



## HCR6

**COMMEMORATING THE TWENTIETH ANNIVERSARY OF PUBLIC LAW 103-150,  
RECOGNIZING THE PROGRESS MADE TOWARDS RECONCILIATION AND NATIVE  
HAWAIIAN SELF-GOVERNANCE AND SELF-DETERMINATION, REAFFIRMING THE  
STATE'S COMMITMENT TO RECONCILIATION WITH NATIVE HAWAIIANS FOR  
HISTORICAL INJUSTICES, URGING THE FEDERAL GOVERNMENT TO ADVANCE  
RECONCILIATION EFFORTS WITH NATIVE HAWAIIANS, AND SUPPORTING  
EFFORTS TO FURTHER THE SELF-DETERMINATION AND SOVEREIGNTY OF NATIVE  
HAWAIIANS**

House Committee on Judiciary

March 28, 2013

2:00 p.m.

Room 325

The Office of Hawaiian Affairs (OHA) strongly **SUPPORTS** HCR6, which is a house concurrent resolution in OHA's 2013 legislative package. HCR6 commemorates the twentieth anniversary of the 1993 Apology Resolution, reflects upon the steps taken towards lasting reconciliation with the Native Hawaiian people, and reaffirms the commitment of the state towards achieving such reconciliation for the betterment of Native Hawaiians and **all** who live in Hawai'i.

Twenty years ago, in a rare act of self-criticism, the federal government unequivocally recognized the ongoing harms resulting from its role in the colonization and illegal overthrow of the Kingdom of Hawai'i and expressed a clear commitment to a process of reconciliation with the Native Hawaiian people. The State of Hawai'i did the same through its 1993 enactment of Act 354.

As many acknowledged at the time, the process of seeking reconciliation and justice is not simple or easily established. Over the twenty years since the passage of the Apology Resolution, many new issues, considerations, and debates have arisen regarding the proper means to address the ongoing historical harms and challenges impacting Native Hawaiians, as they strive to restore and maintain their culture, cultural values, and self-determination. Today, the path towards lasting reconciliation continues to be a long and uncertain one.

However, as recognized in this resolution, many significant steps forward have also been taken over these past twenty years, and the state of Hawai'i has continually expressed its support for reconciliation and Native Hawaiian self-determination through legislation, testimony by government leaders, the investment of state funds, and judicial decisions by its highest court. This year, 2013, marks an important opportunity to no'ono'opono, or reflect, on the progress made since the federal government's passage of

the Apology Resolution. While much work remains to be done, reflecting upon the progress made thus far is necessary to ensure that the state's underlying commitment towards justice and reconciliation remains alive in our social consciousness, and in our social conscience.

This resolution reiterates the findings of the 1993 Apology Resolution, recognizes the steps forward that have been made in the last twenty years, and expresses the legislature's ongoing support and commitment to achieving a substantive and lasting reconciliation with the Native Hawaiian people. Therefore, OHA strongly urges the Committee to **PASS** HCR6.

Mahalo for the opportunity to testify on this important matter.

**HCR6**

Submitted on: 3/19/2013

Testimony for JUD on Mar 22, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
B. Puni Kekauoha	Papakolea Community Development Corporation	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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Unity, Equality, Aloha for All

To: House Committee on Judiciary  
From: Kenneth R. Conklin, Ph.D.  
Re: HCR6 commemorating 20th anniversary of U.S. apology resolution  
Date: March 19, 2013 for hearing March 22

#### TESTIMONY IN OPPOSITION AND PROPOSED AMENDMENT IN THE NATURE OF A SUBSTITUTE

To convey my reasons for opposing this resolution, I am providing below a proposed amendment to HCR6 in the nature of a substitute (a process sometimes called "gut and replace"). Each "whereas" clause contains one or two footnotes providing extensive documentation to prove what is asserted.

