listed as the first group on the poster. If you look closer, however, you may also find that the poster was put out by the American Dairy Council. In other words, the poster may as well be considered an advertisement rather than an unbiased health message.

One of the problems with the over-promotion of dairy foods is that dairy foods contain a great deal of fat. You've heard of "two percent" milk? The two percent fat is actually measured at two percent by weight. In terms of calories, two percent milk is actually over 35 percent fat. Whole milk is 55 percent fat by calories — about 3.5 percent by weight. So two percent milk is not much of an improvement at all. What's worse is that much of this fat is saturated. These fats or any large amounts of fats are known to be harmful in terms of promoting heart disease, cancer and diabetes. If you're going to drink milk, you should use skim milk which has very little fat.

How did the Hawaiians — who were tall and strong — get enough calcium? One of the most delicious ways was by eating limu (seaweed). Limu was a regular part of the diet of ancient Hawaiians. There were hundreds of varieties in the old days and it was always there for the picking. Today, only several varieties are commonly used and development has ruined many of Hawaii's limu beds. The seaweeds possess such beautiful names such as limu 'ele'ele, limu kohu, limu lipoa, limu wawaeiole and limu 'a'ala'ula.

These seaweeds or "sea vegetables" as some prefer to call them are somewhat salty. But aside from this caution, it is one of the most healthful foods available in a low calorie form. One ounce of

limu has only 12 calories and 47 milligrams of calcium. In other words ounce for ounce, limu has more calcium than milk. (Leafy greens such as luau leaf are also a good source of calcium but we will talk about this food in our next article.) Limu is also a good source of iron.

Limu is actually a food that was eaten in many cultures around the world. In Ireland, dulse was a form of limu that was dried and eaten like pupu chips. On the Eastern coast of America, the American Indians used to carry limu as a snack food in their pouches. And of course, limu is eaten in great abundance by Asian countries such as Japan, China, Korea, and Southeast Asia.

Most forms of limu were eaten raw in Hawaii, but cooking limu was also a very delicious way of eating this food that is rich in calcium and other minerals. If you can't pick fresh limu, the Japanese varieties found in the supermarket are convenient and easy to prepare.

The following is a simple recipe for the Japanese limu "hijiki"

- 1 oz. dried hijiki
- 1 tsp. dark sesame oil
- 2 onions, sliced
- 2 Tbsp. soy sauce

Wash and drain hijiki. Lightly brush a frying pan with oil and heat. Saute the onions 3 minutes. Place Hijiki on top of onions. Add water to cover the bottom of the pan one-half inch. Boil, then simmer on low heat for 45 minutes. Add soy sauce to taste. Simmer 10 minutes more.

Dr. Shintani, physician and nutritionist, is the director of preventive medicine at the Wai'anae Coast Comprehensive Health Center. A majority of the center's 17,000 clients are native Hawaiian.

**Naturally
Hawaiian**

By Patrick Ching
artist/environmentalist



The wonderful Hawaiian horse



Few sights are as breathtakingly beautiful as that of a proud horse, coat aglow with the morning sun, grazing in an open pasture on the slopes of a Hawaiian hillside.

Most of us who've lived in Hawai'i for any amount of time have grown to associate horses with the rural island lifestyle. Horses are not native to the Hawaiian Islands; however, since the early 1800s, they have become an integral part of island living for many of Hawaii's people.

Horses were first brought to Hawai'i from California in 1803 by Capt. Richard J. Cleveland aboard the H.M.S. Lelia Byrd. These horses were called "mustangs," a name taken from the Spanish word "mesteno" meaning wild livestock. The Hawaiians called the horse "lio" which was either derived from the word li'o, which means fiery-eyed and restless, or from the word 'ilio, meaning dog.

Cleveland presented the horses to King Kamehameha, who at first did not seem overly impressed with the animals, though he later became the first Hawaiian ever to ride a horse.

After the death of Kamehameha the Great, his youngest son Kauikeaouli (Kamehameha III) realized the potential for using horses to gather wild cattle that had been introduced to Hawai'i by Capt. George Vancouver in 1793. The king sent one of his high priests to California, which was then a part of Mexico, to invite Spanish vaqueros (cowboys) to come to Hawai'i and teach the Hawaiians how to ride, rope and manage livestock. In 1832 three vaqueros came to Hawai'i and began teaching the Hawaiians the art of roping cattle in an area which would later become the town of Waimea (Kamuela) on the island of Hawai'i.

The Hawaiians called the vaqueros "paniola," a derivation of the word Espanol, meaning "Spaniard" or "Spanish." Today the word has been changed to "paniolo" though some old timers still say paniola.



The Hawaiians quickly learned the art of riding and roping as well as the art of constructing leather saddles, ropes and tack. Soon many Hawaiians were living the lifestyle of the paniolo.

