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UNITED STATES COMMISSION ON CIVIL RIGHTS
HAWAII STATE ADVISORY COMMITTEE
SUBCOMMITTEE OPEN SESSION

SEPTEMBER 14, 2007, 1:00 P.M.

NATIVE HAWAII GOVERNMENT
REORGANIZATION ACT OF 2007

Performing Arts Center of the
Kauai Community College
3-1901 Kaumualii Highway
Lihue, Hawaii 96766

BEFORE: Sandra J. Gran, CSR No. 424
Registered Professional Reporter

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SUBCOMMITTEE MEMBERS:

Amefil "Amy" R. Agbayani
Daphne E. Barbee-Wooten
William H. Burgess
Michelle Nalani Fujimori
James I. Kuroiwa, Jr.
Jackie Young

COMMISSION STAFF:

Barbara De La Viez
Derek Horne
Angelica Trevino

SPEAKERS:

James Kimokeo
Rupert Rowe
Clyde Namuo
Liberta Albao
Kawika Cutcher
Ken Taylor
Kewalu Yadao
Sharon Pomiroy
Mahelani Sylva
Puanani Rogers
Elaine Dunbar
Dennis M. Dias
Randy Naukana Rego
Janet Hepa
James Kapole Torio
Cheryl Lovell-Obatake
Linda Pudwill
Donald Calaluna
Andrew Cabebe

P R O C E E D I N G S:

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MEMBER FUJIMORI: This meeting of the Subcommittee Committee of the Hawaii State Advisory Committee to the US Commission on Civil Rights shall come to order.

For the benefit of those in the audience, I shall introduce my colleagues and myself. First, my name is Michelle Nalani Fujimori and I am the vice chairwoman of the advisory committee. We'll start on my right with Mr.

Kuroiwa.

MEMBER KUROIWA: Yeah. My name is James

Kuroiwa.

MEMBER BURGESS: Good afternoon. I'm Bill

Burgess.

MEMBER YOUNG: Aloha. I am Jackie Young.

MEMBER AGBAYANI: My name is Amy Agbayani.

MEMBER BARBEE-WOOTEN: My name is Daphne

Barbee-Wooten.

MEMBER FUJIMORI: Also present are Barbara De

La Viez, Derek Horne and Angie Trevino, who are providing staff support from the US Commission on Civil Rights.

This US Commission on Civil Rights is an independent, bipartisan agency of the federal government charged with studying discrimination or denial of equal protection of the laws because of race, color, religion, sex, age, disability or national origin or in the administration

1 of justice.

2 In each of the 50 states an advisory
3 committee to the commission has been established and they are
4 made up of responsible persons who serve without compensation
5 to advise the commission on relevant information concerning
6 the respective state.

7 Today we are here to conduct an open session
8 for the purpose of gathering viewpoints from the public on
9 the proposed legislation currently pending before Congress,
10 the Native Hawaiian Government Reorganization Act of 2007,
11 also known as the Akaka Bill. Passage of the proposed
12 legislation could have far-reaching implications for citizens
13 and residents of Hawaii. The information gathered from this
14 meeting will be used by the Hawaii State Advisory Committee
15 in any future deliberations on the Akaka Bill. As most
16 residents of Hawaii are aware, there is significant
17 controversy surrounding the proposed legislation.

18 In order to gather as much input as possible
19 about this topic, the members of the advisory committee have
20 conducted two briefings; the first on August 20th, another on
21 September 5th. We also held an open session at our August
22 20th meeting and open public sessions on Maui on August 22nd,
23 Oahu on September 12th and yesterday in Hilo, so this is our
24 fifth open session.

25 Members of the public wishing to make a

1 statement at any of the open sessions may sign up upon
2 attendance. If you have not done so already, please see one
3 of the staff members at the entrance.

4 At the outset I want to remind everyone
5 present of the ground rules. This is a public meeting open
6 to the media and the general public. The time allotted for
7 each open session speaker is five minutes. We will strictly
8 adhere to this time limit so that as many participants as
9 possible may speak. If asked to conclude your comments,
10 please be courteous of those who are waiting to speak.

13:05:38 11 To conduct this open session in the most
13:05:40 12 efficient manner, we will have the first five speakers
13:05:44 13 provide their statements. Following their statements, I will
13:05:47 14 ask the committee members if they have any questions of the
13:05:48 15 previous speakers. So if possible, and if you are able, we
13:05:51 16 ask that those speakers to remain for questions. Each
13:05:54 17 subcommittee member is limited to one question and one
13:05:58 18 follow-up question per speaker.

13:06:00 19 Though some of the statements made today may
20 be controversial, we welcome all points of view. However, we
21 want to ensure that speakers not defame or degrade any
22 person, any committee member, any audience member or any
23 organization. As the vice chair I reserve the privilege to
24 cut short any statements that defame, degrade or do not
25 pertain to the issue at hand. A transcript will be kept as

13:06:25 1 part of these proceedings, so as you approach the microphone,
13:06:27 2 we do ask that you state your name and spell it for the court
13:06:31 3 reporter.

13:06:32 4 I urge all persons making presentations to
13:06:35 5 make judicious in their statements. The advisory committee
6 does appreciate the willingness of all participants to share
13:06:42 7 their views and experiences with this committee.

13:06:42 8 We'll now begin with James Kimokeo. Rupert
13:06:49 9 Rowe will follow. We ask that Mr. Rowe come and wait in the
13:06:53 10 chair so we can move this process along.

13:06:56 11 Mr. Kimokeo. You can come up to the stage,
13:07:22 12 actually, please.

13:07:27 13 MR. KIMOKEO: Any of the mikes here?

13:07:38 14 MEMBER FUJIMORI: Yes.

13:07:39 15 MR. KIMOKEO: I presented my statement. I'm
13:07:45 16 against the Akaka Bill. They're taking all our rights away
13:07:48 17 from us.

13:07:49 18 MEMBER FUJIMORI: Mr. Kimokeo, please state
13:07:52 19 your name and spell it for the court reporter before you
13:07:55 20 begin.

13:07:55 21 MR. KIMOKEO: What is that?

22 MEMBER FUJIMORI: Your name.

13:07:56 23 MR. KIMOKEO: Oh. My name is James Kimokeo,
13:07:59 24 Jr. I live in Anahola, Kauai. I was born on Kauai, raised
13:08:05 25 in Poipu. The last 40 years I was in Portland, Oregon with

13:08:09 1 the Army Corps of Engineers. After 30 years I retired and
13:08:12 2 worked for a private company in Seattle. Then I quit them
13:08:14 3 and I went down, finished up my time in New Orleans, worked
13:08:19 4 in the golf and the East Coast. Then I retired, got of work
13:08:23 5 and retired and I am 62 years old.

13:08:26 6 Why my presentation is that the Akaka Bill is
13:08:31 7 not for us is because they're going to take all our rights
13:08:36 8 away from us. We have no control learn anything. Especially
13:08:42 9 now when we the ward of the state, we got no say, no nothing,
13:08:46 10 no permit.

13:08:46 11 Another thing here is Akaka Bill will create
13:08:53 12 a government entity that subject to all the US, State of
13:08:58 13 Hawaii and the County. They can control everything. We got
13:09:02 14 no say.

13:09:05 15 And another one, Akaka Bill guarantees the
13:09:09 16 Hawaiian people they're nothing except a process of keep
13:09:18 17 begging the chief, the teach, what they took away from us, to
13:09:24 18 get what we want.

13:09:25 19 Akaka Bill guarantees that the Hawaiian
13:09:28 20 people reaffirm that the legal relationship develop --
13:09:34 21 dependent between the United States government. I referred
13:09:39 22 to the Akaka Bill on page 16.

13:09:43 23 That's all I have to say. I'm against Akaka
13:09:46 24 Bill. Don't want no part of the Akaka Bill. Thank you.

13:09:50 25 MEMBER FUJIMORI: Thank you, Mr. Kimokeo.

13:09:53 1 Mr. Rupert A. Rowe. Next up will be Clyde
13:09:58 2 Namuo.

13:09:58 3 MR. ROWE: For the record, my name is Rupert
13:10:01 4 A. Rowe. It's Rupert, R-U-P-E-R-T, last name Rowe.

13:10:08 5 I have some documents that I would like to
13:10:11 6 give you folks. These are the treaties that was with the
13:10:16 7 Kingdom of Hawaii. And I believe this commission is based
13:10:19 8 upon a race-based presentation of you folks. So when we're
13:10:26 9 looking at the race base of Hawaii, we looking at 50 percent
13:10:30 10 to 100 percent. 49 to 1 percent becomes the strangers in
13:10:36 11 their own house and in their race. The race of Hawaii is not
13:10:40 12 based upon a liquid measurement that was created by the
13:10:44 13 Congress of the United States.

13:10:46 14 For us to be here, we shouldn't be coming in
13:10:49 15 front of a commission that is not legally to recognize the
13:10:54 16 people of Hawaii. It should be Condalisa rights. And that's
13:11:00 17 where the problem lies in America in Hawaii on occupation.
13:11:05 18 As being an occupied person of a foreign country, you become
13:11:09 19 the stranger in your own land.

13:11:11 20 The word war is a sad word. It's a very
13:11:16 21 disgusting word. It separates the identity of a race to
13:11:21 22 slavery. So when I ask you folks this question: What are
13:11:25 23 your arguments based upon? Is it the fairness of the race
13:11:30 24 that is based upon a liquid measurement or it is the identity
13:11:33 25 of a race that needs your help to get their feelings across,

13:11:38 1 not the feelings of the strangers that occupy a foreign
13:11:42 2 country. Remember, the borders of Hawaii was opened to the
13:11:46 3 world. In 1959 they became the stranger in their country.
13:11:52 4 No voice, no nothing from the government of America. We live
13:11:57 5 in the biggest military base in the world. This is
13:12:01 6 occupation.

13:12:02 7 We all know the voice of the Kanaka is
13:12:06 8 limited. So when we come here to voice our concern, I don't
13:12:10 9 speak for the agencies of Hawaii. I speak for the people of
13:12:14 10 Hawaii that are the Kanaka Maolis, not the liquid measurement
13:12:20 11 that all of the citizens of America look down upon a race
13:12:23 12 that is being trampled by your presence of selfishness. The
13:12:29 13 same problems that went on in Iraq is happening right here
13:12:34 14 right under our nose. We are the strangers. We don't have
13:12:38 15 that military might as those in the Middle East. We have
13:12:42 16 compassion, humble and patience that recognize our race, our
13:12:48 17 kingdom and our freedom.

13:12:50 18 So when this commission, when you go back,
13:12:53 19 are you basing our testimony on the liquid measurement of
13:12:58 20 Hawaii or is it the race of Hawaii that you come here to
13:13:03 21 represent this commission?

13:13:05 22 So when we sit down in the public and we
13:13:09 23 watch every other ethic group profit in Hawaii and become the
13:13:13 24 stranger in their game as a citizen of America, but not the
13:13:18 25 Kanaka Maoli, which walks around with his head down every day

13:13:22 1 because there is no freedom for you to go forward.

13:13:25 2 So I would like you commissioners to ask me
13:13:29 3 questions so I can answer you from the people's heart, not
13:13:33 4 from an agency of the State or any other organization out
13:13:38 5 there. I represent myself and those that are like me.

13:13:42 6 I don't want to sound that I am rude or -- in
13:13:45 7 any way, but I am frustrated like the rest of the Kanakas.
13:13:51 8 Our voice must be heard not based upon any one of your ideas
13:13:56 9 of a liquid measurement. That is not right. That is
13:14:01 10 genocide of a country and its freedom. Only two other
13:14:05 11 countries that had this liquid measurement besides America:
13:14:09 12 South Africa and Germany. It was the theft of people's
13:14:15 13 property, that's why you lay down a liquid measurement.

13:14:19 14 So what part of this commission that you
13:14:22 15 going to take? Are you folks going to erase the liquid
13:14:27 16 measurement, change the treaties with Hawaii? Does you folks
13:14:31 17 make us become citizens and take the word "ward" away. The
13:14:36 18 word "ward" gives us an avenue for protection. We need that
13:14:44 19 protection, that's why we're the ward. We cannot say what we
13:14:47 20 need to say. We have other people saying what we need to say
13:14:50 21 from Hawaii of every other ethic group in Hawaii. Those are
13:14:55 22 Hawaiians. Any time you born on a foreign soil, you become
13:14:59 23 an identity as a Hawaiian.

13:15:02 24 I'll wrap it up very shortly. But I do
13:15:05 25 appreciate as time goes on that I come up here and answer the

13:15:08 1 questions from seven of you that sit there. Aloha.

13:15:13 2 Thank you, Mr. Rowe.

13:15:19 3 MEMBER FUJIMORI: Mr. Namuo. Next up is

13:15:25 4 Liberta Albao.

13:15:25 5 MR. NAMUO: Good afternoon, Madam Chair.

13:15:29 6 Good afternoon, Members. My name is Clyde Namuo, and that's

13:15:33 7 spelled N-A-M-U-O. I'm the administrator of the Office of

13:15:39 8 Hawaiian Affairs.

13:15:40 9 Before I begin, Madam Chair, if I could also

13:15:43 10 introduce our trustee for the islands of Kauai and Niihau,

13:15:47 11 Trustee Don Calaluna is also here this afternoon as well as

13:15:53 12 Chairperson Apoliona.

13:15:55 13 Madam Chair, I have submitted my written

13:15:59 14 comments to the committee and I would just like to summarize,

13:16:03 15 if that's okay. I'm here to speak in favor of the Native

13:16:08 16 Hawaiian Government Reorganization Act of 2007. And I really

13:16:13 17 would like to just highlight some of the misconceptions that

13:16:18 18 I have heard attending your hearings.

13:16:19 19 And let me start first with the definition of

13:16:25 20 aboriginal indigenous native people. Now, when I look at

13:16:28 21 section 3, paragraph 1 of Senate Bill 310, it defines

13:16:35 22 aboriginal indigenous native people and it reads as follows:

13:16:40 23 "The term aboriginal indigenous native people means people

13:16:42 24 whom Congress has recognized as the original inhabitants of

13:16:46 25 the land that later became part of the United States and who

13:16:52 1 exercised sovereignty in the area that later became part of
13:16:57 2 the United States."

13:16:58 3 Madam Chair, as I read that it is very clear
13:17:01 4 to me that there is no doubt that Native Hawaiians would
13:17:04 5 qualify as indigenous aboriginal native people. And when you
13:17:09 6 look at the Akaka Bill, that's the definition that they're
13:17:12 7 working with.

13:17:14 8 Madam Chair, in an earlier hearing there was
13:17:18 9 some misunderstanding as to the role of the Native Hawaiian
13:17:21 10 Interagency Coordinating Group that is established in the
13:17:25 11 bill, and if I might just read for you the appropriate
13:17:30 12 section. It reads in the bill: "In recognition that federal
13:17:35 13 programs authorized to address the conditions of Native
13:17:39 14 Hawaiians are largely administered by federal agencies other
13:17:44 15 than the Department of the Interior, there is an established
13:17:47 16 an interagency coordinating group known as the Native
13:17:52 17 Hawaiian Interagency Coordinating Group." This group has no
13:17:56 18 governance control over Hawaiians at all. And when you read
13:17:58 19 the bill, that becomes absolutely clear.

13:18:01 20 Now, the reason why this provision is in the
13:18:05 21 bill and when you read Native Hawaiian -- excuse me, Native
13:18:10 22 American legislation or legislation for Alaskan natives,
13:18:14 23 there is no similar provision as it is in this bill. And the
13:18:18 24 reason that it's there is that there are over 150 federal
13:18:23 25 measures that provide support to Native Hawaiians. Now, the

13:18:28 1 framers of the bill put this clause in there because there is
13:18:32 2 a need to coordinate. You have funding coming through the US
13:18:37 3 Department of Education for the Native Hawaiian Education
13:18:40 4 Act, the Native Hawaiian Health Bill through the US
13:18:44 5 Department of Health. So that's the reason for the
13:18:46 6 coordinating group. There is no governance. As you read the
13:18:50 7 bill, there is no reference to governance at all.