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Whereas the U.S. apology resolution (USAR) PL 103-150 incorrectly apologizes solely to Native Hawaiians for the U.S. role in overthrowing the monarchy in the Hawaiian revolution of 1893, but any apology (if owed at all) should be directed to all the multiracial population of Hawaii in 1893; and whereas the apology should especially include the large numbers of Caucasians who were native-born or naturalized subjects of the Kingdom, many of whom served as judges, members of the legislature, and were a majority of department heads, teachers and officers of the government; and whereas the racially exclusive apology creates divisiveness because it causes ethnic Hawaiians to believe they are entitled to racially exclusive ownership of Hawaii and racially exclusive government handouts [n#1]; and

Whereas USAR is filled with twisted half-truths and outright falsehoods about the history of Hawaii and especially the Hawaiian revolution of 1893 [n#2]; and

Whereas Senator Inouye assured his colleagues during the floor debate in 1993, that USAR would never be used to justify a demand for secession, [n#3] yet numerous Hawaiian sovereignty groups have been using it that way for 20 years [n#4]; and

Whereas Senator Inouye assured his colleagues during the floor debate in 1993, that USAR would never be used to justify demands for restitution in the form of special race-based government handouts; [n#5] yet USAR has been cited in the "findings" preambles of every major bill introduced by Senators Inouye and Akaka to provide federal recognition to Native Hawaiians as an Indian tribe, and to provide special race-based programs in housing, healthcare, education, etc. [n#6]; and

Whereas USAR has prompted many ethnic Hawaiians to clog the courts with bogus assertions that the federal and state governments are illegal in Hawaii and hence lack jurisdiction over them to enforce requirements for vehicle registrations and driver licenses [n#7]; and

Whereas activists have used USAR to insist the U.S. flag must not fly over 'Iolani Palace, to justify ethnic Hawaiian takeovers of the Palace, and to oppose government regulations for use of Palace grounds[n#8]; and

Whereas USAR has been used in two different campaigns a decade apart by a Hawaiian sovereignty activist in collaboration with realtors to perpetrate a scam by asserting that the "illegal overthrow of the monarchy" means that deeds to private property are not valid unless re-certified by the activist acting as an agent of the Hawaiian kingdom, and clients are charged around \$2,000 for a bogus title search, and bogus documents are filed with the Bureau of Conveyances placing a cloud on valid deeds, and ignorant clients are persuaded to stop paying mortgages on the theory that the mortgages are not valid, and title insurance companies are sued to pay the clients when mortgages are foreclosed [n#9]; and

Whereas USAR caused local and federal courts to be tied up for a decade in a ceded lands lawsuit filed by OHA and several individual ethnic Hawaiians where the USAR was the primary focus of attention, and a 5-0 decision by the Hawaii Supreme Court was overturned by a 9-0 decision of the U.S. Supreme Court [n#10]; and

Whereas the U.S. Senate Committee on Foreign Affairs held two months of hearings in 1894 with testimony under oath and cross-examination regarding the U.S. role in the Hawaiian revolution of 1893 and concluded that U.S. peacekeepers had neither caused nor assisted the revolution; and whereas a joint House/Senate Native Hawaiians Study Commission reached the same conclusion in 1983 following two years of public hearings and extensive commentaries by experts[n#11]; and

Whereas the people of Hawaii are disgusted by the gross abuse of the U.S. apology resolution to attack the sovereignty of the State of Hawaii and to disrupt the unity and equality of our people [n#12];

Now therefore BE IT RESOLVED by the House of Representatives of the Twenty-seventh Legislature of the State of Hawaii, Regular Session of 2013, the Senate concurring, that the Legislature hereby expresses its desire that PL103-150, commonly known as the apology resolution, be rescinded; and

BE IT FURTHER RESOLVED that we ask both of Hawaii's U.S. Senators and all their colleagues, and both of Hawaii's Members of Congress and all their colleagues, to introduce and actively support appropriate legislation to rescind PL103-150; and

BE IT FURTHER RESOLVED that certified copies of this Concurrent Resolution be transmitted to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, the Chief Justice of the Supreme Court of the United States, the Chief Justice of the Supreme Court of Hawaii, the Governor of the State of Hawaii, and the Chairperson of the Board of Trustees of the Office of Hawaiian Affairs.