Over the years, keeping captive herds of cattle proved to be much more practical than rounding up feral livestock and many cattle ranches were established throughout the islands. The largest of these ranches was founded on the island of Hawai'i by John Palmer Parker and is known today as the Parker Ranch.

The superior cowboy skills of the paniolo became world famous as, time and again, cowboys from Hawai'i competed and won top honors in rodeo competitions throughout the United States. At one time Ikua Purdy, a Parker Ranch paniolo, was considered the champion steer roper of the world, having taken first place at the World Steer Roping championships in Cheyenne, Wyo.

Today the role of the horse in Hawai'i has taken many new directions. Horses are not only being used on the range, but they are being ridden in parades, polo matches, breed shows and dressage competitions as well. The military trains many people to work with horses as do 4H clubs and many riding stables throughout the state.

Perhaps the most popular use of horses today is for the sheer pleasure of viewing the Hawaiian countryside from the back of a beautiful beast.

**Keiki Tahiti Fete
set for March 17**

The Kalihi-Palama Culture & Arts Society, Inc. announces the 1990 Keiki Tahiti Fete which will be held on Saturday, March 17 at the St. Louis High School McCabe Gymnasium.

According to acting director Janice M. Itagaki, the festivities will begin at 9 a.m. with artisan displays and sales of Tahitian handicrafts on the mauka side of the gym. Master of ceremonies Kimo Keawe will start the program at 10 a.m.

The highlight of the festival will be a young people's Tahitian dance competition featuring youngsters 5 to 12-years-old in traditional costume sharing the art of 'Ote'a, Aparima Himene, and the Ori Tahiti stylings of native Tahitian dances.

More information is available by calling 521-6905.

He Mau Ninau Ola

by Kekuni Blaisdell, M.D.

Ka Ho'ona'au'ao le'a i ka wā kahiko: Mokuna 'ekahi

Sex education in old Hawai'i: Part I



Ninau (question): My 15-year-old mo'opuna must leave school because she is hāpai (pregnant). Young people these days know so little about sex and taking care of themselves. Yet, I remember my tutu once told me that

Ka'ahumanu was only 13 when she was given to Kamehameha as a mate, and in those days most girls began having babies at that age. How did 'ōpio learn about sex in those days? Shouldn't we teach these things at home instead of depending on the schools?

Pane (answer): I will leave na pāne to your second ninau to you and other po'e heluhelu (readers) to decide depending on your circumstances and experiences. Perhaps my pane to your first ninau will be helpful in that endeavor.

He mau hakina (fragments) of the earliest palapala (writings) by foreigners and later by our kupuna (ancestors) permit a fairly coherent account of what sex education was probably like in pre-Western times, as recently reviewed by University of Hawai'i professor of anatomy Milton Diamond.

Intuitively we realize that such instruction must occur in all cultures, whether informal or formal, implicit or explicit, for ka po'e (people) in such societies to reproduce over succeeding generations.

We also need to be aware of some distinctive features i ka wā kahiko (pre-haole Hawai'i) that made for informal ho'ona'au'ao le'a (sex education) then.

A year-round, generally soothing climate accounted for near-nudity as the norm. Thus "going bare" was not considered sexual, erotic or "indecent" as in modern times, with controversy over whether to permit nudity at some secluded kahakai (beaches).



Fig. 1 Ka Ule Pohaku (phallic stone) at Nanahoa, Moloka'i, is a monument to the male

generating force, revered and worshipped by the people of old Hawai'i.

Ka piko ma'i (genitalia) were sacred, respected and possessed mana because they were essential for perpetuation of the race.

Na mele ma'i (genital chants), composed at the time of birth or thereafter, especially for ali'i, glorified ka ma'i.

The first mele ma'i ever recorded on paper was probably on Sunday, March 14, 1779, in the journal of David Samwell, surgeon's first mate on Capt. James Cook's ship "Resolution." Samwell must have heard the mele more than once, for he labeled it a "song very common."

*Heeoore heeoore heeoore avaree-e
Madoodoo ahe perowmai oe maitai roa
awane-ei*

Panahai.
In modern orthography and unuhi (translation) by Kawena Pūku'i the words become:

*He ule, he ule
He ule a walea e
Mai kū, kū ahe
Pēlā mai 'oe maika'i loa auane'i
Pana ai.*

An ule (penis), an ule
An ule to be enjoyed
Don't stand still, come gently
That way, you will be fine here
Shoot off.

Tutu Kawena relates that ka ule (penis) of the infant was blown into by a care-giving makuahine (mother) or kupuna (elder) wahine to loosen the foreskin, make the organ more attractive, promote health and assure efficient ai (coitus) later. This practice was also in preparation for kahe ule (subincision of the penile foreskin), usually about the age of 6, by a specially-trained kupuna or kahu-na using a pahiohe (bamboo knife).