13:18:53 8 Madam Chair, Members, there was a statement
13:18:56 9 at an earlier hearing that the Department of the Interior
13:19:00 10 would have some trust control over Hawaiian lands. And if I
13:19:05 11 could quote for you section 9, paragraph B, again, of Senate
13:19:10 12 Bill 310, it states in pertinent part: "Notwithstanding any
13:19:15 13 other provision of law including, but not limited to Part 151
13:19:19 14 of Title 25, the Code of Federal Regulations, the Secretary,"
13:19:24 15 referring to the Secretary of the Interior, "shall not, shall
13:19:28 16 not take land into trust on behalf of individuals or groups
13:19:34 17 claiming to be Native Hawaiians or on behalf of the Native
13:19:39 18 Hawaiian governing entity."

13:19:40 19 Madam Chair, this provision was added into
13:19:43 20 the 2005 version of this bill because of the Codell
13:19:48 21 litigation. The Interior Department did not want to have any
13:19:51 22 misunderstanding that it would somehow have authority over
13:19:55 23 Hawaiian trust land or assets.

13:19:59 24 There's also been discussion about civil and
13:20:01 25 criminal jurisdiction and somehow this criminal and civil

13:20:04 1 jurisdiction will be bestowed upon the Native Hawaiian
13:20:10 2 governing entity when this bill is passed. Let me read for
13:20:14 3 you the pertinent section, section 9, paragraph E of Senate
13:20:18 4 Bill 310. "Jurisdiction. Nothing in this act alters the
13:20:24 5 civil or criminal jurisdiction of the United States or the
13:20:26 6 State of Hawaii over lands and persons within the State of
13:20:29 7 Hawaii." The status quo of federal and state jurisdiction
13:20:34 8 can change only as a result of further legislation, if any,
13:20:40 9 enacted after the conclusion in relevant part of the
13:20:44 10 negotiations process established in section 8-B.

13:20:49 11 There's also, I think, some misunderstanding
13:20:52 12 that somehow the citizens of Hawaii will have nothing to say
13:20:55 13 about the implementation of the provisions of this
13:20:59 14 legislation. Let me read for you section 8, paragraph B of,
13:21:04 15 again, Senate Bill 310. "Negotiations in general. Upon the
13:21:08 16 reacclimation of the special political and legal relationship
13:21:14 17 between the United States and the Native Hawaiian governing
13:21:16 18 entity, the United States and the State of Hawaii may enter
13:21:19 19 into negotiations with the Native Hawaiian governing entity
13:21:22 20 designed to lead to an agreement addressing such matters as:
13:21:26 21 Transfer of lands, native resources and other assets, and the
13:21:33 22 protection of existing rights related to such lands or
13:21:35 23 resources."

13:21:35 24 Further, section 8, paragraph B, subparagraph
13:21:39 25 2 states, "Amendments to existing laws upon agreement on any

13:21:43 1 matter or matters negotiated with the United States, the
13:21:46 2 State of Hawaii and the Native Hawaiian governing entity, the
13:21:50 3 parties are authorized to submit to the Committee on Indian
13:21:54 4 Affairs recommendations for proposed amendments to federal
13:21:57 5 law that will enable the implementation of those agreements
13:22:00 6 that are part of the negotiations."

13:22:02 7 Now, clearly, clearly changes to the State
13:22:09 8 Constitution in Hawaii must be put on a general election
13:22:13 9 ballot, which means that the citizens of Hawaii will have
13:22:17 10 every opportunity on anything that is of any great substance,
13:22:22 11 they will have an opportunity to vote yes or no.

13:22:27 12 So, Madam Chair, for all of those reasons,
13:22:30 13 the trustees of the Office of Hawaiian Affairs have taken a
13:22:33 14 position in strong support of the Native Hawaiian Government
13:22:36 15 Reorganization Act of 2007. I would also say that though the
13:22:42 16 trustees have taken a position in support of this particular
13:22:46 17 piece of legislation, they have not actually voted to support
13:22:51 18 a nation within a nation model, which is the model that is
13:22:55 19 envisioned by the Akaka Bill. Now, they may at some point in
13:22:59 20 the future actually address that specific question, but it is
13:23:04 21 not -- it has not actually been taken up as an official
13:23:08 22 position of the trustees.

13:23:10 23 Now, one of the reasons why the trustees have
13:23:13 24 voted in favor of this bill is that without the bill passing,
13:23:17 25 this option of a nation within a nation, the same model that

13:23:23 1 our American Indian brothers and sisters and the Alaskan
13:23:29 2 natives enjoy would not be available to the Native Hawaiians,
13:23:36 3 the aboriginal indigenous native people of the United States.
13:23:39 4 So without the bill, that option would not be open to us.

13:23:42 5 So whether or not Hawaiians choose a nation
13:23:47 6 within a nation model or some other model, that remains to be
13:23:51 7 seen. And, yes, there are many elements of this legislation
13:23:55 8 that are yet to be determined and it is a little bit
13:24:00 9 disconcerting that we don't have all of these answers for all
13:24:04 10 of these questions, but that's what self-determination is.

13:24:13 11 Madam Chair, thank you very much for your
13:24:16 12 time.

13:24:16 13 MEMBER FUJIMORI: Thank you, Mr. Namuo.
13:24:18 14 Ms. Albao.

13:24:22 15 MS. ALBAO: Liberta Albao. I was born and
13:24:25 16 raised in Hilo, educated at Kamehameha Schools, graduated
13:24:29 17 there and now I live on Kauai, as I'm married to someone from
13:24:34 18 this island.

13:24:35 19 I would like to say that I am the president
13:24:38 20 of the Hawaiian Civic Club, Hawaiian Civic Club, but I appear
13:24:44 21 to you today in behavior as an individual.

13:24:48 22 I am a beneficiary of the Hawaiian
13:24:52 23 Homesteads. I'm on the wait list. I am 62 and a half
13:24:56 24 percent Hawaiian and I'm here to say that I support the Akaka
13:25:01 25 Bill and I support the OHA in trying to give us a process,

13:25:06 1 and I thank you for listening to us today. Mahalo.

13:25:10 2 MEMBER FUJIMORI: Thank you, Ms. Albao.

13:25:12 3 Mr. Cutcher.

13:25:17 4 MR. CUTCHER: Good afternoon. My name is

13:25:27 5 Kawika Cutcher. I live on the Department of Hawaiian Home

13:25:30 6 lands in Anahola. I'm a Hawaiian Homestead fisher, Kanaka by

13:25:33 7 blood.

13:25:34 8 You know, we talk about the bill. This is

13:25:37 9 what I see. I'll just tell you what my tutu told me. I see

13:25:47 10 the forces of pilau. You know what pilau means? Dirty, no

13:25:50 11 good, unclean, kepalu. Wanting to keep destroying Hawaii's

13:25:56 12 native indigenous peoples by attacking programs without the

13:26:01 13 so-called Hawaiians Alu Like, Kamehameha Schools, et cetera,

13:26:05 14 in the name of so-called racial discrimination.

13:26:09 15 Kanakas don't know what racial discrimination

13:26:12 16 is. We know what race is and we know what blood is. Blood

13:26:15 17 is anybody who is a descendent of the indigenous people of

13:26:21 18 these islands. You are Kanaka even if it's 1/32nd blood.

13:26:25 19 Just like being (Hawaiian - popololu). You've always been

13:26:30 20 (Hawaiian - popololu) if you're a descendent. You're always

13:26:31 21 going to be a descendent. Okay?

13:26:32 22 And, you know, you must remember, a country

13:26:36 23 was stolen, not a program. A whole country was stolen by

13:26:41 24 descendents of pilau. That a whole nation was destroyed.

13:26:44 25 And these programs that we do have help my people to become

13:26:50 1 functional in the white man's world, the haole world. We
13:26:53 2 live in two world's as Kanakas, we live in the Kanaka world
13:26:57 3 and the haole world. The haole world is this world we see
13:27:01 4 right here. The Kanaka world is the spirit world and is also
13:27:02 5 our internal world. It's also an internal world.

13:27:08 6 Without these programs, Alu Like, Kamehameha
13:27:12 7 Schools, Lili'uokalani Trust, our people cannot compete in
13:27:17 8 the haole world. And I'm not saying this as a derogatory
13:27:22 9 word because there is no derogatory words in the Hawaiian
13:27:24 10 language. If you speak Hawaiian and you know the basis of
13:27:27 11 Hawaiian, there is no swear words. There's only curses and
13:27:31 12 blessings and sayings and proverbs. Okay?

13:27:35 13 These programs help my children. My first
13:27:38 14 job was to Alu Like before I was shipped overseas as a
13:27:43 15 soldier. I'm an ex-Pathfinder, 8th Military Intelligence.
13:27:49 16 I've been to 22 countries, did two tours overseas. I come
13:27:54 17 home and who helped me get the job? Alu Like. You know why?
13:28:08 18 Because we are discriminated against every day in our own
13:28:08 19 country. Every day. Every day.

13:28:08 20 All you got to do is look at the commercials
13:28:09 21 on TV: Aloha, aloha, aloha. That aloha is all pilau aloha.
13:28:15 22 That is all take, take, take; steal, steal, steal; use, use,
13:28:18 23 use; deny, deny, deny. And all the people that is using the
13:28:21 24 word aloha is not Kanakas, because the real Kanaka, we
13:28:25 25 wouldn't tell everybody in the audience aloha, not until you

13:28:27 1 know each person, because you have to know the heart before
13:28:30 2 you use that word.

13:28:33 3 You know, I never thought the pilau from the
13:28:36 4 overthrow descendents who committed genocide a long time ago
13:28:41 5 when they stole a nation would still be at work today. You
13:28:44 6 know, it saddens my heart that these people hate us so much
13:28:47 7 that they even make our own kind hate our own kind to justify
13:28:52 8 their ancestral sin. That just blows me away that somebody
13:28:57 9 can be so -- of such a (Hawaiian - maihuli) heart that that
13:29:03 10 (Hawaiian - maihuli) heart would be transferred on and on and
13:29:05 11 on to the generations that are now that are still
13:29:10 12 discriminating against us and then would try to take away
13:29:15 13 where I live, the Department of Hawaiian Homes.

13:29:18 14 Let me tell you something straight up. They
13:29:20 15 choke Hawaiians. Lohi nui Hawaiians, fed up to here. Nui
13:29:25 16 Kanakas that is ex-military, fed up to here. Nui Kanakas
13:29:30 17 coming home from Iraq and stuff, fed up to here because our
13:29:35 18 way of life is in jeopardy. Our very being is in jeopardy by
13:29:39 19 these so-called forces of racial -- racial equality.
13:29:44 20 Equality?

13:29:46 21 Me, this is me, I speak for myself and my ten
13:29:51 22 thousand cousins on all the islands, we support anything that
13:29:56 23 brings justice. We don't support nothing that doesn't bring
13:30:00 24 justice. We support more Hawaiian Home lands for all our
13:30:04 25 keiki, for anybody who has Kanaka blood. That's what we

13:30:08 1 support. We support all our, all our old treaties to be
13:30:13 2 reinforced. We support that. We support more schools for
13:30:16 3 our people. We support the payback of what some people did
13:30:21 4 100 years ago, the blood money that they got, that they made
13:30:25 5 off our lands and our country returned to us. That's what we
13:30:29 6 support. We also support justice, justice as justice is
13:30:34 7 supposed to be. Return what's stolen and leave us alone.

13:30:38 8 My name is Kawika Cutcher. I live on the
13:30:42 9 Department of Hawaiian Home lands. I'm also an ex-veteran
13:30:45 10 and so is my brother and so is my dad. My dad is very
13:30:48 11 Kanaiha Marine -- I mean, Kanaiha Veterans Center. My tutu's
13:30:50 12 papa, Hanapepe Veterans Center. My grandpa, Hanapepe
13:30:54 13 Veterans Center. My tutu's papa before that stood against
13:30:59 14 those forces of evil that overthrew the queen. But you know
13:31:03 15 what? We're still here.

13:31:04 16 And this is another thought you need to think
13:31:06 17 about. Kanakas has no place else to go in the world. All
13:31:10 18 the Europeans can go back Europe, all Asians can go back to
13:31:15 19 Asia and they'd be welcomed with open arms. Kanakas have no
13:31:19 20 other place to go. Las Vegas is not our country. California
13:31:25 21 is not our country. Utah is not our country. All those
13:31:28 22 places are not our country. This is our country. This aina
13:31:32 23 underneath us is our country. And all we ask is justice.

13:31:37 24 If you have any questions, I can answer them.

13:31:40 25 MEMBER FUJIMORI: Thank you, Mr. Cutcher.

1 MR. CUTCHER: Thank you.

13:31:42 2 MEMBER FUJIMORI: Committee Members, I will
13:31:43 3 now go through the names of the first five speakers and if
13:31:46 4 you have any questions, please let me know. The first
13:31:47 5 speaker was James Kimokeo. Any questions? Rupert Rowe. Any
13:31:53 6 questions for Clyde Namuo.

13:31:57 7 MEMBER BURGESS: Yes, I have some questions
13:32:00 8 for Mr. Namuo.

13:32:03 9 MEMBER FUJIMORI: Mr. Namuo. Our committee
13:32:09 10 members have one question plus one follow-up.

13:32:15 11 MR. NAMUO: Mr. Burgess.

13:32:18 12 MEMBER BURGESS: Mr. Namuo, you said that --
13:32:23 13 Mr. Namuo, you said that there would be ample opportunity for
13:32:29 14 all the people of Hawaii to be heard before the provisions of
13:32:38 15 the Akaka Bill would go into effect. And isn't it true that
13:32:50 16 the people of Hawaii have nothing to say about this bill
13:32:59 17 until after -- I mean, if it does pass and gets implemented,
13:33:04 18 the people are never consulted and never have any say at all
13:33:09 19 until after the new Native Hawaiian government has been
13:33:16 20 created and recognized by the United States as the official
13:33:25 21 representative governing entity of the Native Hawaiian
13:33:29 22 people? Until that's done, the people of Hawaii would have
13:33:34 23 nothing to say about whether they want to go down that path
13:33:38 24 or not.

13:33:40 25 MR. NAMUO: Madam Chair, Mr. Burgess, that is

13:33:45 1 correct. I would explain, though, that the genesis for this
13:33:53 2 bill started after 1993 and the passage of the Apology
13:33:58 3 Resolution. This was part of Senator Akaka's reconciliation
13:34:04 4 efforts. Now, there were hearings in Hawaii in the year
13:34:07 5 2000. Those hearings really were -- The input from those
13:34:11 6 hearings really was what this bill was crafted from. So when
13:34:16 7 people say, Well, people in Hawaii have really had no input
13:34:20 8 at all, that really isn't true. The hearings were on all of
13:34:24 9 the islands and people did have an opportunity to comment on
13:34:30 10 this concept of reconciliation.

13:34:33 11 Mr. Burgess, I would also mention that there
13:34:35 12 will really be nothing of any substance to bring to the
13:34:39 13 voters until such time that the role of the Native Hawaiian
13:34:44 14 governing entity is clearer. And that's why if there's to be
13:34:47 15 an amendment to the State Constitution, if there are to be
13:34:51 16 amendments to federal legislation, that would be the
13:34:54 17 appropriate time for those discussions to occur, after the
13:34:59 18 governing entity is created.

13:35:02 19 MEMBER BURGESS: Can I follow up on that?

13:35:04 20 MEMBER FUJIMORI: (Nodding head.)

13:35:05 21 MEMBER BURGESS: Mr. Namuo, you mentioned the
13:35:08 22 hearings in the year 2000. I attended those hearings and by
13:35:14 23 the estimate of Robert Reese, who is an independent
13:35:16 24 journalist, he didn't -- I'm sure he wouldn't -- I don't
13:35:20 25 think anyone can claim that he was favoring the opponents to

13:35:24 1 the Akaka Bill, if anything, it was perhaps the other way,
13:35:28 2 but his estimate was that the opposition to the bill was nine
13:35:32 3 to one against those in favor of the bill.

13:35:36 4 And I would very seriously dispute that the
13:35:43 5 people of Hawaii have spoken up 'til now and given -- or
13:35:51 6 given any indication that they would favor the Congress
13:35:55 7 passage of the Akaka Bill.