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#### Footnotes:

n#1: See the Native Hawaiian Databook Census of 1890 [Kingdom] and Census of 1896 [Republic] yielding figures of 45% of the population in 1890 and 36% in 1896 being either full or part Native Hawaiian; and see Jonathan Osorio's book "Dismembering Lahui" for lists of who were members of the Kingdom legislature in various years

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n#2: There have been two excellent refutations of numerous assertions contained in USAR.

2(a): Hawaii Divided Against Itself Cannot Stand (Essay by Constitutional lawyer Bruce Fein, as printed In the Congressional Record of June 14, 15, and 16 of 2005 by unanimous consent, by request of Senator Kyl)

<http://www.angelfire.com/hi5/bigfiles3/AkakaFeinCongRec061405.html>

The section printed in the Congressioal Record on June 14, 2005 is entirely devoted to a point by point refutation of the apology resolution.

<http://www.gpo.gov:80/fdsys/pkg/CREC-2005-06-14/pdf/CREC-2005-06-14-pt1-PgS6471.pdf#page=1>

2(b): Thurston Twigg-Smith, "Hawaiian Sovereignty: Do the Facts Matter?" (Honolulu, HI: Goodale Publishing, 1998) Chapter 10 "The Congressional Apology: A Travesty" Download entire book here: <http://tinyurl.com/6osxwp>

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n#3: Full text of the 60 minute Senate floor debate on USAR can be found at

<http://www.hawaii-nation.org/congrec-senate.html>

During the debate Senator Gorton (R, WA) discussed the ethnic cleansing then underway in Bosnia and how the Serbs were fueled by a grievance over events from 900 years ago. Senator Gorton said "I know that the two Senators from Hawaii do not agree with the radicals who wish independence as a result, but the logical consequences of this resolution would be independence." Senator Inouye replied "To suggest that this resolution is the first step toward declaring independence for the State of Hawaii is a painful distortion of the intent of the authors. ... this is a very simple resolution. It was authored by my friend from Hawaii because he loves America. ..." Later Senator Inouye added "the suggestion that this resolution was the first step toward declaring independence or seceding from the United States is at best a very painful distortion of our intent. ... No, no, this is not seceding or independence. We fought for statehood long enough and we cherish it and we

want to stay there. I can assure you, I do not wish to leave this place. ... As I tried to convince my colleagues, this is a simple resolution of apology, to recognize the facts as they were 100 years ago. ... It is a simple apology."

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n#4: Numerous Hawaiian sovereignty groups have been using the USAR for 20 years as a justification for demanding secession. They describe the USAR as an admission against interest -- a confession of a crime under international law for which the proper restitution would be U.S. withdrawal from Hawaii with payment of billions of dollars in restitution. To find such assertions, put into the Google search engine the words Hawaiian apology along with the name of any one of the following sovereignty activists or groups: Kekuni Blaisdell, Ka Pakaukau, Poka Laenui [an alias of Hayden Burgess], [David] Keanu Sai, Aloha Quest, Scott Crawford, Charles Kauluwehi Maxwell, Bumpy Kanahele, Nation of Hawaii, Henry Noa, Reinstated Hawaiian government.

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The apology resolution of 1993 continued to be a major source of fuel for the fires of secession even 12 years later in 2005, as shown by the following photos. August 6, 2005, a rally by about 15,000 ethnic Hawaiians protested a decision by the 9th Circuit Court of Appeals that Kamehameha Schools' racially exclusionary admissions policy is illegal. Here are Hawaiian independence activists' signs at the Palace rally proclaiming that USAR places the U.S. on record as acknowledging that ethnic Hawaiians never gave up their inherent sovereignty or their national lands.

<http://www.angelfire.com/hi5/bigfiles3/KamCiteApolKanakNeverGaveUp.jpg>  
and

<http://www.angelfire.com/hi5/bigfiles3/KamCiteApologyInhrntSovrnty.jpg>

See also "The Akaka Bill And Secession" at

<http://www.angelfire.com/hi2/hawaiiansovereignty/AkakaSecession.html>

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n#5: During the floor debate on the USAR, Senator Inouye assured his colleagues that the apology resolution would not be used to support demands for reparations or for special race-based benefit programs. Senator Gorton asked, "What are the appropriate consequences of passing this resolution?"