A young lad was often called "lewalewa" (dangler) because his uncovered ma'i dangled until

about age 6 when he first donned a malo (tapa loincloth) and he kā i mua (entered the hale mua) to join older boys and men to eat and worship, separate from women and younger kamali'i (children).

In the case of the infant girl, her kohe (vagina) was squirted with mother's waiu (milk) and the kapa (labia) pressed together. The hena (mons pubis) was rubbed with kukui oil.

Prepubertal kamali'i played together under the supervision of ka hiapo (eldest sibling), without covering of their ma'i. They discovered each other's body parts and quickly learned anatomical gender differences. These differences also accounted for gender-specific tasks: pēlā (thus), boys assisted men with lawai'a (fishing) and kanu kalo (taro cultivation), while girls helped women with tapa-making and ulana (plaiting).

With the onset of puberty, girls began to wear tapa pa'ū (wrap-around skirt) with usually uncovered ū (breasts).

On special occasions, such as for ceremonies, protection from cool weather or the sun, both men and women wore a kihei (shawl or cape). But this was never for sexual modesty.

For play or work in the water, such as ke kai (ocean) for 'au'aukai (swimming) or he'e nalu (surfing), non-durable tapa garments were discarded. Missionaries in 1820 and thereafter opposed he'e nalu because the surfers stood unashamedly naked on their papa (boards).

The natural world of the growing keiki (child) abounded in sexuality (see Fig. 1). The youngster could not escape observing the mating of 'ilio (dogs), pua'a (pigs) and moa (fowl). These activities were discussed openly with their peers and adults without shame or vulgarity. And each night in the large hale noa, where kamali'i and makua (parents) of both genders slept, they observed the older persons enjoying ai (coitus).

Marrige in the haole sense and monogamy (one husband with one wife) were unknown. Pēlā, there

continue page 23

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Trustee's Views

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Finally, the beginning of a ceded-land resolution

by Moanikeala Akaka
Trustee, Hawai'i



Well, it's about time we have the beginning of a settlement to the ceded-land situation.

After almost 30 months of tough and sometimes trying negotiations with the governor's team by the OHA entitlements and claims

committee (consisting of myself, Rod Burgess, Frenchy DeSoto, Manu Kahaialii, Clarence Ching and Moke Keale), recommendations were made to the entire OHA Board of Trustees which agreed to a resolution of the long-standing controversy over the retroactive (past) sum owed to OHA on behalf of the Native Hawaiians (50 percent or more blood) from 1980 to 1990 . . . since OHA came into being. This proposed legislation (Senate bill 3104, House bill 2896, HD1) must now be passed by the state legislature.

The State Admission Act refers to two beneficiary classes. The beneficiary classes of the ceded-lands trust are: 1) Native Hawaiians (meaning of 50 percent or more Hawaiian blood) and 2) the general public (which means the other residents of this state, including Hawaiians of less than 50 percent native blood).

Disposition of the Ceded Land Trust

The 1981 legislature mandated that OHA would receive a 20 percent pro rata share of the revenues from the ceded lands resources for Native Hawaiians. However, as I've mentioned in the past, this office has only received one and one-half percent of the 20 percent the state owed OHA. Of that amount, over two-thirds goes for administrative operating expenses for our offices while your trustees remain unsalaried.

What is important now is that if this retroactive package of what is owed us passes the legislature, we will begin to have more resources with which to help you, our people, and this is truly exciting!

Through these negotiations we have finally been able to come to an agreement on which classifications of lands and types of revenues are to be collected and utilized for Native Hawaiians. We have also agreed that the income from all 5(b), (e) and (z) lands (with the exception of the Hawaiian Homes Trust lands were, and are, subject to the Native Hawaiian trust. The 5(b) land category includes (c) and (d), and (z) includes submerged lands. (See chart page 5.)

The revenues from these land categories are separated into two categories — sovereign and proprietary incomes. Sovereign revenues are the moneys which the state generates as an exercise of governmental or sovereign power. These moneys are not subject to the OHA trust. Among revenues included in this sovereign categories are personal and corporate taxes, fines collected for violations of state law, federal grants, and subsidies received by the state for public purposes.