13:35:59 8 MEMBER FUJIMORI: Was there a question in
13:36:01 9 there, Mr. Burgess? Mr. Burgess, was there a question in
13:36:04 10 there?

13:36:06 11 MEMBER BURGESS: Oh, no, but he can comment
13:36:08 12 on that if you want.

13:36:09 13 MR. NAMUO: I would be happy to comment.

13:36:09 14 MEMBER FUJIMORI: Go ahead.

13:36:12 15 MR. NAMUO: Mr. Burgess, I don't know what
13:36:14 16 Mr. Reese was basing his assessment on. I'm not sure whether
13:36:18 17 he was basing it on the record -- And as you know, you can't
13:36:22 18 simply judge these hearings on people that come before you
13:36:25 19 and speak at the podium. There could be 100 pieces of
13:36:29 20 written testimony that you don't know or you will read after
13:36:34 21 the hearing. So I don't know. I can't -- I'm not --
13:36:39 22 certainly not about to question Mr. Reese, God rest his soul,
13:36:43 23 but I don't know. So I would suggest that perhaps that's
13:36:47 24 something the committee should look, what is the record, what
13:36:50 25 happened in the year 2000.

13:36:52 1 Thank you, Madam Chair.

13:36:56 2 MEMBER FUJIMORI: Ms. Young.

13:36:57 3 MEMBER YOUNG: Mr. Namuo, I thank you very
13:37:01 4 much for your analysis of the testimony that's come before us
13:37:04 5 and by pointing out some of the sections in the Akaka Bill
13:37:08 6 that we can take a look at hopefully when we get a copy. I
13:37:13 7 do want to go on record that this commission has not yet
13:37:16 8 received, at least not when I have been present, a copy of
13:37:21 9 the bill that is currently under discussion. I was on the
13:37:24 10 former committee two years ago and I know the Akaka Bill has
13:37:28 11 gone through some transformations. So hopefully before we
13:37:31 12 come to any report or deliberations, the commission will be
13:37:37 13 able to receive a full copy of the bill and can discuss it
13:37:41 14 and then we'll get the testimony that everyone has submitted.
13:37:45 15 But thank you for pointing out those two sessions.

13:37:48 16 MEMBER FUJIMORI: Any other members of the
13:37:49 17 committee? Ms. Wooten.

13:37:54 18 MEMBER BARBEE-WOOTEN: Thank you, Mr. Namou.
13:37:57 19 My question is a follow-up to Mr. Burgess' question and
13:38:00 20 comment pertaining to citizens of Hawaii taking a position on
13:38:02 21 the Akaka Bill. Was there a recent poll? I think OHA has
13:38:08 22 given us a recent poll showing that a majority of the
13:38:11 23 citizens do approve of the Akaka Bill. And if you could tell
13:38:14 24 us what the percentages are.

13:38:16 25 MR. NAMUO: Certainly. Madam Chair, the poll

13:38:20 1 was conducted by Ward Research using what would be acceptable
13:38:25 2 standards for polling.

13:38:28 3 70 percent of those surveyed said yes when
13:38:32 4 asked if Hawaiians should be recognized by the United States
13:38:35 5 as a distinct indigenous group similar to the recognition
13:38:41 6 given to American Indians and Alaskan natives.

13:38:44 7 67 percent said yes when asked if Hawaiians
13:38:49 8 should have a right to make decisions about their land,
13:38:53 9 education, health, cultural and traditional practices.

13:38:55 10 83 percent said yes when asked if they
13:38:58 11 support the continuation of the federally funded programs for
13:39:02 12 Hawaiians in the field of health, education, employment,
13:39:05 13 economic development and housing.

13:39:08 14 65 percent said they agreed that Kamehameha
13:39:10 15 Schools and programs such as DHHL and OHA should be protected
13:39:15 16 with passage of a federal bill that recognizes Hawaiians as
13:39:19 17 an indigenous group.

13:39:21 18 And 51 percent supported the creation of a
13:39:24 19 Hawaiian governing entity to represent Hawaiians in their
13:39:27 20 dealings with the state and federal government.

13:39:32 21 MEMBER FUJIMORI: Anything further questions
13:39:33 22 for Mr. Namuo from the committee?

13:39:35 23 Thank you, Mr. Namuo.

13:39:37 24 MR. NAMUO: Certainly. Madam Chair, I
13:39:40 25 would -- I hesitate offering this, but we have spent -- and I

13:39:43 1 would be happy to make this available to the committee, but
13:39:45 2 we have what we refer to as a side-by-side-by-side comparison
13:39:49 3 of the bill. And we have the version that was introduced in
13:39:53 4 Congress in 2005, 2006 and 2007. It's helpful to see how the
13:39:59 5 bill has morphed over the last several years.

13:40:03 6 So what I will do, Madam Chair, is I'll make
13:40:06 7 it available. I would urge that your staff check it for
13:40:10 8 accuracy, but we find it helpful.

13:40:13 9 MEMBER FUJIMORI: If you would provide a copy
13:40:15 10 to Ms. De La Viez. Thank you.

13:40:18 11 MEMBER BURGESS: Madam Chair, may I request
13:40:21 12 that the committee request that Mr. Namuo, since he brought
13:40:26 13 up that poll, that he make available to the us the entire
13:40:30 14 Ward poll.

13:40:31 15 MR. NAMUO: I have it here.

16 MEMBER FUJIMORI: The entire poll?

13:40:34 17 MR. NAMUO: The entire poll.

13:40:34 18 MEMBER BURGESS: The entire pole, not just
13:40:37 19 the questions and answers?

13:40:38 20 MR. NAMUO: The entire poll and all of the
13:40:40 21 tables.

13:40:40 22 MEMBER BURGESS: The entire report from Ward
13:40:45 23 Research.

13:40:45 24 MR. NAMUO: Got it right here.

13:40:45 25 MEMBER FUJIMORI: Thank you.

13:40:51 1 Do the committee members have any questions
13:40:57 2 for Liberta Albao or Kawika Cutcher?

13:40:58 3 Okay. For those of you who have just
13:41:02 4 arrived, I just want to remind you that the time allotted to
13:41:05 5 each open session speaker is five minutes and that we will be
13:41:07 6 adhering to that time limit. We do have a timer that will go
13:41:13 7 off after five minutes. And once it does go off, we ask that
13:41:17 8 you wrap up presentation.

13:41:18 9 To conduct this open session in the most
13:41:18 10 efficient manner, we are having sets of five speakers speak.
13:41:21 11 Following their statements, I will ask the committee members
13:41:24 12 if they have any questions of the previous speakers. So if
13:41:27 13 possible and if you are able, we ask that those speakers in
13:41:29 14 that lot of five remain for questions. Each committee member
13:41:33 15 is permitted one question and one follow-up question.

13:41:36 16 With that, we go to the next five set of
13:41:37 17 speakers beginning with Ken Taylor, to be followed by Kewalu
13:41:45 18 Yadao.

13:41:46 19 I'm sorry. Can I also remind the audience to
13:41:48 20 please turn off the cell phones or put them on vibrate,
13:41:53 21 please? Thank you.

13:41:59 22 MR. TAYLOR: Chair, Members of the Commission,
13:42:10 23 my name is Ken Taylor. I want to thank you for being here.

13:42:14 24 I'm really sad to see such a few people from the
13:42:17 25 Hawaiian nation not present and it's unfortunate -- Most of

13:42:23 1 these folks have to work during the day and it would have
13:42:27 2 really been nice for something of this magnitude to be held
13:42:31 3 either in the evening or on a Saturday where more of these
13:42:36 4 folks could have been here, because I'm sure with the
13:42:39 5 magnitude, as I say, of this issue, this room would have been
13:42:43 6 full.

13:42:43 7 I stand in oppose to the Akaka Bill. I agree with
13:42:50 8 a lot of the comments that previous speaker Rupert made. I
13:42:56 9 come from California and I have seen over the years how the
13:43:03 10 Indians were treated under the different kinds of treaties.
13:43:09 11 I would be appalled to allow this to happen to the Hawaiian
13:43:13 12 people.

13:43:17 13 I think that in 1993 Resolution 103-150 opened the
13:43:23 14 door to freedom for Hawaiian people. I see the Akaka Bill
13:43:30 15 doing nothing but slamming that door shut. And I -- For that
13:43:37 16 one reason or the main reason for opposing this bill.

13:43:43 17 It's unfortunate that the Hawaiian people aren't
13:43:49 18 more collectively involved in coming together on these
13:43:53 19 issues. And I don't stand here to tell you or the Hawaiian
13:44:01 20 people that I know all the answers to their problems. I
13:44:05 21 don't. I'm fairly new to Hawaii. I have a large binder full
13:44:10 22 of information that I have been working on and reading trying
13:44:13 23 to get a better understanding of this whole process.

13:44:16 24 And I've been saddened and stand here with a heavy
13:44:27 25 heart that these folks have not been able to come together

13:44:31 1 and realize the importance of freedom for their country. For
13:44:37 2 over 100 years they have sat here under occupation, which is
13:44:44 3 a shame. We as Americans should be shameful of what we've
13:44:49 4 done to the Hawaiian nation. The Akaka Bill is just flat
13:44:58 5 wrong.

13:45:00 6 Please recommend denial of moving forward with
13:45:04 7 this. Thank you.

13:45:06 8 MEMBER FUJIMORI: Thank you, Mr. Taylor.
13:45:07 9 (Applause.)

13:45:09 10 MEMBER FUJIMORI: Kewalu Yadao. Following
13:45:15 11 him will be Sharon Pomiroy.

13:45:19 12 MR. YADAO: My name is Kewalu Yadao and I am,
13:45:29 13 I guess -- My spelling is K-E-W-A-L-U, Y-A-D-A-O.

13:45:39 14 I am against this Akaka Bill because it
13:45:44 15 doesn't help, it only hurts. And I heard that the words
13:45:50 16 hearings on all islands, which is false, because it was only
13:45:54 17 on Oahu. And public law states that Hawaii was stolen, not
13:45:59 18 given to the United States, so give it back. And why not
13:46:09 19 hold public hearings before the vote because of all these
13:46:12 20 amendments that was all done so they can -- people have the
13:46:19 21 right to at least give their feelings about this new Akaka
13:46:29 22 Bill that has been revised so many times. That's about it.
13:46:38 23 But I'm against this.

13:46:40 24 MEMBER FUJIMORI: Thank you, Mr. Yadao.

13:46:43 25 Ms. Pomiroy. Following Ms. Pomiroy will be

13:46:53 1 Mahelani Sylva.

13:46:53 2 MS. POMIROY: Good afternoon. I'm Sharon
13:46:55 3 Pomiroy. I live on a six-acre Hawaiian Homestead land in
13:46:58 4 Anahola and I'm a farmer. I fish for a living. I mean for
13:47:01 5 survival, not for a living. And I am here to speak in favor
13:47:07 6 of the Akaka Bill. I believe the Akaka Bill will be the
13:47:12 7 biggest foot that the United States can put in their mouth
13:47:16 8 and passage of it will show exactly what the United States
13:47:20 9 thinks of the Native Hawaiians.

13:47:22 10 Once the Akaka Bill passes, I for one will be
13:47:26 11 standing out wherever I have to stand, including the front of
13:47:29 12 your house, fighting for an independent nation. You guys can
13:47:37 13 pass all kinds of bills you want, whatever bill you want to
13:47:41 14 pass in the name of the Hawaiian people, but it's not the
13:47:44 15 Hawaiian people who are doing it. One Hawaiian senator and a
13:47:48 16 whole bunch of 50, 100, 500 something other representatives
13:47:52 17 in Washington, DC are going to have to pass that bill, not
13:47:56 18 the Hawaiian people.

13:47:57 19 So, you know, Hawaiians going to come up here
13:48:00 20 and tell you I support the bill and will tell you I don't
13:48:03 21 support the bill. The bill is worth the paper it's written
13:48:08 22 on because you guys don't listen to the Hawaiian people. The
13:48:14 23 Hawaiian people with the blood, brother, not the haoles who
13:48:18 24 live here and call themselves Hawaiian. Yeah? Because if I
13:48:24 25 go to California, I'm a Californian. So, you know, when you

13:48:27 1 come here and you be a resident of Hawaii, that doesn't make
13:48:31 2 you a Native Hawaiian. It does not make you a Kanaka Maoli.

13:48:35 3 Any kind of attachment that my nation has to
13:48:39 4 the United States of America is to our detriment. It's not
13:48:46 5 for our better. We have lost from day one when Sanford B.
13:48:57 6 Dole and all those other guys who were citizens of the nation
13:49:00 7 of Hawaii and overthrew the nation along with the support of
13:49:06 8 the United States military. When they stepped down on the
13:49:09 9 Native Hawaiians, they started bringing in all of these
13:49:13 10 haoles, that's when we started losing.

13:49:17 11 And I'm not talking white skin, blond hair,
13:49:22 12 blue-eyed haoles. (Hawaiian.) Everybody who does not have
13:49:29 13 Hawaiian blood is haole. There is no detriment in the word.
13:49:36 14 Haoles made the word bad. Haole chose to take our language
13:49:42 15 and twist it so that they could use the term haole or refer
13:49:47 16 to it as a derogatory term. It is not.

13:49:48 17 My grandfather is haole. I have one haole
13:49:52 18 ancestor in my family going back for 20 generations. And
13:49:57 19 guess where he came from? He came from Redding,
13:50:00 20 Pennsylvania, by way of Worcester, Massachusetts. And his
13:50:04 21 grandfather five times removed was the president of the
13:50:09 22 United States of America, and so was that man's father. You
13:50:17 23 look them up. They were the first father and son team to
13:50:21 24 become president in the United States of America: John
13:50:25 25 Quincy Adams and John Adams. I am a direct lineal descendent

13:50:29 1 from them.

13:50:30 2 I do not have animosity towards haole. . I
13:50:34 3 have animosity towards arrogance, towards people who come to
13:50:39 4 our land and they want to change it so that it looks like the
13:50:43 5 place they came from. How come you got to change Hawaii to
13:50:46 6 suit you? Why not let Hawaii change you? Why not let Hawaii
13:50:50 7 remain Hawaii instead of putting up a Burger King on this
13:50:55 8 corner, a Kentucky Fried on that corner, a Jack in the Box
13:51:01 9 over here? That's not our life. That's not the way of the
13:51:04 10 Kanaka Maoli. That is haole life. Yeah?

13:51:08 11 You need to understand the priority of the
13:51:13 12 haole is now superseding the needs of the Kanaka Maoli. And
13:51:20 13 I am a Kanaka Maoli and I resent the haole who come here and
13:51:25 14 ruin our world. For the last 50 years or so we've been a
13:51:31 15 state and what's happened to our resources? Where are they?
13:51:35 16 Haoles have come and depleted them. The Native Hawaiian
13:51:40 17 doesn't deplete, but in order to survive today the Native
13:51:45 18 Hawaiian goes out and does the same thing that the haole
13:51:49 19 does. For what? Money, so they have money to spend.

13:51:54 20 If the whole world was to stop right now and
13:51:57 21 electricity went off never to come back on again, I'm not
13:52:00 22 going to be hungry. I have a farm. See my tan? My tan is
13:52:05 23 not from lying on the beach soaking up sun. I have six
13:52:10 24 acres, of which about four and a half acres are dedicated to
13:52:15 25 Native Hawaiian flora. And I know what the Native Hawaiian

13:52:20 1 flora is. I grew up in Native Hawaiian flora.

13:52:26 2 I have lived the majority of my life on
13:52:29 3 Homestead lands in Hawaiian communities surrounded by Native
13:52:34 4 Hawaiians. And you look at the places where I grew up, who's
13:52:39 5 trying to push the haole -- the Hawaiian out? The haole.
13:52:43 6 Because now they say, Wow, the Hawaiian sits on top of a
13:52:48 7 hill. I want that hill. So they make moves to overthrow our
13:52:51 8 attempts to become a self-sufficient, self-supporting nation,
13:52:59 9 which we can do very easily.

13:53:01 10 They want to rewrite American law so that
13:53:04 11 they can come in and take away our Homestead land. They want
13:53:07 12 to eliminate the Homesteads. And what they going to do?
13:53:11 13 They going to sell it. For what? For money. To who? Haole
13:53:16 14 with no respect and no regard for myself or the other Kanaka
13:53:22 15 Maoli who is sitting out here whose generation and ancestry
13:53:27 16 goes back 2,000 years.