Are they any form of special status under which persons of Native Hawaiian descent will be given rights or privileges or reparations or land or money communally that are unavailable to other citizens of Hawaii?" Senator Inouye replied, "As I tried to convince my colleagues, this is a simple resolution of apology, to recognize the facts as they were 100 years ago. As to the matter of the status of Native Hawaiians, as my colleague from Washington knows, from the time of statehood we have been in this debate. Are Native Hawaiians Native Americans? This resolution has nothing to do with that." Senator Gorton responded, "this Senator wants to sincerely thank the senior Senator from Hawaii for that answer and accepts it as such. This Senator believes the Senator from Hawaii has said this resolution is unrelated to -- it neither advances nor detracts from -- any kind of special treatment for Native Hawaiians. ... This Senator feels, unfortunately, that the consequences of the portions of this resolution after the whereas clauses do in fact provide a basis -- perhaps even a legal basis -- for some kind of demand for special treatment or for the return of lands. It is for that reason, for that reason which this Senator believes to be very divisive within our society, that the Senator regretfully opposes the resolution ... "

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n#6: Senator Inouye gave assurance to his colleagues that the USAR was merely a simple apology and would not be used to demand special race-based government handouts. But USAR has been cited in the "findings" preambles of major bills introduced by Senators Inouye and Akaka to provide federal recognition to Native Hawaiians as an Indian tribe, and to provide special race-based programs in housing, healthcare, education, etc. On August 16, 2005 former Senators Slade Gorton (R, WA) and Hank Brown (R, CO) jointly authored a commentary in the Wall Street Journal expressing opposition to the Akaka bill and complaining bitterly that Senator Inouye had lied to them during the Senate debate on USAR in 1993. They wrote: "The Akaka Bill's justification rests substantially on a 1993 Apology Resolution passed by Congress and signed by President Clinton when we were members of the Senate representing the states of Washington and Colorado. (We voted against it.) The Resolution is cited by the Akaka Bill in three places to establish the proposition that the U.S. perpetrated legal or moral wrongs against Native Hawaiians that justify the race-based government the legislation would erect. These citations are a betrayal of the word given to us -- and to the Senate -- in the debate over the Apology Resolution. We specifically inquired of its proponents whether the Apology would be

employed to seek "special status under which persons of Native Hawaiian descent will be given rights or privileges or reparations or land or money communally that are unavailable to other citizens of Hawaii." We were promised on the floor of the Senate by Daniel Inouye, the senior senator from Hawaii and a personage of impeccable integrity, that, "As to the matter of the status of Native Hawaiians . . . [t]his resolution has nothing to do with that. . . . I can assure my colleague of that." The Akaka Bill repudiates that promise of Sen. Inouye. It invokes the Apology Resolution to justify granting persons of Native Hawaiian descent -- even in minuscule proportion -- political and economic rights and land denied to other citizens of Hawaii. We were unambiguously told that would not be done." The article is available at <http://online.wsj.com/article/0,,SB112415838738514082,00.html?mod=opinion%5Fmain%5Fcommentaries>

But the Akaka bill is not the only piece of major legislation that relies on the USAR for its justification. The Hawaii legislature concurrent resolution HCR6 and SCR2, commemorating USAR, cites other legislation that relies on the apology resolution: "in 2000 and 2002, the United States Congress passed Public Law 106—568, the Hawaiian Homelands Homeownership Act, and Public Law 108—110, the reenacted Native Hawaiian Education Act, confirming the special trust relationship between the federal government and the Native Hawaiian people." HLCR also cites the 2008 Hawaii Supreme Court decision on the ceded lands which relied on the apology resolution (not mentioning that it was overruled by the U.S. Supreme Court). HLCR also points out that Act 195, Session Laws of Hawaii 2011, establishing a state-recognized tribe, relies on USAR.