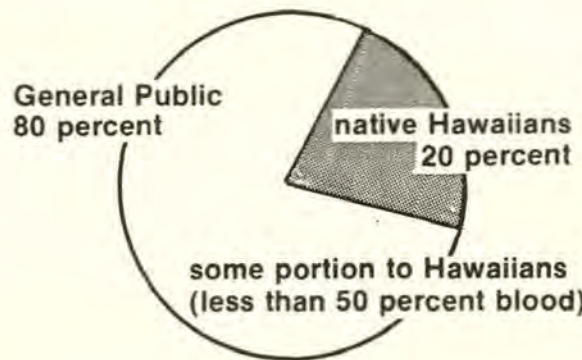
Proprietary income is that which is generated from the use or disposition of identified public lands; these incomes are subject to the OHA trust. Among the revenues included in this proprietary category are rents, leases and licenses for the use of 5(b), (e) and (z) lands, runway landing fees, and surface and sub-surface mineral rights. Another example: OHA will receive 20 percent of rents paid for faculty housing at the UH Manoa campus, but will not receive 20 percent of tuition fees. These revenues to be received for what has been owed to Native Hawaiians will include 6 percent

interest between 1980-1982 and 10 percent interest to be compounded annually to the present.

Estimates of back revenues owed us are as much as \$105 million for the past 10 years, with \$8 million a year in the future to be utilized for Native Hawaiians in programs or to purchase land. We are referring specifically to this retroactive package. The actual amount will be subject to audit and verification, with the understanding that if additional resources (such as ocean mining) are developed, they too will be included.

The thought of having to buy back our 'aina disturbs me greatly. The law passed in 1981 states that we Native Hawaiians are only entitled to the revenues which I've been told legally means no 'aina, only kala!

If we Hawaiians are to become truly self-sufficient, we need more than revenues. We need 'aina.



In the future, we must have land — good 'aina, not like some of the 'opala land they gave us natives after sugar companies took the best for themselves.

We need lands we can build homes on; 'aina for economic development, farm lands, lands with access to water. We must have 'aina for our people and nation that is habitable. We need 'aina makai-side so that we may camp, fish and be near the ocean with our 'ohana without being threatened by "No Trespassing" signs from the rich folks' houses

or fancy hotels that are getting more common on our beaches than Hawaiians.

We, as natives, truly need land of our own for our nation. DHHL has given relatively few Hawaiians the opportunity to live on their own land, due to their lack of resources. There remain more than 13,000 restless natives on the waiting list. We need 'aina set aside for the future 'ohana as well.

We need land and we should not have to purchase that 'aina with the few dollars our people may have coming to them. These lands should be ours in fee title and should be inalienable so that we can pass them on to future generations.

After all, this whole nation was ours, our roots are here. 'Aina is the soul of our people. We are only reclaiming a part of what was illegally taken from us. The state possesses over 1.4 million acres of ceded lands. Our people deserve a good-sized portion of it for our nation — not just the revenues. It is our right and it is fair.

The law says that we are entitled to only the revenues but our 'aina was stolen illegally. We are the landlords, come to collect the 'aina.

I would hope that the people of this state, and its legislature, would search their collective conscience and realize that the Hawaiian people deserve not only revenues but a fair portion of the 1.4 million acres of "ceded lands" stolen when our Kingdom of Hawai'i was illegally overthrown.

It must also be remembered that we will continue to seek redress from the United States in Washington, D.C. This is only fair; the people of this state should not have to share the burden alone. That is part of OHA's draft Blueprint and global plan and is a separate issue from the state ceded lands entitlements.

Non-Hawaiians must realize that what entitlements Hawaiians receive will benefit all, and that as a result, the aloha spirit will grow. Once injustices begin to be rectified, social conditions will improve not only for us Hawaiians but for all the people of this state.

Malama pono. Ua mau ke ea o ka 'aina i ka pono.

Bay Area Hawaiians comment on Blueprint

By Deborah L. Ward

Mainland Hawaiians still feel close ties to Hawai'i and are keenly interested in current Hawaiian affairs. They do not want to be left out in the coming wave of political change for Hawaiians.

This was the message of a crowd of about 75 Hawaiians living in the San Francisco bay area who attended an informational hearing on the OHA draft Blueprint on Jan. 7 at the Foster City Holiday Inn.

The hearing was originally scheduled for Oct. 18, 1989 but had to be postponed due to an earthquake which occurred the day before. In fall 1989 OHA trustees and staff made 9 presentations in 14 days in mainland cities to begin reaching the estimated 100,000 Hawaiians living on the mainland. They presented information on OHA and the draft Blueprint and Operation 'Ohana.

OHA trustees Louis Hao, Moanikeala Akaka and Manu Kahaialii conducted the meeting. Government affairs officer Jalna Keala was also present.

Seven testimonies were given from the podium during the Foster City afternoon hearing. There was also dialogue in the form of discussion, questions and answers and statements throughout the hearing.

Several Hawaiians wanted further assurances printed in the Blueprint that mainland Hawaiians would indeed be included in the decision-making for any proposed federal entitlements package.