13:53:31 17 Before Europe was Europe this was (Hawaiian -
13:53:36 18 kapa aina o Hawaii). Before America become America, we were
13:53:45 19 (Hawaiian - kapa aina o Hawaii). We have always been here.
13:53:47 20 This is our land, we are the people of this land, and we are
13:53:52 21 now relegated into a little corner of the land, a few little
13:53:57 22 acres. And every year legislature tries to take more. And
13:54:04 23 who's trying to do it? You ask them. They're going to tell
13:54:08 24 you: Haole.

13:54:11 25 Oh, is my time up?

13:54:13 1 MEMBER FUJIMORI: If you could wrap it up,
13:54:15 2 please, so other speakers can speak as well.

13:54:17 3 MS. POMIROY: That's it.

13:54:18 4 MEMBER FUJIMORI: Thank you, Ms. Pomiroy.

13:54:22 5 (Applause.)

13:54:23 6 Ms. Sylva. Following Ms. Sylva will be
13:54:29 7 Puanani Rogers.

13:54:31 8 MS. SYLVA: Aloha, Commissioners.

13:54:35 9 (Hawaiian.) Many, many blessings and may you be blessed with
13:54:41 10 insight into the very truth of what is happening.

13:54:45 11 My name is Mary Mahelani Sylva. My tutu name
13:54:53 12 is that. And the reason why I'm here is because of this,
13:55:07 13 which I will quote. It is something from the past and I
13:55:07 14 bring it here to you now in the future. And it's in English
13:55:07 15 and I won't be singing it.

13:55:10 16 "Famous are the children of Hawaii. Ever
13:55:13 17 loyal to the land. When the evil-hearted messenger comes
13:55:20 18 with his greedy document of extortion.

13:55:26 19 "Hawaii, land of Keawe answers. Pi'ilani's
13:55:29 20 bays help. Mano's Kauai lends support and so do the sands of
13:55:34 21 Kahuhihewa.

13:55:37 22 "No one will fix a signature to the paper of
13:55:40 23 the enemy with its sin of annexation..." And now it is the
13:55:47 24 sin of the sale of civil rights of the Kanaka Maoli. ..."and
13:55:52 25 sale of the civil rights of -- of native civil rights.

13:55:59 1 "We do not value the government's sum of
13:56:03 2 money. We were satisfied with the stones, astonishing food
13:56:09 3 of the land.

13:56:10 4 "We back Lili'uokalani who has won the rights
13:56:15 5 of the land." So I ask you to go forth and tell the story
13:56:22 6 which continues today of the people who love their land.

13:56:26 7 That song, every time the ohana used to get
13:56:30 8 together and sing that song which uncle would -- back was
13:56:38 9 straight, his jaw would clench. Which auntie, whose tears
13:56:43 10 would flow down the eyes when that song was sung. And it was
13:56:47 11 written in 1893 and published in 1895, known as Kaulana Na
13:56:57 12 Pua or the Mele Ai Pohaku or Mele Aloha Aina or the Patriots'
13:57:03 13 Song.

13:57:04 14 What happens is I didn't quite understand
13:57:09 15 because I was young, so one day my tutu caught me crying
13:57:14 16 because of listening to the song over and over again and all
13:57:18 17 I did was do what I saw of those who I loved dearly. And
13:57:24 18 when she asked me why am I crying, I could not answer. So
13:57:29 19 she explained to me what had taken place in 1893, the illegal
13:57:38 20 occupation and theft of our nation.

13:57:42 21 And what happens is as a young child she
13:57:45 22 said, "One day, Mahelani, the queen going to make a kahea and
23 you're going to add to that kahea and will hold to those
24 things that she did." And what I thought was a beautiful
13:57:57 25 story turned out to be prophesy. And my mom said, "You have

13:58:02 1 been chosen in our family to go forth and continue to take
13:58:06 2 that knowledge into the future generations and let them know
13:58:12 3 what happened to our country."

13:58:14 4 This bill, the Akaka Bill, first of all, I
13:58:18 5 cannot agree to sign something that states an out-and-out
13:58:25 6 lie. We are not indigenous of the United States. We will
13:58:31 7 never be indigenous of the United States. We are Kanaka
13:58:37 8 Maoli, (Hawaiian) of this land. Ua mau ke ea o ka aina i ka
13:58:47 9 pono. The life of this land is perpetuated in righteousness.

13:58:51 10 This bill is nothing to do with
13:58:55 11 righteousness. It supports a lie. And if our people sign a
13:59:00 12 lie, then, unfortunately, they will have to live by that lie
13:59:06 13 and whatever may fall upon them. And I think that -- of the
13:59:13 14 children that one day my daughter may have, but she doesn't
13:59:18 15 want to do that right now. She can't think of having
13:59:23 16 children because she doesn't see a future for them.

13:59:29 17 This Akaka Bill, first of all, 50 percent
13:59:33 18 blood. And so by a twist of the pen, those who possess one
13:59:42 19 drop of blood disappear. Paper genocide. (Hawaiian -
13:59:52 20 akulai.) I cannot, I cannot support this. And as a
13:59:58 21 spokesperson for all my ohana who passed away, who never seen
14:00:03 22 the light of freedom and why not for their people, I will
14:00:07 23 never support this. No matter how you change it, I cannot.
14:00:13 24 I will support and only that -- As spokesman for my ohana and
14:00:20 25 those generations who passed away, I will support only one

14:00:24 1 thing: The return of our nation. Mahalo.

14:00:29 2 MEMBER FUJIMORI: Thank you, Ms. Sylva.

14:00:32 3 Puanani Rogers.

14:00:56 4 MS. ROGERS: (Hawaiian.) Greetings to all of
14:01:04 5 you and to all the people that are here, seen and unseen. I
14:01:09 6 stand here to invoke the spirits of my kupuna, to stand here
14:01:15 7 for them today because it is them that started this and I am
14:01:19 8 here to speak for them now, today.

14:01:22 9 For the record, Puanani Rogers Kaohi Noa,
14:01:28 10 born, raised and still living in the ahupuaa of Kalaheo on
14:01:33 11 this beautiful and sacred island of Kauai. (Hawaiian - mahao
12 kulani ko.)

14:01:38 13 I'm not sure what use it is to be here today
14:01:41 14 and to be speaking to this committee. It's a bill that -- as
14:01:49 15 I have it, a bill before us and since its inception we have
14:01:58 16 been ignored many times and felt like we spoke to deaf ears.
14:02:10 17 Ever since this bill came out in the very, very beginning I
14:02:13 18 spoke in opposition. We begged you folks to come back and
14:02:18 19 hold hearings again with us so that we could discuss all of
14:02:21 20 the many changes and amendments that you have made to this
14:02:24 21 bill. This is not the original one that we first spoke to at
14:02:29 22 the hearing with the congregational delegates. This is a
14:02:33 23 whole different, morphed out bill. Why have you not given
14:02:38 24 the --

14:02:38 25 In fact, you're the wrong people to talk to.

14:02:40 1 I shouldn't be talking to you. I should be talking to the
14:02:43 2 people who are going to be making the final decision, the
14:02:44 3 guys that can vote, the congressional people. We should be
14:02:50 4 speaking to the secretary of the Department of State, not to
14:02:54 5 the Department of the Interior. That's just again putting us
14:02:54 6 in a box where you folks -- where Americans like to put
14:02:59 7 indigenous people.

14:03:00 8 I hope you understand what I'm trying to say.
14:03:05 9 In my eyes, you are all Americans and our kupuna is
14:03:18 10 forbidding this Akaka Bill, (Hawaiian - awiha) bill. We are
14:03:23 11 not Americans because America on Hawaii is not lawful anyway.
14:03:27 12 It's purported to be based on the cunning and deceptive acts
14:03:32 13 of your country's greed for money, power, military
14:03:38 14 strategies. I am a Hawaii national, a Kanaka Maoli
14:03:43 15 indigenous to this aina, not to the United States.

14:03:48 16 We have been a peaceful and loving people, in
14:03:51 17 the words of the queen, we have been a peaceful and loving
14:03:54 18 people who have welcomed and fattened you, yet you trade on
14:04:00 19 our civil and native inherent rights. You have belligerently
14:04:06 20 been occupying our aina, our nation by your military force,
14:04:11 21 America. Our Na Kupuna fought for us with their Kui
14:04:21 22 Petition, and so today we are here to speak for them.

14:04:24 23 You may speak of reconciliation in this Akaka
14:04:28 24 Bill. To me, reconcile a people with our aina and pay their
14:04:33 25 back rent for occupying our lands, that is reconciliation.

14:04:37 1 By the way, just yesterday an overwhelming
14:04:42 2 majority of the 192-member United Nations General Assembly
14:04:48 3 said yes to a resolution calling for the adoption of the
14:04:51 4 Universal Declaration on the Rights of Indigenous People. I
14:04:56 5 quote, "'It's a triumph for indigenous people around the
14:05:01 6 world,' said UN Secretary General Ban Ki-Moon after the
14:05:05 7 General Assembly vote. 'This marks a historic moment when
14:05:09 8 member states and indigenous people reconcile with their
14:05:13 9 painful histories.'"

14:05:17 10 143 out of 192 members voted yes. "As
14:05:22 11 expected, the US, Canada, Australia and New Zealand refused
14:05:28 12 to accept it." The declaration does assert the right for
14:05:31 13 indigenous people to self-determination under international
14:05:38 14 law and for control of our lands and resources. We are
14:05:41 15 definitely going to look after that and take the next step as
14:05:45 16 a Hawaii nation to go before the UN and tell them who we are.
14:05:50 17 We are a nation, we always were. Our kingdom still exists.

14:05:57 18 "September 13th, 2007, will be remembered as
14:06:02 19 an international human rights day for the indigenous peoples
14:06:07 20 of the world." Go read about this. It's on the Internet as
14:06:12 21 I speak.

14:06:15 22 By the way, here's another one, people,
14:06:19 23 "Honolulu Advertiser" headline this morning -- I know I'm off
14:06:23 24 the subject, but "Superferry Considers Pulling Out of
14:06:27 25 Hawaii." That's all about the money, folks.

14:06:30 1 What we want is self-determination under
14:06:33 2 international law, not your SB 153 act on the reorganization,
14:06:42 3 Native Hawaiian Reorganization Government Act. What
14:06:46 4 government are you saying needs to be reorganized I ask? No,
14:06:51 5 this is a hewa bill. Please take it back, throw it in the
14:06:57 6 rubbish. We don't need this. We kuai this forever. No
14:07:03 7 matter whether it passes or not, we will continue to protest.
14:07:08 8 Please listen to us. It should be the people, the Hawaiian
14:07:11 9 people, that make the decision, not Congress. Congress is
14:07:15 10 not our leader. Mahalo.

14:07:19 11 MEMBER FUJIMORI: Thank you, Ms. Rogers.

14:07:20 12 (Applause.)

14:07:21 13 MEMBER FUJIMORI: We just finished with our
14:07:23 14 second five set of speakers. Ask the committee if they have
14:07:27 15 any questions for Ken Taylor, Kewalu Yadao, Sharon Pomiroy.

14:07:35 16 MEMBER BURGESS: Wait. I would like to Ms.
14:07:40 17 Pomiroy some questions.

14:07:41 18 MEMBER FUJIMORI: Ms. Pomiroy, would you mind
14:07:43 19 coming up?

14:07:51 20 MEMBER BURGESS: Good afternoon, Mr. Pomiroy.
14:07:58 21 You indicated that your -- one of your ancestors were or was
14:08:03 22 the President Adams, John and John Quincy Adams were
14:08:10 23 ancestors of yours and, as I understand it, they were
14:08:17 24 founding fathers of America and they believe in equality of
14:08:21 25 all people, particularly Adams more than some of the other

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14:09:50 19
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founding fathers.

MS. POMIROY: Yes.

MEMBER BURGESS: The common man.

MS. POMIROY: Right.

UNIDENTIFIED SPEAKER: Microphone, please.

MEMBER BURGESS: Sorry. Okay. Sorry.

And your other ancestor, your Kanaka
ancestors, if I'm not mistaken, after the death of Kamehameha
the Great, the same year in 1819 Liholiho Kamehameha II broke
the kapu and rejected the ancient Hawaiian religion and
ordered the heiaus destroyed. And then Kauikeaouli
Kamehameha III, he instituted the first constitution of the
state of Hawaii which began with the statement that "all men
are of one blood."

And my question to you -- Under the
Constitution of United States, which was contributed greatly
to by your ancestors, and under the Constitution of the
Kingdom of Hawaii starting in 1843 the concept of all men
being of equal blood was enshrined for the Kingdom of Hawaii.
And today or at least in the year 2000 the census indicated
that 40 percent of the Native Hawaiian people, 40 percent of
the people who identified themselves as being of at least
part or all Hawaiian ancestry, 40 percent of them now live on
the mainland states, not in Hawaii. 60 percent live in
Hawaii, but according to the census, 40 percent, that would

14:10:33 1 be about 160,000 people of Hawaiian ancestry have chosen to
14:10:39 2 live in the Kingdom -- I mean in the United States. And
14:10:45 3 every one of them, even though they are not indigenous to
14:10:50 4 those other states under the law of the United States, they
14:10:56 5 are treated as equals.

14:10:59 6 And I ask you, Mr. Pomiroy, to -- Isn't that
14:11:05 7 a good system where all of us are treated equally, whatever
14:11:11 8 our blood or whatever our ancestry?

14:11:14 9 MS. POMIROY: You done?

14:11:16 10 MEMBER BURGESS: Sorry for the long question.

14:11:19 11 MS. POMIROY: No, no, no. That's fine.

14:11:20 12 That's fine. Actually, what -- I think that end statement
14:11:23 13 that you just made that 40 percent of the Native Hawaiian
14:11:28 14 people live on the continent. Yeah?

14:11:32 15 MEMBER BURGESS: That's according to the
14:11:34 16 census.

14:11:34 17 MS. POMIROY: And by choice you said, they
14:11:37 18 chose to go there and live there. Yeah?

19 MEMBER BURGESS: Right.

14:11:40 20 MS. POMIROY: And then you said about how,
14:11:41 21 once Kamehameha died, Kauikeaouli came in and made his
14:11:46 22 statements in his constitution. And you said the state of
14:11:50 23 Hawaii, but I know you meant the Kingdom of Hawaii. Yeah?

14:11:53 24 MEMBER BURGESS: I did.

14:11:54 25 MS. POMIROY: Okay. Kamehameha Kauikeaouli

14:11:58 1 was the third Kamehameha. There's no Kamehameha ever said
14:12:05 2 foot on this island. Okay? So when you say Kamehameha did
14:12:09 3 this, you also have to understand that on this island, on the
14:12:14 4 island of Niihau, Kaumualii was the ruler. Kamehameha
14:12:20 5 brought his people here by force. Kauai never surrendered.
14:12:28 6 You know why this town is called Lihue? You know why Lihue
14:12:34 7 is named Lihue?

14:12:36 8 MEMBER BURGESS: No.

14:12:37 9 MS. POMIROY: The first governor that
14:12:40 10 Kamehameha sent to Hawaii missed his home. The name of his
14:12:45 11 home? Lihue. Where his home and it still remains there
14:12:50 12 today? On the southwestern shore of Oahu in the river plains
14:12:56 13 is the ahupuaa called Lihue, which is where that governor
14:13:03 14 came from. He changed the name of our aina and our people.
14:13:08 15 So it was not the choice of all the Hawaiian people.
14:13:12 16 Kamehameha's rule changed the name.

14:13:16 17 Now, you talk about these people who go to
14:13:20 18 America because they choose to go. Why did they choose to
14:13:24 19 go? So many haole came and took the job. I am a Certified
14:13:34 20 Chef of the American Culinary Federation Association. I
14:13:38 21 graduated with honors from the Culinary Institute of America
14:13:43 22 in Hyde Park, New York back in 1982. I've worked up and down
14:13:48 23 the East Coast as a chef. I came home to Hawaii, there were
14:13:53 24 no Hawaiian chefs in Hawaii. All the hotels are run by
14:13:58 25 haoles. My credentials out-classed any chef that was here at

14:14:05 1 the time. Would they give the Hawaiian the job over the
14:14:07 2 haole? No. That's why Hawaiians got to move. For the haole
14:14:15 3 come in, they take over the businesses and they absolutely
14:14:19 4 discriminate.