Although HLCR does not mention it, another example of federal legislation that relies on USAR is the bill to reauthorize the Native Hawaiian healthcare system, Papa Ola Lokahi, which was S.1929 in the 107th Congress and S.66 in the 112th Congress (never came to the floor in 2011-2012). In the 112th Congress version S.66, "Findings" 12-16 come directly from the USAR, and Finding 16 names PL103-150 explicitly. See <http://www.angelfire.com/big09/S66NatHawHealthBadBill.html>

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n#7: There have been numerous cases where ethnic Hawaiians have gone to court to make a political point and harass the court by citing the USAR to assert lack of jurisdiction when they were given traffic tickets for driving

without vehicle registrations or without driver licenses issued by the State of Hawaii. Perhaps the most famous such case was Lance Larsen vs. Keanu Sai which those two men took all the way to the Permanent Court of Arbitration at The Hague.

The splashy website created at the direction of Keanu Sai containing all the details is at

<http://www.alohaquest.com/>

Documents presented by Larsen and Sai are at

<http://www.alohaquest.com/arbitration/index.htm>

A satirical commentary by sovereignty opponent Ken Conklin, entitled "Fraudulent Hague Arbitration -- The Use of "the International Court at the Hague" for a Propaganda Circus" is at

<http://www.angelfire.com/hi2/hawaiiansovereignty/fraudhague.html>

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n#8: Since 1968 the U.S. flag has been allowed to fly on 'Iolani Palace only one time, following the terrorist attack of September 11, 2001 on the World Trade Center in New York. Flying the U.S. flag on the Palace caused an uproar from Hawaiian sovereignty activists, and a countervailing uproar from patriotic Americans. See section 3 of "Strong Allegiance to American Flag in Hawaii Following September 11, 2001" at

<http://www.angelfire.com/hi2/hawaiiansovereignty/hawpatriotpost911.html>

There have been numerous invasions and takeovers of Iolani Palace and its grounds by Hawaiian sovereignty activists who often cite USAR as their justification for asserting jurisdiction. Here are webpages documenting four such events in August 2006, August 2007, and April and August of 2008:

Hawaii Statehood Day 2006 -- Celebration at Old Territorial Capitol Building (Iolani Palace) Disrupted by Hawaiian Ethnic Nationalist Wannabe-Terrorists  
<http://www.angelfire.com/planet/bigfiles40/statehoodday2006.html>

Hawaii Statehood Day August 17, 2007 -- Holiday hijacked by Hawaiian sovereignty activists for celebration of 125th anniversary of Iolani Palace; Zero celebration of Statehood.

<http://www.angelfire.com/planet/big60/StatehoodDay2007.html>

Insurrection (not mere protest) attempted at Iolani Palace on April 30, 2008, by so-called Hawaiian Kingdom Government

<http://www.angelfire.com/planet/big60/Insurrection043008.html>

Hawaii King Akahi Nui -- His alleged coronation at Iolani Palace in 1998 and his violent takeover of Palace grounds and break-in of the building on Friday, August 15, 2008.

<http://www.angelfire.com/bigfiles90/PalaceAkahiNui081508.html>

In response the management of the Palace, together with the Department of Land and Natural Resources, created proposed new rules for Iolani Palace and grounds which prompted Ken Conklin to write testimony. See

<http://www.angelfire.com/bigfiles90/DLNRpalacerulestestimony081508.htm>

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n#9:

(9a): During the 1990s sovereignty activist David Keanu Sai filed a series of documents with the Bureau of Conveyances whereby he claims to have established himself as regent pro-tempore of the Hawaiian kingdom. He then collaborated with a Honolulu realtor to solicit fees totaling more than \$600,000 from hundreds of clients to create bogus title searches and file new warranty deeds at the Bureau which used Mr. Sai's authority as regent to condone property transfers done after the overthrow of the monarchy and to re-certify the validity of the deeds. In at least one case a Native Hawaiian client whose house was foreclosed for failure to pay the mortgage relied on Mr. Sai's theories to re-occupy the house after it had been bought by new owners, resulting in a felony conviction for Mr. Sai and the realtor and the client. See a very large compilation of published news reports and commentaries tracking the "Perfect Title" scam at

<http://www.angelfire.com/hi2/hawaiiansovereignty/fraudperfecttitle.html>

9(b): During the past several years a similar scam has been unfolding where Mr. Sai, now possessing a Ph.D. in Political Science, has collaborated with a realtor on Hawaii Island to do the same scam except this time to demand money from title insurance companies when homes are foreclosed. On February 11, 2011 the Home Equity Theft Reporter blog reported:

<http://homeequitytheft-cases-articles.blogspot.com/2011/02/illegal-overthrow-of-hawaiian-kingdom.html>

"In Honolulu, Hawaii, KITV-TV Channel 4 reports:

A legal argument based on the overthrow of the Hawaiian Kingdom, used unsuccessfully to fight foreclosures in the 1990s, is now being used once again, even though the man who promoted the theory 15 years ago was convicted of a felony.