Manuel Neves, Jr. of San Francisco asked how will Hawaiians on the mainland benefit from any settlement of state ceded and/or federal entitlements.

Jalna Keala replied that since federal programs now restrict services to Hawaiians in Hawai'i, OHA is conducting Operation 'Ohana nationwide to find out how many Hawaiians there are and where they are. Once Hawaiians are documented (via the US census and Operation 'Ohana), OHA will be able to say to Congress, "These Hawaiians on the mainland have needs, too."

Testimony was also heard from: Monica Kalei Flores of San Francisco, a U.S. Postal service administrator, who helped found a Hawaiian cultural center there; Manuel Neves, Jr., who said Hawaiians were pioneers instrumental in settling northern California; Mona Peterson, a Hawaiian entrepreneur who asked the OHA trustees to work with other agencies to develop technical assistance services for established businesses; and George Kiili who spoke on the need for Hawaiians to gain education and political power.

James Kalanui, formerly of Nanakuli, now living in Sacramento said Hawaiians should ask for all ceded land back, not just a substantial portion. David Nahinu, a 35-year resident of California who wants to return to Hawaii, asked who is looking out for marine resources and native Hawaiian entitlements to them.

Trustee's Views

(This column is open to all OHA Trustees as a vehicle for them to express their mana'o. Opinions expressed are those of the individual Trustees and do not necessarily represent the official position of the OHA Board of Trustees.)

Ka Po'e Hawai'i reach the turning point

By Moses Keale
Trustee, Kaua'i



Anoai kakou. Last month we, Ka Po'e Hawai'i, reached the crossroads of history, the turning point in the life of the Hawaiian nation. We engaged in the State of Hawai'i in an historic encounter to negotiate the rights and pri-

leges of our Native Hawaiian people. The results were earth shaking! Hawaiians exercised the right to self-determination and the state responded by recognizing this right and by reaching an agreement which benefits all Native Hawaiians.

Although we won a settlement of money, the most important victory was the recognition by this administration that the Office of Hawaiian Affairs is an independent governing body with the stature and empowerment of a government who has the duty, right, and the privilege to enter into talks with any government entity. The precedent has been established and we can now march on into our future to make history in our movement towards sovereignty for Ka Po'e Hawai'i.

It is indeed appropriate at this time to share a common prayer with each other. Please allow this humble servant of God and or yours to offer these words for all of us.

E ka makua mana loa
E nana mai ia makou na lahui Hawai'i
E ku akua nei
E haawi mai ia makou
Ke aloha, hanalike a me kupaa
E alakai ia makou
I ola, i ola na po'e Hawai'i

And now, as is the tradition that our culture dictates, as we give birth to a new undertaking, let us turn our attention to the first task of our mission. We must prepare ourselves for the great journey, wherever God may lead us. First we must clean our house and build our strength with good and clean spirit. Our attention shall focus on our first line of defense, our hard working administration and staff. I ask you to offer prayers for these diligent warriors. Rebuke *na mea lapuwale apau* which may try to invade their lives and cause pain and confusion. Pray that their eyes may be cleared and their path *pono*. Confront the *hemahema* and *kanalua* and return it from whence it came. Join me in asking for the spirit of God and the wisdom of *na kupuna kahiko* to fill our trustees, administration and staff with the light of all that is good and righteous.

Let us also pray for the success of Operation 'Ohana. It is through this effort that we shall truly be one people, one body, one spirit. Let us put all our energy into this endeavor.

I ho'okahi kahi pu'uwai
I ho'okahi kahi kamana'o
I ho'okahi kahi kealoha
E malama i ka maluhia

"Be of one heart, be of one thought, be of one love, preserve the peace."

A i manao kekahi e lilo i pookela i waena o oukou, e pono no e lilo ia i kauwa na oukou. Na ke Akua e malama a e alakai ia kakou apau.

Census still hiring through mid-April

The Hawai'i Bureau of the Census is hiring employees for work to be done mid-April to early June. In Hawai'i, over 700 census jobs are still open.

A special need exists for people who speak Hawaiian and other Pacific basin languages (Tongan or Samoan) or who speak Asian languages.

Enumerators who help people fill out the forms are paid \$9.19 an hour. Office workers are paid \$8.27 an hour. Applications are being accepted through mid-April.

Tom Pico of the Honolulu Census Bureau said an effort is made to assign enumerators to their own neighborhood. "People use mopeds, TheBus, sometimes have a friend drive them. It is not required that a person have their own car, just that they can get around," Pico said. Mileage is reimbursed at 24 cents a mile for those using private vehicles.

Anyone interested in working for the Census is asked to contact the office for further information. For the Honolulu to Koko Head to Kaneohe area call the Honolulu office at 541-3498.

For information on employment on the north shore or windward O'ahu or on the neighbor islands, call the Waipahu office at 541-3556.