14:14:20 5 In the '50s and the '60s the Japanese ran the
14:14:24 6 government. Hawaiians didn't have jobs here. My dad worked
14:14:29 7 for the federal post office for 50 years. He got his job
14:14:35 8 through a lie because all they were hiring when he got his
14:14:39 9 job in the '40s, the late '40s were World War II veterans and
14:14:44 10 those were all the Japanese guys who went off and fought the
14:14:48 11 war. They were given the jobs, not Native Hawaiians. My
14:14:53 12 father was the first Native Hawaiian in this state. He was
14:14:57 13 the post master at Lihue. He couldn't be the post master
14:15:02 14 where he came from.

14:15:03 15 So when you ask about all these things that
14:15:05 16 all men are created equal, that was a statement Kaumualii put
14:15:12 17 into the Kingdom of Hawaii under kingdom law and kingdom
14:15:16 18 regulation. He didn't discriminate the way haole who come
14:15:19 19 here now discriminate today against the Native Hawaiian. He
14:15:25 20 never put up locks on the beaches so you can't walk through
14:15:28 21 the gate. He never stopped us from going mauka to gather.
14:15:34 22 Who did that? I leave that for you.

14:15:36 23 Anything else you want to ask?

14:15:37 24 Before you say anything, I want to tell you I
14:15:42 25 stand proud of my ancestry to the Adams family. I mean,

14:15:46 1 Armitage, the movie, the boat with all the slaves on.

14:15:50 2 MEMBER BARBEE-WOOTEN: Amistead.

14:15:52 3 MS. POMIROY: I'm sorry?

14:15:52 4 MEMBER BARBEE-WOOTEN: Amistead.

14:15:53 5 MS. POMIROY: Amistead, yeah. That was my

14:15:56 6 grandfather's grandfather four times back who stood up for

14:15:59 7 all those guys and got them -- They were able to go back to

14:16:03 8 Africa. And I am damn proud of that. And I know that if he

14:16:07 9 was here today and he saw the injustice being perpetrated

14:16:11 10 against the Native Hawaiian today, he would be right here

14:16:16 11 with me telling you the same thing I am. At least I hope so.

14:16:19 12 But, no, I really believe that he would.

14:16:24 13 MEMBER FUJIMORI: Any other questions?

14:16:27 14 MEMBER BURGESS: Thank you. I would like to

14:16:31 15 just follow up on that. I agree with you on the Ami --

14:16:33 16 MS. POMIROY: Amistead.

14:16:35 17 MEMBER BURGESS: Amistead. I agree with you

14:16:37 18 100 percent on that. I like to think if I was there I would

14:16:41 19 have been fighting for the same thing your ancestors were.

14:16:45 20 But I don't know about -- you know, I'm not

14:16:50 21 sure about the discrimination. I have lived in Hawaii about

14:16:55 22 a little over 50 years and my observation has been that the

14:17:01 23 government of Hawaii, the State or when I was here it was a

14:17:07 24 territory --

14:17:07 25 MEMBER FUJIMORI: Mr. Burgess, do you have a

14:17:10 1 question?

14:17:10 2 MEMBER BURGESS: It didn't seem to
14:17:12 3 discriminate against Hawaiians. Hawaiians have always been
14:17:15 4 respected and treated properly as they should be. But --

14:17:21 5 MS. POMIROY: What was the big thing when you
14:17:22 6 graduated from Kamehameha in the '50s and '60s? You could
14:17:25 7 have one of two jobs: Fireman or policeman. That's it.
14:17:29 8 Hawaiians. Anybody who lived at that time can tell you that
14:17:33 9 that's what the discriminatory practices were going on.
14:17:37 10 Hawaiians were not given leadership roles. Maybe a few of
14:17:41 11 them, a few of them to placate others, to offer hope to the
14:17:46 12 rest of the Hawaiians that, hey, maybe one day you can go up
14:17:49 13 the same place where Johnny Wright went. Yeah? But Mayor
14:17:55 14 Wright was the only guy.

14:17:56 15 MEMBER BURGESS: Mr. Pomiroy, you're not
14:17:59 16 suggesting that there's something about having a Hawaiian
14:18:03 17 gene that makes a person unable to compete, are you?

14:18:06 18 MS. POMIROY: No. The haole do.

14:18:11 19 MEMBER BURGESS: But isn't --

14:18:12 20 MEMBER FUJIMORI: Mr. Burgess, we said one
14:18:14 21 question plus one follow-up.

14:18:16 22 MEMBER BURGESS: All right. Well, we do --
14:18:19 23 Madam Chairman, we do have plenty of time.

14:18:22 24 MEMBER FUJIMORI: I realize that.

25 MEMBER BURGESS: We don't have many people

1 and --

14:18:24 2 MEMBER FUJIMORI: We still have a few more
14:18:26 3 and I know that the court stenographer is probably about
14:18:30 4 ready for a break, so I would like to get through the rest of
14:18:31 5 the questions members have for other testifiers.

14:18:33 6 MEMBER BURGESS: Can I finish this one?

14:18:35 7 MEMBER FUJIMORI: You've already had two.
14:18:37 8 You had one question plus one follow-up. Thank you.

14:18:39 9 Thank you, Ms. Pomiroy.

14:18:43 10 (Applause.)

14:18:46 11 MEMBER FUJIMORI: Does the committee have any
14:18:52 12 questions for Mahelani Sylva or Puanani Rogers? Any
14:18:55 13 questions, Mr. Burgess?

14:18:57 14 MEMBER BURGESS: Yes, I do. I would like
14:19:00 15 question for Puanani Rogers.

14:19:05 16 MEMBER FUJIMORI: Ms. Rogers, are you still
14:19:07 17 available for questions? I think she might have left. We
14:19:11 18 can check again after the break if she's here.

14:19:15 19 We'll be taking a short break. It's 2:20.
14:19:19 20 We'll reconvene at 2:30. Thank you.

14:32:12 21 (Pause in Proceedings: 2:19-2:39)

14:38:47 22 MEMBER FUJIMORI: I would like to reconvene
14:38:48 23 this meeting of the Subcommittee of the Hawaii State Advisory
14:38:52 24 Committee to the US Commission on Civil Rights.

14:38:55 25 For those of you in the audience, I would

14:38:57 1 like to remind you again that this is a public meeting open
14:38:59 2 to the media and the general public. The time allotted for
14:39:02 3 each open-session speaker is five minutes and we will
14:39:06 4 strictly adhere to this time limit so that as many
14:39:10 5 participants as possible may speak. We do have a timer and
14:39:15 6 when it goes off, we ask you to wrap up your presentation.

14:39:18 7 To conduct this open session in the most
14:39:20 8 efficient manner we will have speakers in groups of five
14:39:22 9 provide their statements. Following their statements, I will
14:39:25 10 ask the committee members if they have any questions of the
14:39:28 11 previous speakers. If possible after you've spoken, we ask
14:39:31 12 that you remain for these questions. Each committee member
14:39:34 13 is limited to one question and one follow-up question.

14:39:39 14 Prior to our break we did have some questions
14:39:41 15 for Ms. Rogers, who I see is here, and if I could ask her to
14:39:46 16 step up to the microphone.

14:39:47 17 MS. ROGERS: Mahalo.

14:39:49 18 MEMBER FUJIMORI: Mr. Burgess.

14:39:50 19 MS. ROGERS: Don't make it too long, though.

14:39:53 20 MEMBER BURGESS: I'll try.

14:39:55 21 MS. ROGERS: I don't want you to forget the
14:39:57 22 question.

14:39:58 23 MEMBER BURGESS: It's hard for a lawyer.

14:39:59 24 It's cruel and unusual punishment not to be able to talk.

14:40:04 25 But I wanted to ask you about the indigenous

14:40:08 1 question. And Rubellite Kawena Johnson, who is a Kauai gal,
14:40:16 2 as I understand it, she said one time talking about
14:40:18 3 indigenous things, she said she was indigenous to the planet.
14:40:27 4 And --

14:40:28 5 MS. ROGERS: I don't disagree.

14:40:31 6 MEMBER BURGESS: And isn't it -- Didn't all
14:40:33 7 of us humans originate in the same place? I mean --

14:40:38 8 MS. ROGERS: No, I didn't originate from the
14:40:43 9 same place that you were.

14:40:44 10 MEMBER BURGESS: Didn't Hawaiians immigrate
14:40:46 11 to Hawaii from somewhere else, just as everybody else that's
14:40:53 12 now on the Hawaiian Islands, anywhere on the Hawaiian
14:40:57 13 Islands, came originally from somewhere else? And so my
14:41:05 14 question to you is: If you sort out rights and status and
14:41:14 15 respect or nonrespect based on somebody having gotten to one
14:41:19 16 part of the planet before somebody else, doesn't that leave
14:41:26 17 us never able to have equality? That's my question.

14:41:32 18 MS. ROGERS: Thank you. And before I answer
14:41:33 19 your question, I would like to make it clear that anything I
14:41:37 20 said was not meant to any of you personally. Okay?

14:41:42 21 Good question. Kind of like a trick
14:41:46 22 question, but kind of common sense. Everybody knows we're
14:41:50 23 all human beings. Of course we believe we are a family of
14:41:57 24 family of the man that occupies this planet, but we also
14:42:01 25 believe in Kai Akua, who is the creator of this planet, who

14:42:06 1 is the sovereign over all of us. And within that paradigm or
14:42:10 2 within that cosmology, there is also this thread of
14:42:15 3 indigenous people a little separate from the whole human
14:42:22 4 race.

14:42:22 5 You know where I believe I came from, Mr.
14:42:22 6 Burgess? I came from the Makali, the Tahitis, that's where
14:42:28 7 my ancestors came from. I don't if yours did, too. But
14:42:32 8 there's no disagreement there that we are all human beings,
14:42:36 9 we all belong to the family of man.

14:42:39 10 One more thing I'd like to add. Thank you
14:42:43 11 for this opportunity to finally meet you, Mr. Burgers,
14:42:45 12 because I have been wanting to talk to you, too. And I want
14:42:48 13 to make it clear to all the people here that although we may
14:42:51 14 be on the same side of the fence or it looks like we are,
14:42:55 15 heading for the same discretion of kuhai the Akaka Bill,
14:43:01 16 we're in separate canoes. His reason is not the same reason
14:43:06 17 as mine. Ours is not based on race. Ours is based on
14:43:09 18 nationalism as Hawaii nationals who belong and are
14:43:13 19 descendents to the self-inherent sovereignty rights of the
14:43:18 20 Kingdom of Hawaii.

14:43:20 21 (Applause.)

14:43:22 22 MEMBER FUJIMORI: Anything other questions
14:43:25 23 for Ms. Rogers?

14:43:28 24 Thank you, Ms. Rogers.

14:43:29 25 MS. ROGERS: Mahalo and may Kai Akua bless

14:43:33 1 you all.

14:43:34 2 MEMBER FUJIMORI: Our next speaker will be
14:43:35 3 Elaine Dunbar, followed by Dennis Diaz.

14:43:41 4 MS. DUNBAR: Good afternoon, Commissioners.
14:44:10 5 My name is Elaine Dunbar. The sign-in sheet asks what group
14:44:16 6 or organization affiliation I was with, and to be quite
14:44:22 7 honest with you, I have become very leery of divulging any
14:44:26 8 information like that. As great as the group or the
14:44:31 9 organization or the government that I am involved with is, I
14:44:35 10 just don't trust the United States any more. So I put I'm a
14:44:40 11 support of the rule of law.

14:44:45 12 I'm a haole, yes. I've never called myself a
14:44:52 13 Hawaiian. I've been here on and off for over 30 years. My
14:44:59 14 father was with the JAG over here. He was also with the
14:45:02 15 Pentagon for many years. My mother was a WAV. My brother
14:45:07 16 was a Navy SEAL. I'm ashamed that I was forced to live this
14:45:13 17 lie over here, not knowing what had been done to the
14:45:16 18 Hawaiians. And for so many years I went blindly along, not
14:45:20 19 knowing this information.

14:45:25 20 I object to the Akaka Bill and not for the
14:45:35 21 same reasons that you do, Mr. Burgess. Quite frankly, I'm
14:45:40 22 surprised to see you on a Civil Rights Commission, very
14:45:44 23 surprised, with your renowned writing and speaking against
14:45:52 24 Hawaiians and their rights. It's really appalling. It
14:45:56 25 almost invalidates the commission.

14:46:00 1 So I am still an American and I hope proudly,
14:46:05 2 in the very near future, to be able to call myself not a
14:46:10 3 Hawaiian, but a Hawaii national.

14:46:12 4 I've prepared some things that I would like
14:46:14 5 to get out. My main reasons for my objections to this Akaka
14:46:22 6 Bill. The reason the Akaka Bill has been rejected for so
14:46:28 7 many years, as we all know, is simple, as Mr. Burgess says,
14:46:32 8 it is unconstitutional. Okay? According to the US
14:46:37 9 Constitution. It is an act of racism and discrimination
14:46:42 10 putting Hawaiians against Hawaiians, counting their drops of
14:46:48 11 blood that have only diminished because of other US policies
14:46:52 12 and legislation preceding this one.

14:46:55 13 It's a seriously flawed attempt to undo
14:46:59 14 paragraph 29 of Public Law 103-150, which states -- And I
14:47:04 15 know you've heard it before, but I love the wording and I'm
14:47:08 16 going to say it again just so we can -- maybe we can memorize
14:47:13 17 it. "The indigenous Hawaiian people never directly
14:47:17 18 relinquished their claims to their inherent sovereignty as a
14:47:21 19 people or over their nation lands to the United States either
14:47:24 20 through their monarchy or through a plebiscite or
14:47:29 21 referendum." Period. The Akaka Bill is not the referendum
14:47:34 22 that will undo something as magnificent as Public Law
14:47:41 23 103-150.

14:47:41 24 There is a lot of misguided focus and
14:47:44 25 importance based on OHA's public poll soliciting support for

14:47:49 1 the Akaka Bill. I won't waste the time to speak on the
14:47:55 2 pitiful manner in which these polls were taken. The rule of
14:47:56 3 law is the only guiding factor as to whether or not something
14:47:59 4 like the Akaka Bill passes. Public opinion polls have
14:48:04 5 nothing to do with constitutionality.

14:48:06 6 The idiotic thinking that keeps the Akaka
14:48:10 7 Bill alive has been a criminal fleecing of the beneficiaries'
14:48:13 8 monies through unnecessary and extravagant expenditures for
14:48:18 9 trustee's air travel, offices, et cetera to pursue a dead-end
14:48:23 10 bill only for the perpetual access to the beneficiaries'
14:48:26 11 funds, and another land grab founded on fraud and deception
14:48:33 12 just like the one in 1893. I see a crime being committed
14:48:36 13 here, a big one. The crime is disguised as a righteous deed.
14:48:43 14 The Akaka Bill is disguised as a righteous deed, but it is
14:48:48 15 fueled by personal ambition and good old job security for fat
14:48:53 16 cats.

14:48:54 17 This is a continuing policy to deny Hawaiians
14:48:56 18 their rights to choose their own form of government, thus a
14:49:01 19 continuing policy of genocide. The Akaka Bill shuts
14:49:05 20 Hawaiians out and creates a bureaucratic barrier to
14:49:09 21 permanently lock them out of their own affairs. This is not
14:49:12 22 about Hawaiians. This is about crooks maintaining the status
14:49:16 23 quo. But the dishonest mechanism used to coerce and entrap
14:49:24 24 Hawaiians through a sign-up process called Kau Inoa is the
14:49:28 25 icing on the cake. Deceiving Hawaiians to think they were

14:49:32 1 building a nation and lying to them that Kau Inoa had nothing
14:49:37 2 to do with the Akaka Bill is, to me, possibly the most
14:49:39 3 shamefully deplorable behavior yet, and that is called fraud.