David Keanu Sai is back in the public eye 11 years after being put on probation after telling people that they could walk away from mortgages because of the way the Kingdom of Hawaii was overthrown. Hundreds of people fighting foreclosure have invested in that claim again -- partly because Sai now has a University of Hawaii doctoral degree to back his argument.

Kale Gumapac, founder of Laulima LLC and Hawaiian Alliance LLC, advertises on Craigslist that he has a way to stop the foreclosure process. "It doesn't put the banks in trouble and it doesn't put the borrower in trouble," Gumapac said. "And it's worked. That's what I am trying to tell the Legislature."

Gumapac said he has about 300 paying customers he is helping attack the title of their properties. "They can only foreclose if the title is clear," he said. The title attack is based on research by Windward Community College lecturer David Keanu Sai. He argues that the overthrow of Queen Liliuokalani and the violation of executive agreements between the Queen and the U.S. government mean that all land title issued in Hawaii since 1893 are illegal and mortgages null and void.

9(c): In 2011 Keanu Sai, Kyle Gumapac, and other sovereignty activists, with the connivance of Representative Mele Carroll of Hawaii Island, introduced a resolution in the House Committee on Hawaiian Affairs to gain publicity for their bogus historical claims and to recruit clients for their realty scam. The resolution actually passed the Committee on Hawaiian Affairs, thus demonstrating how far out of bounds that committee has become and how much time is being wasted in the legislature because of reliance on the U.S. apology resolution. Fortunately the resolution died when the Committee on Judiciary refused to hold a hearing on it. For details, including text of the resolution, 75 pages of testimony, and the actions of Rep. Carroll, see "HCR107 in the Hawaii legislature of 2011 -- A resolution establishing a joint legislative investigating committee to investigate the status of two executive agreements entered into in 1893 between United States President Grover Cleveland and Queen Liliuokalani of the Hawaiian Kingdom, called the

Liliuokalani assignment and the agreement of restoration." at  
<http://www.angelfire.com/big09/HCR107HawLegisl2011.html>

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n#10: For about ten years, 2000 through 2009, a lawsuit worked its way through the courts. The lawsuit was based on the assertion that the U.S. apology resolution puts Congress on record that the ceded lands were illegally stolen from native Hawaiians, and then illegally transferred to the U.S. in the illegal 1898 annexation, and then back to the State of Hawaii in the 1959 statehood act. And because those land transfers were illegal, therefore the State of Hawaii should be prohibited from selling any parcel of ceded lands until such time as the state and federal governments reach a settlement with Native Hawaiians. On January 31, 2008 the Supreme Court of the State of Hawaii ruled 5-0 in favor of plaintiffs, based on the USAR. But on appeal the U.S. Supreme Court ruled 9-0 on March 31, 2009 to overturn that decision on the grounds that USAR has no power to deprive the State of its ownership of the ceded lands which were conveyed to Hawaii in fee simple absolute at Statehood in 1959. A very large webpage provides text of all major decisions throughout the history of the case, accompanied by news reports, commentaries, amicus briefs and oral arguments before the U.S. Supreme Court. See  
<http://bigfiles90.angelfire.com/CededNoSell.html>

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n#11:

11(a) See the 808-page Morgan Report, which is the official report of the U.S. Senate Committee on Foreign Relations, whose chairman was Senator John T. Morgan, Democrat of Alabama. Senate Report 227 of the 53rd Congress, second session, was dated February 26, 1894. It was an investigation into the events surrounding the Hawaiian Revolution of 1893, and the alleged role of U.S. peacekeepers in the overthrow of Queen Liliuokalani. It includes testimony under oath in open session with severe cross-examination, and special reports by experts about the history of Hawaii and its people, culture, economy, and strategic location. The entire report, plus summaries and commentaries, is at  
<http://morganreport.org>