Neighbor island residents may call the Waipahu office collect.

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— Kalakaua Rex

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Trustee's Views

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By Clarence F. T. Ching
Trustee, O'ahu



When 50 people are arrested at Wao Kele on Hawai'i island protesting threatened destruction of a Hawaiian rainforest, the action makes headlines and provides footage for television news. It also helps raise our collec-

tive consciousness about the economic and anti-cultural forces at work around us.

It doesn't matter that the same demonstrators were protesting the alleged desecration of Pele's domain by those attempting to convert the area's geothermal resources into usable energy.

The state's interest is to develop a "renewable" energy alternative to decrease its dependence on foreign oil. Some Hawaiians claim that geothermal development may also result in the partial loss of our right of access to gather raw materials for medicine, building materials, food and other things, and the right of a segment of our community to practice its religious beliefs.

The resultant publicity has helped to refocus the attention of U.S. environmentalists from the rainforests of Brazil back to the native forests in their own backyard. Whether they are wet or dry, highland or lowland, Hawai'i's native forests need attention and protection.

On O'ahu, because of the widespread clearing of land by the plantations and by developers for residential and commercial uses, the island's lowland plants and trees have been severely affected. Many plant species have become extinct and, except for a few remote places, shoreline plants are almost non-existent.

The federal government promulgated the Endangered Species Act of 1973 to protect certain endangered species of aquatic life, wildlife and plants.

In 1975 Hawai'i followed suit with its own endangered species law because, of all 50 states, Hawai'i has the highest rate of extinction of indigenous plants and animals.

Despite the protections envisioned by the Endangered Species Act, the most recent attack on one of O'ahu's endangered plants came with recent developments on the 'Ewa plain in and around Barber's Point and the deep draft harbor.

A major population of the endangered *Euphorbia skottsbergii* var. *kalealoana* or 'Ewa Plains 'akoko (also koko, ekoko and kokomalei) until recently grew near an ammunition storage area at Barber's Point Naval Air Station. A smaller remnant plant community grew on an altered ecosystem at the deep draft harbor site. The United States Fish and Wildlife Service waived the Endangered Species Act and allowed the destruction of the habitat on which the smaller community grew so the harbor could be built.

Hoping to continue the survival of individual plants in the smaller community, between 1977 and 1980 over 1,200 'akoko were transplanted to other sites on the 'Ewa plain. By 1981, only two of the transplants were still alive. It is doubtful whether any of these transplants continues to survive. The result is the loss of an entire community of endangered plants to build one deep draft harbor.

A federal court recently refused to require an environmental impact statement for the clearing of 150 acres of native dryland forest for the construction of a new 1,200 acre firing range at the Army's Pohakuloa Training Area on Hawai'i island. This is extremely shocking.

Malama Hawaiian plants



Photo by Earl Neller

A major population of the endangered 'akoko once grew on the 'Ewa plains. They were moved for construction of the deep draft

harbor. It is doubtful whether any have survived transplant.

The judge found that the delay to conduct the EIS would cost the government \$6,000 per day and could result in termination of the contract for construction of the range. The termination would have cost about \$3.7 million and would have had "a substantial impact on the readiness posture of the military in the Pacific," according to a Dec. 12, 1989, article in *The Honolulu Advertiser*.

Without seeing the data on which the Army based its decision that construction and use of the new range would result in no significant environmental impact, the public has no idea how many rare and endangered plants and trees will be maimed or destroyed. No one can guess how many mamane trees, whose seeds are the necessary food of the endangered palila bird, will feed the bulldozers or be blasted into wood chips.

Last year OHA and the Honolulu City Council joined forces to coax the Army into moving their Makua Valley, O'ahu shelling targets. This now limits the fires caused by incendiary shells that were destroying native trees upon which endangered native tree snails *Achatinella* were barely surviving.

Of what use are the protections of the Endangered Species Act if government and their agencies are the first to violate them?

On the other hand, human activities to propagate these endangered plants and trees are prohibited except by permit. The seeds of many endangered plants are either eaten by rats and mice, before they can sprout, or by deer and goats after they do. Many seeds get lost in the thick grass surrounding the parent trees and never get close enough to the ground to take root.

There are only 19 Hawaiian plants and trees on the federal endangered list. Probably more than 500 rare native plants should be on the list. Many plant lovers shun the addition of their favorite rare plants and trees to the list because of the Act's restriction against picking them.

What can we do as individuals?

Many of our rare and endangered plants will not survive without human intervention and recreated ecosystems because their natural habitats continue to be decimated by development.

We must raise our collective consciousness to higher levels and, individually, take an active role

in fostering the lives of our rare plants.