14:49:47 4 This bill is a joke, a con job. And it was
14:49:52 5 never created by Hawaiians for Hawaiians. It was created by
14:49:56 6 Inouye in 1971, definitely no friend to the Hawaiian.

14:50:03 7 That's it for me.

14:50:05 8 MEMBER FUJIMORI: Thank you, Ms. Dunbar.

14:50:06 9 (Applause.)

14:50:06 10 MS. DUNBAR: Oh, one more thing. This is a
14:50:10 11 Civil Rights Commission; right? I believe that the process
14:50:15 12 you didn't follow regarding hearings, as speakers Mr. Yadao
14:50:21 13 and Mr. Taylor alluded to, the process was not followed.
14:50:26 14 That's a violation of human rights and civil rights in
14:50:30 15 itself.

14:50:32 16 Thank you.

14:50:33 17 MEMBER FUJIMORI: Thank you, Ms. Dunbar.

14:50:35 18 (Applause.)

14:50:35 19 Mr. Dennis Diaz, to be followed by Randy
14:50:42 20 Naukana Rego.

14:50:42 21 MR. DIAZ: Hi. I just wanted to explain
14:50:46 22 myself with the Akaka Bill that it should be denied. I deny
14:50:51 23 it fully and I support the testimony of the previous
14:50:56 24 speakers: Mahelani, Ken and Pomiroy. Excuse me. And the
14:51:04 25 thing is, you know, we're under political unrest and I think

14:51:10 1 it's time for our sovereignty to come about. And, you know,
14:51:14 2 the United States, it has their -- they have their
14:51:17 3 sovereignty. They celebrate their Independence Day, but
14:51:22 4 we're still trying to get ours. So in that sense I'm against
14:51:26 5 the Akaka Bill.

14:51:27 6 Thank you.

14:51:28 7 MEMBER FUJIMORI: Thank you, Mr. Diaz.

14:51:30 8 Randy Naukana Rego, to be followed by Janet
14:51:37 9 Hepa.

14:51:38 10 MR. REGO: Aloha. I'm Randy Naukana Rego
14:52:00 11 from ahupuaa Waipakahi. My family is from the north shore,
14:52:08 12 Pilaa, the (Hawaiian). Thank you for having the time here.
14:52:10 13 I wish there were more people here, but then I realize most
14:52:14 14 people working. I myself had to take time off to be here
14:52:17 15 today.

14:52:18 16 What I do today is what was taught to me by
14:52:22 17 the Americans. I was born and raised in California -- San
14:52:25 18 Francisco, raised in Fremont, California. Apple pie, that
14:52:30 19 was me. Love America, that was me. I would fight anybody
14:52:34 20 for America. Even when I was going to Kamehameha Schools, I
14:52:38 21 had my little American sign saying screw communism. I'd do
14:52:44 22 anything for America. Then I started to learn things, the
14:52:47 23 history of this country.

14:52:48 24 When I was growing up in California, Senator
14:52:52 25 Inouye had this Jack Noell album that went through the

14:52:55 1 history of our people. I always assumed Hawaiians wanted to
14:52:59 2 be Americans, wanted to be part of America. When I studied
14:53:02 3 the history of this place, and as some others commented, as
14:53:07 4 an American -- and I'm still an American -- I am ashamed of
14:53:10 5 what my country has done to the Hawaiian people and the
14:53:13 6 Nation of Hawaii. This is not what I was taught in
14:53:16 7 California what America stands for. This is not the ideals
14:53:19 8 that are taught that America stands for.

14:53:23 9 As I learn more about my family on this
14:53:26 10 island, as a Hawaiian, I am furious of what the United States
14:53:32 11 has done to my people and to my family. This is the Kui
14:53:37 12 petition. I have long been a critique of our people back
14:53:43 13 then wondering why the Hawaiian people did not take a stand
14:53:47 14 against the United States. As we now know, the Kui petition
14:53:50 15 that was signed in 1897 was hidden in the Department of the
14:53:55 16 Interior for 80 years. That's not civil. This came to
14:53:59 17 light. I'm proud to see my family of Waipakahi signed this
14:54:06 18 document which states we don't want to be annexed by the
14:54:10 19 United States. You are a foreign entity. We are a foreign
14:54:13 20 government. We are our own government.

14:54:16 21 I'm against the Akaka Bill not for some of
14:54:20 22 the reasons by this panel, but some of the reasons that were
14:54:22 23 mentioned before. One, when I read the Akaka Bill, there's
14:54:25 24 an insult to our people to call us indigenous of America.
14:54:30 25 You might as well call Emperor Hirohito indigenous to

14:54:37 1 America. And if you follow that line of mentality, then why
14:54:38 2 stop there, America? Take over Japan and sue all them for
14:54:41 3 their lands and then say we're all equal.

14:54:44 4 Hawaiians are not being treated equal. We
14:54:46 5 know many people here and those who have not been here for
14:54:50 6 being sued. Read your paper today. Constantly sued for
14:54:54 7 lands that were given to our people by our government. I
14:54:57 8 particularly have just lost two more parcels down in
14:55:04 9 Waipakahi. Forced to sell these lands by allowing the courts
14:55:07 10 to interpret the rules of America that allow this to happen.

14:55:10 11 We are in a predicament where some of our
14:55:18 12 Hawaiians Kau Inoa -- And even though they agree with Akaka
14:55:19 13 Bill, I still stand by them, even though I'm against the
14:55:22 14 Akaka Bill, because here together we speak of one justice for
14:55:23 15 our people. That's what unites us. We can still differ in
14:55:26 16 our opinions, but that's what unites us. And I stand
14:55:29 17 together with them even though I disagree with their point of
14:55:32 18 view on the Akaka Bill.

14:55:34 19 I wish what America has taught me, and they'd
14:55:43 20 do that for the Hawaiian people, to accept recognition after
14:55:47 21 a loss of a nation, you're given a Yugo for a Mercedes. That
14:55:55 22 is not equitable, that is not fair and that is not what you
14:55:59 23 taught me what America is all about.

14:55:59 24 My people must be made free. We must be
14:56:01 25 independent. That is not only our right, that is justice for

14:56:05 1 my people. And I stand by my kupunas and all of them who
14:56:10 2 said we are proud to be Hawaiian, we are proud to be
14:56:13 3 independent and that's where we must be.

14:56:16 4 That's why we're in this predicament because
14:56:19 5 we have foreigners attacking my alma mater Kamehameha,
14:56:22 6 saying, no, you can't do that. When Kamehameha was set up,
14:56:24 7 it was legal for Hawaiians to make a school for Hawaiians and
14:56:27 8 nobody could say nothing.

14:56:29 9 I am proud to be Hawaiian. I will fight for
14:56:32 10 independence and sovereignty for Hawaii 'til my dying day.
14:56:37 11 Aloha.

14:56:39 12 (Applause.)

14:56:39 13 MEMBER FUJIMORI: Thank you, Mr. Naukana
14:56:40 14 Rego.

14:56:40 15 Janet Hepa.

14:56:44 16 MS. HEPA: Good afternoon. My name is Janet
14:56:50 17 Hepa, H-E-P-A. I was born 73 years ago on Kauai. Here.
14:57:02 18 Born and raised and never left this island but once and that
14:57:06 19 was to escort a patient to New Mexico, my first and last time
14:57:11 20 to the mainland and I hate it. This is my island. I was
14:57:17 21 born and raised here.

14:57:19 22 When I was ten years old, I was going to
14:57:22 23 Kapa'a School. I graduated in 1951. Back then we were told
14:57:28 24 in 1943 we cannot speak any language but the English
14:57:36 25 language. And it breaks my heart because I lost my mother

14:57:42 1 tongue. I cannot understand it. I can read it, but I can't
14:57:50 2 comprehend what I read. I cannot speak it. I speak good
14:57:54 3 English because that's all I ever spoke. I was not allowed
14:57:59 4 to speak any other language but the English language. And it
14:58:04 5 hurts like hell. When I see other people speak Hawaiian
14:58:11 6 language fluently and they do not have a drop of Hawaiian
14:58:15 7 blood, you know what it does to me? And I am 50-percent
14:58:20 8 Hawaiian. My great, great grandfather was a half brother of
14:58:30 9 Kaumaulii. And it's true what one of the speakers said,
14:58:35 10 Kauai was never conquered by Kamehameha, but in order to
14:58:37 11 spare the bloodshed, Kaumaulii gave the island to Kamehameha.

14:58:41 12 But I stand before you saying I don't know
14:58:43 13 what's wrong, but you took my heritage from me, you took my
14:58:53 14 language. You're trying to take over my custom, my land. I
14:58:58 15 lived up on Ohana Road for 48 years and down at the corner of
14:59:04 16 Olohena and Kamalu there was a little corner of forest. The
14:59:11 17 kids would go there and play Tarzan and just play. My two
14:59:17 18 boys used to go down there. That was their playground. Then
14:59:21 19 a few years back I passed by and I see, Oh, they're cutting
14:59:25 20 down the forest. Why? And then I went over one day and I
14:59:30 21 saw somebody starting to build. And I said, Oh, hello.
14:59:34 22 You're going to be moving in?

14:59:36 23 "No. I'm here to build this for my father
14:59:39 24 who lives in California." They're here just few months out
14:59:46 25 of the year. Two big million dollar homes where the corner

14:59:53 1 of forest used to be. Is this independence? Is this? What
15:00:04 2 do we have to look forward to? I am Hawaiian. I am born and
15:00:09 3 raised here on this island. I will be buried here. I do not
15:00:14 4 wish to be in any other place on earth but on Kauai. This is
15:00:18 5 my homeland. I love it. I love Hawaii like with a passion.
15:00:25 6 And I hate what it has done to me. I hate it because I
15:00:30 7 cannot speak the language, neither can I understand it. I
15:00:36 8 can read it good, but I cannot comprehend what I read. Do
15:00:39 9 you know what it does to a person? Think about it.

15:00:48 10 (Applause.)

15:00:50 11 MEMBER FUJIMORI: Thank you, Ms. Hepa.
15:00:51 12 James Kapole Torio.

15:00:56 13 MR. TORIO: Aloha. Thank you for the
15:01:13 14 opportunity to speak before you. Actually, personally I
15:01:17 15 don't even know why I'm taking the time to speak before you.
15:01:20 16 Civil rights to Native Hawaiians is an issue that Native
15:01:24 17 Hawaiians wish to answer themselves. Like my kupuna that
15:01:29 18 just left earlier, my language was left behind and I suffer
15:01:33 19 the same lack of what we live with today.

15:01:38 20 A few years ago when the Akaka Bill was being
15:01:41 21 challenged in the -- in Congress and the democrats had a
15:01:44 22 difficult time trying to get it to first base, the
15:01:47 23 republicans did the Native Hawaiians here in Hawaii a great
15:01:56 24 justice by stalling it because the Akaka Bill lacks dialogue.
15:02:00 25 The Apology Bill brought the bill forward and was fast

15:02:01 1 tracking the entire bill and was doing backdoor negotiations
15:02:04 2 and cutting the deals of how to water down a sentence into
15:02:09 3 letters.

15:02:11 4 Civil rights to me personally reflects 12 of
15:02:17 5 my grandchildren and the generation to follow. It doesn't
15:02:21 6 reflect what happened today. The question now becomes who
15:02:27 7 determines whether our rights been violated and how do we get
15:02:33 8 justice for those rights? I daresay it's not any of you at
15:02:39 9 the table. I daresay not any of those people in Congress
15:02:44 10 because we owe Congress nothing. Congress has the audacity
15:02:50 11 to stand up and say Hawaii belongs to America when the record
15:02:54 12 books and the status of Hawaii is clear and defined in
15:02:59 13 history. We were never conquered. We were never annexed.

15:03:06 14 So the question is: Why are we standing here
15:03:06 15 talking to each other? It makes no sense to believe that
15:03:09 16 civil -- you know, that our rights as civilians is violated
15:03:16 17 because that's old story. This country, this state,
15:03:23 18 including this county, continually violate our civil rights
15:03:28 19 whether we are Hawaiians or not. The fact is it's going to
15:03:34 20 cause my people power. Martin Luther King said it best. He
15:03:39 21 had a dream. It is that same dream that we Hawaiians feel
15:03:42 22 that we owe the United States no gratitude for the Akaka
15:03:46 23 Bill. You do not drink from a cup where the water was pure
15:03:51 24 in intention and now it's dirty and muddy. You cannot take a
15:03:56 25 bill because it was politicized to the point that it makes

15:04:01 1 good sense politically, publicly, media-wise, but it makes no
15:04:07 2 sense to the same people that it serves.

15:04:09 3 The rationale behind all of this fast tracked
15:04:13 4 the Native Hawaiians to react. I hope that this fast
15:04:16 5 tracking continues by the Native Hawaiians and it will take
15:04:20 6 the Native Hawaiians to determine who will lead the dialogue.

15:04:24 7 Like Mr. Rego, I don't support the Akaka Bill
15:04:27 8 as it is written today, nor will I support the Akaka Bill
15:04:32 9 even if it was passed. But I do support the effort of our
15:04:36 10 leaders in OHA for trying something else in Kau Inoa. It may
15:04:42 11 not be the path, but at this time it is the only path that
15:04:47 12 the Hawaiians have a chance to dialogue in a free and open
15:04:51 13 environment. If civil rights is to be put in the right
15:04:54 14 place, then it's going to be the call of this panel right
15:04:58 15 here, this commission, to send a message back to Congress:
15:05:02 16 Leave the right of the people to the people. Let them
15:05:06 17 determine whether it's right or wrong to go down the path.

15:05:11 18 Like my fellow speakers before me, this is
15:05:14 19 not about race based. I live on Homestead lands because
15:05:19 20 that's the only affordable means of housing can live on
15:05:24 21 homestead on land on our own island. We do not, we cannot
15:05:30 22 keep up the Americanized way of modern world because we live
15:05:34 23 on an isolated little island away from the fast track
15:05:38 24 technology. And if you talk to anybody on Oahu, they will
15:05:42 25 simply they're 25 years, 25 light years ahead of us in almost

15:05:46 1 anything. Add another 25 for the mainland. And Kauai itself
15:05:50 2 is barely 50 years behind time.

15:05:54 3 Civil rights has left the islands as our
15:05:56 4 ancestors made it. We had kings and we had justice on our
15:06:01 5 island. This should be made -- based on the people of the
15:06:05 6 island to live how we live as Hawaiians and how we live in
15:06:08 7 concert with all man and not on our race.

15:06:13 8 Thank you.

15:06:13 9 MEMBER FUJIMORI: Thank you, Mr. Torio.

15:06:16 10 Currently we'll have four more speakers. I
15:06:22 11 would suggest that the committee ask their questions.

15:06:23 12 Following that, we'll take an additional ten-minute break.

15:06:26 13 So if there's anyone else in the audience who's not signed up
15:06:28 14 and wishes to provide a presentation, please sign up at the
15:06:32 15 front of the room following this last speaker.

15:06:34 16 The last speaker is Cheryl Lovell-Obatake.

15:06:43 17 MS. LOVELL-OBATAKE: Are these two working?

15:06:52 18 MEMBER FUJIMORI: They both work.

15:06:53 19 MS. LOVELL-OBATAKE: Okay. Thank you for the
15:06:54 20 opportunity to speak on the -- I'm trying to focus -- to
15:07:01 21 study and collect information concerning legal developments
15:07:05 22 constituting discrimination or denials of equal protection of
15:07:10 23 the laws under the constitution because of race, color,
15:07:15 24 religion, sex, age, handicap or national origin or in the
15:07:20 25 administration of justice.

15:07:27 1 You know, I've experienced many things in my
15:07:30 2 life being on the Kauai Niihau Island Burial Council with the
15:07:36 3 Department of Land and Natural Resources, State Historic
15:07:39 4 Preservation Division. And during my time of service under
15:07:44 5 two governors, Waihee and Cayetano, I've experienced more
15:07:51 6 negatives than I did positives in the administration office
15:07:54 7 of the Department of Land and Natural Resources.

15:07:59 8 My recommendation to you: Check out the
15:08:04 9 DLNR. Don't they host many Hawaiian issues?