11(b) The Native Hawaiians Study Commission was created by the Congress of the United States on December 22, 1980 (Title III of Public Law 96-565). The purpose of the Commission was to "conduct a study of the culture, needs and concerns of the Native Hawaiians." The Commission published and released to the public a Draft Report of Findings on September 23, 1982. Following a 120-day period of public comment, a final report was written and submitted on June 23, 1983 to the U.S. Senate Committee on Energy and Natural Resources and to the U.S. House of Representatives Committee on Interior and Insular Affairs. The entire majority report is available at [http://wiki.grassrootinstitute.org/mediawiki/index.php?title=Native\\_Hawaiians\\_Study\\_Commission\\_Report](http://wiki.grassrootinstitute.org/mediawiki/index.php?title=Native_Hawaiians_Study_Commission_Report)

11(c) Does the U.S. owe reparations to Native Hawaiians for the overthrow of the Hawaiian monarchy in 1893? Does the U.S. owe Native Hawaiians special treatment, group rights, or political sovereignty on account of anything that happened in the past, or on account of current economic or social afflictions? See a short summary of the conclusions of the Morgan Report and the Native Hawaiians Study Commission report including excerpts which refute the U.S. apology resolution.  
<http://www.angelfire.com/hi5/bigfiles3/USOwesNatHawns.html>

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n#12:

12(a): To understand the full dimensions of the threat to Hawaii caused by the apology resolution fueling both the Hawaiian independence movement and the quest for federal recognition of a phony Indian tribe through the Akaka bill, see the 302 page book "Hawaiian Apartheid: Racial Separatism and Ethnic Nationalism in the Aloha State" at <http://tinyurl.com/2a9fqa>

12(b): To learn more about the importance of unity, equality, and aloha for all (which the USAR undermines), see a statement of fundamental principles at <http://tinyurl.com/2c49g>



## **Association of Hawaiian Civic Clubs**

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

### **HOUSE COMMITTEE ON JUDICIARY**

**HCR6 (HSCR929) COMMEMORATING THE TWENTIETH ANNIVERSARY OF PUBLIC LAW 103-150, RECOGNIZING THE PROGRESS MADE TOWARDS RECONCILIATION AND NATIVE HAWAIIAN SELF-GOVERNANCE AND SELF-DETERMINATION, REAFFIRMING THE STATE'S COMMITMENT TO RECONCILIATION WITH NATIVE HAWAIIANS FOR HISTORICAL INJUSTICES, URGING THE FEDERAL GOVERNMENT TO ADVANCE RECONCILIATION EFFORTS WITH NATIVE HAWAIIANS, AND SUPPORTING EFFORTS TO FURTHER THE SELF-DETERMINATION AND SOVEREIGNTY OF NATIVE HAWAIIANS**

Friday, March 22, 2013; 2:00 pm; Room 325

Aloha Chairman Rhoads, Madam Vice Chair Har and members of the House Judiciary committee. I am Soulee Stroud, president of the Association of Hawaiian Civic Clubs testifying in support of this resolution.

The title of this Concurrent Resolution says a great deal. There has been progress regarding reconciliation, self governance and self determination, but probably not enough. The State must be more forthcoming in its commitment to Native Hawaiians for the injustices, and certainly could do more in terms of urging the Federal Government to stop stalling recognition of the Native Hawaiian peoples as a political entity.

Testimonies in the prior committee are overwhelmingly and gratifyingly supportive and diverse as to ethnicity and fairness. Justice is the issue here and while the Apology Bill was very helpful in bringing facts of the Overthrow of the Kingdom to life, it raised expectations far from fulfilled. We must go on, there's much to be done.

Thank you for the opportunity to testify.