In addition to the activities of such institutions as the National Tropical Botanical Garden, Waimea (Falls) Arboretum and Botanical Garden, Lyon Arboretum, Honolulu Botanic Gardens (Foster Ho'omaluhia, Koko Crater) and more, there are areas where plantings by non-professionals are doing well.

Ron Fenstermacher at the University of Hawai'i, Kanewai lo'i reports that their collection of kalo (including kai, moi, piko, lehua, eleele, uahi a Pele, elepaio and others) is doing well. The native mai'a (bananas) includes iho-lena, maoli and popo'ulu. Other native plants and trees (including loulu, ma'o or cotton, ma'o-hao-hele the yellow hibiscus which is the state flower, koai'a, lonomea, naio or false sandalwood, hao, uhi or yam and others) have been planted throughout the garden and are there to be enjoyed, observed and studied.

At Pahua Heiau in Hawai'i Kai, a few native species, including hala, ma'o, ma'o-hao-hele, milo, wiliwili and koai'a have been planted. There is an uhiuhi and a kauila tree, whose parents continue their dance of many decades on Hawai'i island. (I wrote about them in my December 1987 column.) There in Hawai'i Kai they live. We hope they live to give our children of the next century the opportunity to enjoy them. Pahua is a lovely spot to sit and meditate at the end of a hectic day.

Discussions to form a native plant society on O'ahu have begun. There have even been suggestions to call it Uluhaimalama Nursery 'Elua after the garden of Queen Lili'uokalani at Pauoa. (I wrote about Uluhaimalama from April to June 1988.) These are such exciting times.

A list of potential members is being accumulated and all interested participants are welcome. To add your name to the list, either send me a postcard at the OHA office, 1600 Kapiolani Blvd., Suite 1500, Honolulu, Hawai'i, 96814, or call the office at 946-2642. An organizational meeting will probably take place this summer.

For the sake of our plants and trees, let me hear from you.

Note: The 'akoko data is from an unpublished report by Ellshoff, Gabriele and Kamehiro: *Endangered Plant Status Report: Chamaesyce skottsbergii* var. *skottsbergii* (1989).

Holoku from page 3

Wallace and Henry H. Peters, a state representative and Bishop Estate trustee. She is sister to Agnes Cope. She attended St. Andrew's Priory, the University of Hawai'i and Montana State University. She received her B.A. from Chaminade College and B.S. from Central Michigan University.

Genoa Keawe

Dearly loved by fans of Hawaiian music for her "chicken-skin" style and thrilling high notes, Genoa Keawe has developed her inimitable style in the nearly 50 years since her professional debut in 1941.

Her musical interest and training began at the Mormon church in Laie when she was a child. When returning to school after lunch she would stop by a friend's house to listen to "Uncle" Johnny Almeida's radio program. She never dreamed that in 1946 she would be singing for his band and building her Hawaiian repertoire.

Genoa Keawe began her career by singing pop songs for dance bands in Honolulu who played for high school dances and graduations, and service clubs. During that period, she sang for George Hookano's 15-piece orchestra.

She has received many awards for her talent including the Grayson Award; and recognition from the state legislature. She was honored at a recent King Kamehameha Hula Competition when all the halau performed songs which she has recorded. She was named a "Dean of Hawaiian entertainment" with the "Letters of Literature" award.

In addition to performing throughout Hawai'i and on the mainland, Aunt Genoa has also performed in Japan, Switzerland, Russia and New Zealand. Of her large family, two sons, Gary and Sam Keawe-Aiko are also musicians and often perform with her.

Ninau from page 19

is no Hawaiian term for husband or wife, other than kane and wahine. Similarly, there were no concepts of premarital and extramarital sexual activities.

Ka po'e kahiko saw themselves sexually as reflecting the activities of all beings in their cosmos which they also celebrated with song. The opening lines of the greatest work of pre-Western Hawaiian literature, "He Kumulipo," is a testament to this concept:

O ke au i ka huli wela ka honua
O ke au i ka huli lole ka lani

The time when the earth turned hot
The time when the sky turned reversed

This powerful metaphor of the mating of the earth mother Papa with the sky father Wakea from which all in the cosmos was derived is the foundation of Hawaiian thought and religious belief.

I kēia mahina a'e (next month), we will ho'omaka hou (resume) with direct formal ho'ona'auao le'a i ka wā kahiko.

Scholarships offered by Queen's Auxiliary

Two scholarships will be awarded to students for study in the field of human health by The Queen's Medical Center Auxiliary. The deadline for receipt of applications is March 31.

Applications for the Ruth E. Black annual scholarship are available at the volunteer services office at Queen's Medical Center, Honolulu. More information may be obtained by calling 547-4397.