15:08:10 10 The Board of -- Bureau of Conveyances for
15:08:15 11 land documentation, State Historic Preservation, burial
15:08:21 12 preserves and burials of our kupunas. Also, on Commission of
15:08:30 13 Water Resource Management that manages our waters and also
15:08:36 14 the Department of Boats and Ocean Recreation that also
15:08:42 15 manages our ocean waters and rivers for navigable traveling
15:08:48 16 on water. I'm also affiliated as a chairperson for the
15:08:54 17 Nawiliwili Bay Watershed Council.

15:08:57 18 Evidence has shown through the Environmental
15:09:02 19 Protection Agency that our waters are impaired and nothing
15:09:07 20 has been done about it, only discussion. (Hawaiian.)
15:09:12 21 Meantime, do you know that Nawiliwili Harbor supplies this
15:09:17 22 island of Kauai? The traffic impact is hilarious.

15:09:23 23 But let me get back to DLNR. You will note
15:09:28 24 that all the Hawaiian issues that you may recognize is under
15:09:32 25 the Department of Land and Natural Resources. Mauka to

15:09:36 1 makai, the ahupuaa. It is a social impact. It is a social
15:09:45 2 impact for many that are here already.

15:09:50 3 Discrimination? I've seen discrimination in
15:09:54 4 the Land Use Commission. Aren't they part of DLNR, too?
15:09:59 5 Well, land uses are being changed by the Land Use Commission
15:10:04 6 from ag. to urban to R20. Bureau of Conveyances -- You know,
15:10:16 7 many land titles -- You know, my cousin, Randy Rego, many
15:10:23 8 others, we were awarded from our ancestors -- We are
15:10:28 9 descendents of kuleana lands which they now call land
15:10:33 10 commission awards. That has been discriminated.

15:10:38 11 The small portions of kuleana lands have been
15:10:41 12 consolidated in the provisional government of the past, the
15:10:45 13 plantations, 99-year lease. It was never reverted back,
15:10:54 14 never given back, but because of the will, the trust, when my
15:11:03 15 great grandfather passes away and who manages it? I know a
15:11:07 16 few: William Hyde Rice, Knutsen Trust. They're all
15:11:17 17 (Hawaiian.) And they are discriminating us. Discriminating
15:11:21 18 us of our water, our loi kolo. How can we plant loi kolo
15:11:29 19 when we don't have water? You've seen this story all over
15:11:33 20 the islands. (Hawaiian.)

15:11:35 21 Even past (Hawaiian - Kohanaiki) supreme
15:11:38 22 court ruling Act 50 going to the legislation. Native
15:11:42 23 Hawaiian access rights for fishing from mauka to makai. Come
15:11:48 24 look at our Planning Department. Come look at our Planning
15:11:52 25 Commission. Can't see, do not recognize our rights to gather

15:12:02 1 food that we eat, natural resources.

15:12:05 2 And our natural resources have been polluted
15:12:09 3 by nonpoint sources, point sources and blatant sources. Ka
15:12:16 4 Loko dam, Waikau dam. Conservation, water resource
15:12:23 5 management, commission on water resource management, they
15:12:27 6 have not visited this island. Oahu Laki, they all there, but
15:12:33 7 they never come down to look what is happening to our
15:12:36 8 watershed.

15:12:38 9 And I hear my time is up. And I'm sorry that
15:12:41 10 I'm very voiceful because it's in my heart. And I'm a long
15:12:47 11 time family of this island. I am Hapa, I am Japanese,
15:12:54 12 Filipino, haole, French, German, Hawaiian. Thank you very
15:13:00 13 much.

15:13:00 14 MEMBER FUJIMORI: Thank you, Ms.
15:13:02 15 Lovell-Obatake.

15:13:02 16 Do any of the committee members have
15:13:05 17 questions for the past six speakers? Elaine Dunbar? Dennis
15:13:09 18 Diaz? Randy Naukana Rego?

15:13:15 19 Mr. Rego, are you still here?

15:13:17 20 MR. REGO: Yes.

15:13:19 21 MEMBER FUJIMORI: Would you mind coming up to
15:13:20 22 the microphone.

15:13:52 23 MR. REGO: Yes.

15:13:54 24 MEMBER KUROIWA: Hi, Randy.

15:13:57 25 MR. REGO: Aloha.

15:13:59 1 MEMBER KUROIWA: Very short question. My
15:14:00 2 question primarily is you mentioned about taking a number of
15:14:03 3 Hawaiian studies classes and so forth. Have you ever had the
15:14:07 4 one that -- or read the report of the United States Senate
15:14:15 5 Committee on Foreign Relations, it's Act 22 or Report No. 22,
15:14:24 6 that they commonly called the Morgan Report that was accepted
15:14:29 7 by Congress in 1894 of the overthrow?

15:14:32 8 MR. REGO: Uh-huh (affirmative response).

15:14:34 9 MEMBER KUROIWA: You've read that report?

15:14:36 10 MR. REGO: I read the Morgan Report. It was
15:14:38 11 a minority report, by the way. It contradicted President
15:14:43 12 Cleveland's emissary Mr. Blount. Morgan was a senator on the
15:14:47 13 mainland who was siding with the annexationists that were
15:14:50 14 here. They submitted a separate report that basically said
15:14:54 15 that the -- they wanted to annex the Hawaiian Islands and the
15:15:00 16 Hawaiians were at fault. It was almost similar to in 18 --
15:15:03 17 or 1983 when the Reagan administration also made a commission
15:15:09 18 report that I waited -- highly anticipated that from the
15:15:14 19 Reagan. Again, my naivety with America. You're going to
15:15:19 20 correct this. You know the history. I was again ashamed to
15:15:23 21 see that the commission report that came out in 1982 again
15:15:24 22 blamed the Hawaiians for everything. I was very
15:15:27 23 disappointed.

15:15:27 24 Same thing with the Morgan. It's a sting
15:15:30 25 doctrine. It was supplemented to Congress to basically argue

15:15:34 1 the point that Hawaii should be annexed even though it
15:15:39 2 contradicted Blount's report that said overwhelmingly,
15:15:43 3 overwhelmingly had there been a vote taken back then,
15:15:49 4 annexation would have been killed immediately. Look at the
15:15:53 5 mentality. Wait until 1959. Why? Everyone who was for the
15:15:57 6 kingdom is make already, dead. Everybody alive hasn't known.
15:16:02 7 They've only known the United States.

15:16:04 8 So to me, you know, you might say clever or
15:16:09 9 smart. When I hear those words, I hear good intentions. I
15:16:13 10 would have to say the Morgan report along with the Reagan
15:16:17 11 commission shows defiant mentality. It means they are smart
15:16:21 12 when it's used for an evil or unjust purpose.

15:16:24 13 MEMBER KUROIWA: Just a follow-up question.
15:16:27 14 Because I've read the Morgan Report completely, it's 800 some
15:16:31 15 other pages, I was kind of involved in trying to decipher the
15:16:36 16 whole report and I was quite surprised when I read the
15:16:40 17 testimony presented by George Wilcox that was part of the
15:16:46 18 cabinet of Lili'uokalani, the recognized good cabinet, and
15:16:52 19 what had happened and what he believed. And being born and
15:17:00 20 raised on Kauai, from Kapu and later on Lihue right here in
15:17:08 21 the Wilcox, so it brought a lot of good memories for me. And
15:17:17 22 looking at that and I says, you know, I says, these are
15:17:17 23 people that came from Hawaii that served the kings and the
15:17:18 24 queens that did the right things.

15:17:20 25 And that's why I asked the question if you

15:17:22 1 read the report and how did it affect you.

15:17:24 2 MR. REGO: Well, like I said, too -- Plus
15:17:26 3 your statement about the good cabinet. I don't know whether
15:17:29 4 the queen had a good cabinet because they all backed down.
15:17:33 5 They were all supposed to support her, move to make a new
15:17:37 6 constitution which was being petitioned for by her people,
15:17:39 7 because the Bayonet Constitution took away too many rights,
15:17:43 8 voting rights, land rights.

15:17:44 9 Even my family here, we were allotted several
15:17:48 10 lands here in Alopua and Waipakahi, that was taken away not
15:17:53 11 by our choice. Again, by the courts, which disregarded -- I
15:17:57 12 know Mr. Burgess is familiar with Judge Freyer. Yeah. In my
15:18:01 13 eyes, he may be a judge and he has his picture up on the
15:18:05 14 state wall, but, very bluntly, he was a criminal. In our
15:18:09 15 families' case in Waipakahi, he took over a thousand acres
15:18:14 16 from my family, disregarded a confession in court, overturned
15:18:19 17 the Fifth Circuit Court, overturned the Fifth Circuit Court
15:18:23 18 here on the islands and they took away that land.

15:18:24 19 And right now I'm fighting a millionaire
15:18:26 20 above who's damaged our land, sacred sites, and I'm fighting
15:18:30 21 another millionaire who won't let me go down to the beach.
15:18:33 22 And that's why I've heard some of the other people say here
15:18:37 23 when you talk about civil rights, that's an American term for
15:18:42 24 Americas who want to come to America and be big home. That's
15:18:46 25 fine. Some of the Hawaiians do go. But that doesn't mean

15:18:50 1 you come here and hit the Hawaiians over their heads and you
15:18:52 2 can be American. That's not the way American does it.

15:18:56 3 You accept civil rights and people accept
15:18:59 4 those laws when they voluntarily join, not when you force
15:19:03 5 them to join. And like the Kui petition, you do it against
15:19:07 6 the will of the people. Isn't that democracy? Why is that
15:19:10 7 not being counted in the Kui petition? The people said no.
15:19:14 8 Foreigners said, Too bad. We're going to take it any way.
15:19:18 9 And that's the sad part.

15:19:19 10 My history here with the family, like you
15:19:22 11 said, there's good things, there's also bad, especially from
15:19:26 12 the Hawaiian perspective. We've lost so many. I mean, I'm
15:19:29 13 not the only family who lost land here. You got most of the
15:19:31 14 people fighting who want -- How do you get to the beach? As
15:19:35 15 an American, it's shameful. It's shameful.

15:19:38 16 And as Hawaiian I'm furious why we have to be
15:19:41 17 subjects -- Like one thing I didn't mention before, the other
15:19:45 18 point on the Akaka Bill is they put us under the Department
15:19:50 19 of the Interior. So they just take us from the state level
15:19:52 20 and they throw us in the fed level. And what happens again?
15:19:55 21 The state department, Department of the Interior, approves
15:19:58 22 every move we make, approves everything we make. The
15:20:01 23 Hawaiian people are not children.

15:20:02 24 And that's why I'm so proud of 1897,
15:20:06 25 Industrial Revolution when powers were rising up -- The

15:20:10 1 Hawaiians knew the United States was a major power, but they
15:20:14 2 said, no, we are happy to be independent and we're happy with
15:20:15 3 our nation. And everybody has to respect that from my mind
15:20:19 4 if you are objective. And I can show my point of view from
15:20:22 5 America to Hawaii. And I think I have been objective. I
15:20:24 6 look at the facts. Nobody can say what was done to the
15:20:28 7 Hawaiian people was honorable. Nobody can say that.

15:20:31 8 And it has to be corrected. It has to be.
15:20:35 9 And it does not have to be corrected by just giving them
15:20:39 10 recognition and having foreigners still tell the Hawaiians
15:20:44 11 who can vote, when they vote and who your citizens are. And
15:20:48 12 that's what the Akaka Bill does and that's why I'm against
15:20:49 13 the Akaka Bill.

15:20:50 14 And I agree that we have to protect our
15:20:52 15 programs, but we're stuck in this position because of our
15:20:54 16 sovereignty. We cannot say you guys do not rule us and your
15:21:00 17 laws do not affect us. We have our own rules that affect our
15:21:05 18 own people. And the Hawaiian people deserve no less, no less
15:21:07 19 than the other peoples of the world. No less.

15:21:10 20 MEMBER FUJIMORI: Thank you, Mr. Rego.

15:21:10 21 Any other questions for Mr. Rego?

15:21:13 22 Thank you, Mr. Rego.

15:21:15 23 Are there any questions of committee members
15:21:19 24 for Janet Hepa? For James Torio.

15:21:25 25 MEMBER AGBAYANI: I have a question for Mr.

15:21:31 1 Torio.

15:21:32 2 MEMBER FUJIMORI: Mr. Torio, are you open to
15:21:34 3 answering questions for the committee.

15:21:43 4 MEMBER AGBAYANI: Good afternoon, Mr. Torio.
15:21:45 5 I understand you oppose the Akaka Bill, but you also stated
15:21:49 6 that there are OHA efforts that you support. Would you
15:21:52 7 clarify each of those efforts that you're talking about that
15:21:57 8 you support?

15:21:59 9 MR. TORIO: Well, it comes down to choices
15:22:01 10 that what we have. And dialogue has never been a two-way
15:22:07 11 street in the motion to the Akaka Bill. People, the native
15:22:12 12 community tend to draw their conclusions not by -- based on
15:22:18 13 what they are informed on or what they are educated on on
15:22:22 14 their own account. But when you look at the pace of the
15:22:30 15 modern world, the longer we take to go figure, then it's
15:22:36 16 going to take that much longer to get to our destiny where we
15:22:42 17 all want to go in the same canoe.

15:22:44 18 We all have opinions on the structure, the
15:22:48 19 administrative structure of OHA. We all have opinions on the
15:22:52 20 administrative structure of Hawaiian Homes. But the issue
15:22:55 21 here is: Will the Akaka Bill serve the people of Hawaii and
15:22:59 22 abroad in the manner that civil gains is given free and
15:23:06 23 equity -- equitable to all? Well, many of us drew our
15:23:15 24 conclusion by what we are informed on and by what we really
15:23:18 25 going to talk story about, but the facts remain. But the

15:23:19 1 facts remain is we come to the conclusion that this was a
15:23:23 2 political bill. And a political bill has no place in the
15:23:28 3 life of a people that have a whole future to deal with.

15:23:32 4 OHA's motion to deliver Kau Inoa, in my
15:23:39 5 opinion, is the offspring of trying to do something else,
15:23:42 6 move the nation in the manner in which Hawaiians can move
15:23:45 7 their own destiny. Now, it may not be the fitting and proper
15:23:49 8 step for us, you know, by the opinions we all draw, but
15:23:52 9 that's all we have in the process. It's unfortunate that we
15:23:56 10 have to -- Somebody's got to choose a group of people to stop
15:24:02 11 the ball in motion and make decisions. And somehow Hawaiians
15:24:06 12 just can't get off their okole to pick the rightful leaders,
15:24:15 13 whether they're learned or common sense leaders, to start the
15:24:16 14 process of discussion.

15:24:18 15 We all have opinions on the credibility and
15:24:20 16 the accountability of OHA. They seem to be standing on \$300
15:24:23 17 million and they just don't know how to be good money
15:24:27 18 managers to make it work. We can draw a conclusion on that.
15:24:30 19 But they are now making a just and viable move forward by
15:24:34 20 trying to put together a program like Kau Inoa so that
15:24:39 21 Hawaiians can have a chance to talk. Now, there is a lot of
15:24:43 22 skepticism as to the intent of OHA and the leaders of OHA and
15:24:46 23 to the purpose of why they're doing this, but that's to be
15:24:50 24 judged down the road later. At least they're in the process
15:24:53 25 today.

15:24:54 1 Thank you.

15:24:55 2 MEMBER AGBAYANI: Thank you.

15:24:55 3 MEMBER FUJIMORI: Are there any other

15:24:56 4 questions for Mr. Torio?

15:25:00 5 Any questions -- Thank you, Mr. Torio.

15:25:01 6 Any questions for Cheryl Lovell-Obatake?

15:25:05 7 Okay. With that we're going to take another

15:25:08 8 ten-minute break and, again, I'd remind members of the

15:25:10 9 audience if you are interested in speaking, please sign up at

15:25:14 10 the back of the auditorium with the staff members of the US

15:25:18 11 Civil Rights Commission. Thank you.

15:25:20 12 (Pause in Proceedings: 3:25-3:42)

15:41:28 13 MEMBER FUJIMORI: We'd like to reconvene the

15:41:31 14 subcommittee, please. Our first speaker is going to be Linda

15:41:48 15 Pudwill. Linda Pudwill, to be followed by Trustee Donald

15:41:56 16 Calaluna.