A \$1,000 scholarship will be awarded for study in the field of human health at a four-year institution of higher learning. A \$500 scholarship will be awarded for human health study at a community college, business school or other accredited institution.

Contributions needed for Cal-Hawai'i center

Monetary contributions are now being sought to create a Hawaiian community center in the greater Los Angeles metropolitan area.

Organizers envision the center as a gathering place for people of Hawai'i who live in southern California. A place to hold island-style festivals, hold cultural events and share the spirit of Hawai'i.

The Hawaiian Community Center Association, a non-profit corporation, was formed to raise funds to build the center and to cover operating costs through memberships. Membership dues, by law, can be used only for administration and maintenance of the center. Donations to the building fund through grants and pledges in any amount will be used only for actual construction of the center.

Memberships can be taken in the following categories: \$25 contributor, \$250 life member, \$1,000 president's club (life member), \$2,500 corporate or hui member (life member), \$5,000-plus, "Keiki O Ka 'Aina (life member).

Organizers say support has been promised by Kenneth Hahn, supervisor of the second district of Los Angeles County, and by Mas Fukai, councilman for the city of Gardena. A possible site for the center may be in a portion of Alondra Park in Lawndale, Calif., according to fundraising information put out by the Hawaiian Community Center Association.

Officers and directors of the association are: Alcario Pelayo, chairman; Linda Hilacion, treasurer; Sharon Paulo, secretary; and Leonard Chow, Claude Hilacio, Keala Tsukiyama, Andy Ah Po, Clinton Helenihi, Aunt Mary Kovich and Larry Wong.

By law, directors and officers are not allowed to draw a salary or realize any monetary gain from the association. They are volunteering their time

and effort to realize the goal of creating the community center.

For further information contact the Hawaiian Community Center Association at 1102 West 150th St., Gardena, Calif., 90247. Their phone number is (213) 532-1279.

Inouye named trustee for Indian museum

Hawai'i Sen. Daniel Inouye will be one of the first trustees of the new Museum of the American Indian, to be built as part of the Smithsonian Institution in Washington, D.C.

The newly named board will eventually be dissolved and replaced with a permanent board. The start-up board includes financier David Rockefeller and World Bank President and former member of Congress Barber Conable Jr. in addition to Inouye.

These first trustees will choose a director for the new museum. The trustees will also oversee the early planning and design stages of the \$150 million museum in Washington, D.C., to be built next to the National Air and Space Museum on the Capitol Mall, and a smaller, satellite Indian museum in New York City.

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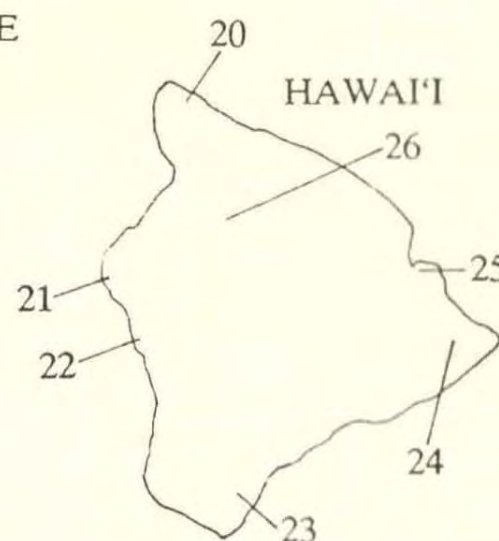
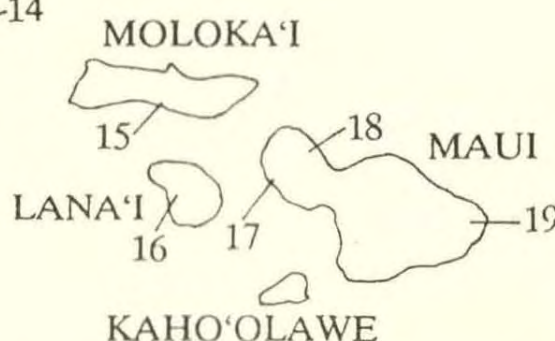
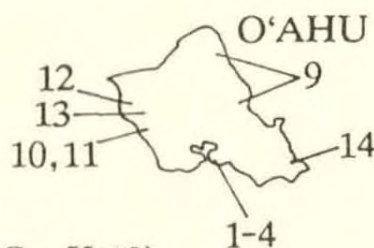
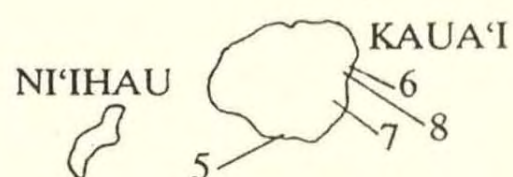
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For information or assistance, call the KAMEHAMEHA SCHOOLS representative for your area:

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