15:41:59 17 MS. PUDWILL: Thank you.

15:42:06 18 MEMBER FUJIMORI: Ms. Pudwill, if you can

15:42:09 19 just wait for one second while we wait for Mr. Burgess to

15:42:13 20 make his way down.

15:42:23 21 Thank you, Ms. Pudwill. Go ahead.

15:42:25 22 MS. PUDWILL: Thank you. My name is Linda

15:42:28 23 Pudwill. I am --

15:42:32 24 MEMBER FUJIMORI: Could you bring the

15:42:34 25 microphone a little bit closer to you --

15:42:36 1 MS. PUDWILL: Is this okay?

15:42:39 2 MEMBER FUJIMORI: -- so people can hear you

15:42:41 3 in the audience? Thank you.

4 Go ahead.

15:42:43 5 MS. PUDWILL: My name is Linda Pudwill. I am

15:42:45 6 a child of United States parents born in the Territory of

15:42:50 7 Hawaii.

15:42:52 8 As the United States illegally occupies the

15:42:55 9 Hawaiian kingdom, I am against any version of the Native

15:42:59 10 Hawaiian Reorganization Act. You folks are the US Commission

15:43:06 11 on Civil Rights. I charge your commission to investigate the

15:43:10 12 process of genocide against the Kanaka Maoli by the United

15:43:16 13 States.

15:43:16 14 (Applause.)

15:43:17 15 MS. PUDWILL: Thank you.

15:43:21 16 MEMBER FUJIMORI: Thank you, Ms. Pudwill.

15:43:23 17 Next is Trustee Calaluna. To be followed by

15:43:38 18 Andrew Cabebe.

15:43:51 19 MR. CALALUNA: Thank you, Commissioners. I

15:44:09 20 was not going to speak today. I asked the OHA

15:44:15 21 administrator -- My name is Donald Calaluna.

15:44:21 22 MEMBER FUJIMORI: Would you try to bring the

15:44:23 23 microphone a little bit closer.

15:44:25 24 MR. CALALUNA: My name is Donald Calaluna,

15:44:30 25 trustee of OHA representing Kauai and Niihau. I was not

15:44:34 1 going to speak. I asked my -- our administrator to speak,
15:44:38 2 and he did. And I asked our chair, Haunani, to come, and she
15:44:43 3 did and I thank her. Because I wasn't going to speak, but I
15:44:47 4 think I sat there too long because there are certain things
15:44:52 5 said here that I should perhaps give my own opinions on that
15:44:58 6 I feel in my heart.

15:45:03 7 I didn't want to speak because to me is the
15:45:06 8 same done deal. The cards are stacked against the Akaka
15:45:13 9 Bill, which is a shame. And I didn't want to get all
15:45:17 10 excited, but I got to tell you some things. This year the
15:45:27 11 Congress may or may not pass the Akaka Bill, but Bush, I call
15:45:38 12 him crooked Bushie boy, won't agree to it, says he won't pass
15:45:41 13 this. Same thing with Nixon. Unless we -- There's a
15:45:49 14 petition going on through all the states to impeach crooked
15:45:57 15 Bushie boy and Cheney, because we can't get Bush out and put
15:46:01 16 Cheney in. So there's a petition going on and I will help
15:46:04 17 move it around on Kauai. You know, if we can impeach
15:46:08 18 President Nixon for Watergate when nobody got killed, no
15:46:16 19 hundreds of billions of dollars were thrown out because of
15:46:19 20 this stupid Iraqi war, we can impeach crooked Bushie boy.
15:46:28 21 That's one thing.

15:46:29 22 Second thing: You know, the United States of
15:46:31 23 America, that supposedly great nation, of all the nations I
15:46:38 24 have cited it's the only one cited from day one that they
15:46:42 25 didn't like races of color. That's why they destroyed the

15:46:49 1 Indian Nation, the United States, for the land, for the
15:47:00 2 money. Then they moved to the Mexicans for the land and the
15:47:08 3 money. Then they brought in people of color from Africa,
15:47:15 4 turned them into slaves. And even in the early 1900s they
15:47:23 5 treated the Italians, people of color, poorly. And that's a
15:47:30 6 fact.

15:47:36 7 Now this is about a nation, the Hawaiian
15:47:43 8 Nation that was overthrown by the United States. You know, I
15:47:49 9 have friends all over the world. I have friends in Japan.
15:47:53 10 There is in the Imperial Museum in Japan a document that
15:48:05 11 writes about the treaty Japan had with Hawaii, with the
15:48:11 12 monarchy of Hawaii. Japan had a treaty. It talks about that
15:48:16 13 treaty. It also says, very importantly, United States was
15:48:19 14 the only country that broke their treaty with Hawaii. What's
15:48:24 15 new? United States had treaties with about a dozen
15:48:33 16 countries.

15:48:38 17 And this year I voted for the Akaka Bill when
15:48:42 18 it came up before the board. I voted for it. I was the last
15:48:46 19 one to vote although by seating, I should have been number 3.
15:48:52 20 So I said, Kalalauau, because I wanted to see how the others
15:48:57 21 going to vote. And all eight voted for it, and so I decided
15:49:02 22 I got to go along with the vote, so I said yes with
15:49:05 23 reservation. 'Cause I knew it wouldn't pass this year or
15:49:08 24 next as long as Bushie boy is there.

15:49:13 25 But I have another plan and I will share with

15:49:18 1 you. In this Kau Inoa there's over 75,000. I just found out
15:49:25 2 yesterday, 75,135. By the end of this year we hope to get
15:49:31 3 100,000. Do you know -- And I will share this with you if
15:49:36 4 you don't know. There are -- And there's some of them in
15:49:40 5 here. There are over 30 groups in Hawaii that are
15:49:46 6 sovereignty groups for sovereignty, over 30. And they range
15:49:52 7 in membership from about two dozen to 3,000. In all, there
15:49:57 8 are over 30,000 members of these 30 sovereignty groups.
15:50:04 9 That's like, what, eight brigades.

15:50:08 10 My job, it's quite clear to me, is to get Kau
15:50:14 11 Inoa together with those groups, those 30 groups to get a
15:50:19 12 sovereign nation. Then -- But we need two things. From OHA
15:50:29 13 we need the money, and we have.

15:50:34 14 Somebody's accused the trustees and me of
15:50:40 15 spending a lot of money on the Akaka Bill, on trips to
15:50:43 16 Washington and all that. I have never been to Washington,
15:50:48 17 never, because I don't see it going through. My plan is -- I
15:51:05 18 need two things, money and a leader. Really my number one is
15:51:11 19 I have to find this leader. The leader that will emerge and
15:51:15 20 he will have the vision. He will have the mission, the
15:51:18 21 strategies, the goals and objectives. He will be able to
15:51:25 22 convince the Hawaiians, everyone of good character, of
15:51:34 23 commitment, of competence, of confidence, of courage. And he
15:51:42 24 will take over the Hawaiian community and they will follow
15:51:46 25 him.

15:51:47 1 We need a leader. In talking to some of
15:51:52 2 these Hawaiian groups, they say, "Oh, you're talking about
15:51:53 3 Kamehameha." I didn't realize that, but so be it. And what
15:51:57 4 we will do, because the United States has lost it in the
15:52:01 5 world with crooked Bushie boy there. What we will do, we
15:52:07 6 will contact a few of those countries that still have
15:52:12 7 treaties with Hawaii like Japan, like England, like France,
15:52:21 8 like Italy. And they will take us not before the Congress of
15:52:26 9 the United States, but before the United Nations and we will
15:52:30 10 be recognized as a nation.

15:52:37 11 I feel very strongly about that. I will
15:52:39 12 spend the rest of my life doing that. So I have a plan. I'm
15:52:51 13 working with the sovereignty groups and wait. Our plan is to
15:52:58 14 get 100,000, there will be roughly 130, 135,000 with other
15:53:03 15 groups. Hopefully we can get 200,000. At first it was
15:53:08 16 merely to protect the Hawaiian entitlements that Kamehameha
15:53:13 17 School, you know, Ala Like and Hawaiian Homes and OHA. I'm
15:53:19 18 beyond that, going to get our nation, because the way we have
15:53:24 19 tried since 2000 is not working.

15:53:28 20 So what do you do? You keep on trying and
15:53:31 21 trying. Even a little earth worm, when you put the little
15:53:35 22 earth worm in this maze, let him crawl. You put a little
15:53:40 23 electric wire in one of the holes, he will go and if he gets
15:53:45 24 zapped there, he will never go back there again. A little
15:53:51 25 earthworm. Now, we have a bigger brain. That's my strategy,

15:53:55 1 my plan, and it's to the point where, God willing, I will
15:54:03 2 convince at least four other trustees that OHA to back up
15:54:11 3 this sovereign nation.

15:54:13 4 MEMBER FUJIMORI: Thank you, Trustee
15:54:16 5 Calaluna.

15:54:16 6 MR. CALALUNA: Sorry, I didn't hear. I was
15:54:18 7 talking. I can't hear very well.

15:54:19 8 MEMBER FUJIMORI: Okay. Sorry.

15:54:20 9 MR. CALALUNA: Can I have the question now so
15:54:22 10 I don't have to go back and forth?

15:54:23 11 MEMBER FUJIMORI: Anybody have a question for
15:54:26 12 Trustee Calaluna? Mr. Burgess, do you have a question?

15:54:30 13 MEMBER BURGESS: Mr. Calaluna, did you say
15:54:33 14 that there were 75,000 people that have signed up for OHA at
15:54:40 15 this point?

15:54:41 16 MR. CALALUNA: No. Kau Inoa.

15:54:43 17 MEMBER BURGESS: I mean for Kau Inoa. I'm
18 sorry.

15:54:44 19 MR. CALALUNA: Yes.

15:54:44 20 MEMBER BURGESS: That's what I meant. 75,000
15:54:46 21 different individuals have signed up?

15:54:49 22 MR. CALALUNA: Correct.

15:54:51 23 MEMBER BURGESS: Not people who have said
15:54:54 24 that we think these people will sign up, but actually 75,000
15:54:56 25 people?

15:55:00 1 MR. CALALUNA: Yes. They have T-shirts.

15:55:00 2 MEMBER FUJIMORI: Any follow-up questions?

15:55:02 3 MR. CALALUNA: And I'm hoping to get 100,000

15:55:04 4 by the end of the year.

15:55:06 5 MEMBER BURGESS: And is it correct that only

15:55:08 6 people of Native Hawaiian ancestry or indigenous ancestry to

15:55:13 7 Hawaii will be allowed to participate in the OHA -- in the --

15:55:19 8 MR. CALALUNA: Kau Inoa.

15:55:22 9 MEMBER BURGESS: -- Kau Inoa process?

15:55:25 10 MR. CALALUNA: Yes.

15:55:25 11 MEMBER BURGESS: Thank you.

15:55:26 12 MEMBER FUJIMORI: Any other questions?

15:55:27 13 MR. CALALUNA: But they have other list of

15:55:30 14 people that wanted to come. They have another list for those

15:55:33 15 people, too. See, 'cause I don't know what this nation, this

15:55:37 16 Hawaii nation is going to do, whether they will accept people

15:55:42 17 not of Hawaiian blood. Let me tell you, I have -- I am

15:55:46 18 Hawaiian, I'm Portuguese, I'm Spanish. I have in my ohana

15:55:52 19 Chinese, Filipino, Japanese, Samoans. My little grandson has

15:56:00 20 more German blood and Irish blood than he has Hawaiian blood.

15:56:06 21 I am involved with all people. I have worked all my life

15:56:11 22 with all people.

15:56:12 23 Any other questions?

15:56:13 24 MEMBER FUJIMORI: Any other questions for

15:56:14 25 Trustee Calaluna?

15:56:18 1 Thank you, Trustee Calaluna.

15:56:23 2 MR. CALALUNA: Thank you for this
15:56:25 3 opportunity.

15:56:26 4 MEMBER FUJIMORI: And our last speaker is
15:56:29 5 Andrew Cabebe.

15:56:45 6 MR. CABEBE: Aloha, everyone. First of all,
15:57:15 7 I would like to thank the kupunas out there for your
15:57:19 8 testimony and for giving me an insight into what is really
15:57:23 9 happening here. And I hope that you have heard what has come
15:57:27 10 out of what is going on here. I know just by sitting here
15:57:35 11 and listening to what's going on, we need to be independent,
15:57:44 12 led by good people with righteous intentions to bring us
15:57:53 13 through this turmoil that we going through.

15:57:56 14 Other countries get freedom, independence.
15:58:01 15 And our time is here, so don't give up. Don't give up. The
15:58:10 16 world is listening to us and we have a chance to show aloha.
15:58:19 17 People are dying out there. And we live under one law and we
15:58:27 18 go to that law one day, whether you believe it or not. And
15:58:36 19 we all brothers and sisters, but what road are you on? What
15:58:42 20 road are you on?

15:58:48 21 There's only two paths to this world. We
15:58:54 22 choose aloha. I choose aloha. My family chooses aloha. And
15:59:03 23 I speak for my family. We live aloha. The aloha that's
15:59:08 24 going on today is not true aloha. Independence for -- not
15:59:20 25 only for Hawaiian people, but for all of us. One day we will

15:59:28 1 be a nation. I truly believe that. I read in a book one day
15:59:35 2 where all nations will return just as they had left the
15:59:43 3 source, each one to his own place. Everyone was blessed to
15:59:52 4 have a place. So fear not. Just continue fighting and
16:00:03 5 praying. Keep your prayers out there.

16:00:09 6 I know history. I have seen history. I have
16:00:11 7 seen all the powers go down. We are at the foot step. We
16:00:20 8 are at the doorstep. And I thank God that we can go home and
16:00:28 9 say forgive me every day. So I say, again, thank you for
16:00:43 10 listening. I heard. I heard. It's time for the Hawaiian
16:00:52 11 people to be out there. We have something that is very
16:00:56 12 precious to all of us.

16:01:04 13 And thank you again for letting me speak.
16:01:08 14 And I pray for you all. One day we will all meet under the
16:01:15 15 right ruler. Take us back to pono, to righteousness. Let us
16:01:29 16 be what we are, a nation. Give us back our seat in the
16:01:38 17 nation -- the United Nations. Give us back our seat.

16:01:44 18 There is somebody out there, brother, and
16:01:48 19 he'll stand up like all of us, like all of you, and all of
16:01:56 20 you that is trying to make the difference. We keep on
16:02:03 21 struggling. And I'm going to keep on going and my family
16:02:09 22 will keep on going. Again, thank you. Aloha.

16:02:17 23 MEMBER FUJIMORI: Thank you, Mr. Cabebe.

16:02:21 24 (Applause.)

16:02:25 25 MEMBER FUJIMORI: Do any of the committee

16:02:26 1 members have questions for Linda Pudwill or for Andrew
16:02:32 2 Cabebe?

16:02:32 3 Are there any others in the audience that
16:02:35 4 have signed up and not provided testimony yet? Otherwise,
16:02:40 5 can I ask for a motion to close this meeting, please.

16:02:44 6 MEMBER BARBEE-WOOTEN: I move.

16:02:45 7 MEMBER YOUNG: Second.

16:02:47 8 MEMBER FUJIMORI: All in favor.

9 MEMBERS: Aye.

16:02:50 10 MEMBER FUJIMORI: With that, we now close the
16:02:52 11 Subcommittee to the Hawaii State Advisory Committee to the US
16:02:54 12 Civil Rights Commission. Thank you all for coming.

13 (The proceedings were adjourned at 4:03 p.m.)
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C E R T I F I C A T E

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STATE OF HAWAII)
) SS.
CITY AND COUNTY OF MAUI)

I, Sandra J. Gran, Certified Shorthand Reporter for the State of Hawaii, hereby certify that the proceedings were taken down by me in machine shorthand and was thereafter reduced to typewritten form under my supervision; that the foregoing represents to the best of my ability, a true and correct transcript of the proceedings had in the foregoing matter.

I further certify that I am not attorney for any of the parties hereto, nor in any way concerned with the cause.

DATED this 17th day of October, 2007, in Maui, Hawaii.

Sandra J. Gran

Sandra J. Gran
Hawaii CSR 424
Notary Public for Hawaii
My Commission Expires: 5/14/08