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



**HCR6**

Submitted on: 3/19/2013

Testimony for JUD on Mar 22, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Kevin Chang	Individual	Support	No

Comments: I support this resolution. I do not believe we can truly move forward without remember and addressing the trespasses of our collective history. Aloha Kevin

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**HCR6**

Submitted on: 3/20/2013

Testimony for JUD on Mar 22, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Troy Abraham	Individual	Support	No

Comments: I support urgent passage of bill to restore the hawaiian monarchy....again

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**SB978**

Submitted on: 3/21/2013

Testimony for JUD on Mar 22, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Carolyn Barnes	Individual	Support	No

Comments:

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Submitted By	Organization	Testifier Position	Present at Hearing
Hokuola Choy	Individual	Support	No

## Comments:

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Malaki 21, 2013

Welina mai kākou e Kōmike Ho'okolokolo,

‘O wau ‘o kekahi haumāna o ka Papa ‘Ōlelo Makuahine.

‘O kēia ko‘u ha‘i mana‘o e kāko‘o i ka HCR6. E hō‘oia‘i‘o a kāko‘o au i kēia pila no ka mea ho‘omaopopo ‘o ia i nā mea hewa o ka wā ma mua. A hiki iā mākou ke holomua i ka ho‘opololei i nā mea kūpono ‘ole a ho‘āla i ko mākou lāhui.

No laila, ke ho‘opai nei au e ‘āpono i ka HCR6 i ke kāko‘o o ka lāhui a me ko kākou holomua ‘ana.

Mahalo.

**HCR6**

Submitted on: 3/20/2013

Testimony for JUD on Mar 22, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Miki Cachola Lene	Individual	Comments Only	No

Comments: Welina mai kākou e Kōmike Ho'okolokolo, 'O wau 'o kekahi haumāna o ka Papa 'Ōlelo Makuahine. 'O kēia ko'u ha'i mana'o e kāko'o i ka HCR6. E hō'ōia'i'o a kāko'o au i kēia pila no ka mea ho'omaopopo 'o ia i nā mea hewa o ka wā ma mua. A hiki iā mākou ke holomua i ka ho'opololei i nā mea kūpono 'ole a ho'āla i ko mākou lāhui. No laila, ke ho'opai nei au e 'āpono i ka HCR6 i ke kāko'o o ka lāhui a me ko kākou holomua 'ana. Mahalo.

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Welina mai kākou e Kōmike Ho'okolokolo,

'O wau 'o kekahi haumāna o ka Papa 'Ōlelo Makuahine.

'O kēia ko'u ha'i mana'o e kāko'o i ka HCR6. E hō'ōia'i'o a kāko'o au i kēia pila no ka mea ho'omaopopo 'o ia i nā mea hewa o ka wā ma mua. A hiki iā mākou ke holomua i ka ho'opololei i nā mea kūpono 'ole a ho'āla i ko mākou lāhui.

No laila, ke ho'opai nei au e 'āpono i ka HCR6 i ke kāko'o o ka lāhui a me ko kākou holomua 'ana.

Mahalo.

**HCR6**

Submitted on: 3/21/2013

Testimony for JUD on Mar 22, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Nanea	Individual	Support	No

Comments: Welina mai kākou e Kōmike Ho'okolokolo, 'O wau 'o kekahi haumāna o ka Papa 'Ōlelo Makuahine. 'O kēia ko'u ha'i mana'o e kāko'o i ka HCR6. E hō'ōia'i'o a kāko'o i kēia pila no ka mea ho'omaopopo mākou i nā mea hewa o ka wā ma mua. A hiki iā mākou ke holomua i ka ho'opololei i nā mea kūpono 'ole a ho'āla i ko mākou lāhui. No laila, ke ho'opai nei au e 'āpono i ka HCR6 i ke kāko'o o ka lāhui a me ko kākou holomua 'ana. Mahalo, Nanea

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**HCR6**

Submitted on: 3/20/2013

Testimony for JUD on Mar 22, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Wayne Tanaka	Individual	Support	No

Comments: All who live in and love Hawai'i as their home should support this measure. To truly move Hawai'i towards a brighter and more enlightened future, Hawai'i must acknowledge and address the injustices of its past. This resolution ensures that Hawai'i acknowledges our past, and keeps alive a vision that seeks to address the ongoing harms to the lands, culture, and self-determination of the Native Hawaiian people resulting from the overthrow of the Hawaiian Kingdom. Mahalo nui loa, Wayne Tanaka, Pauoa, Hawai'i 96813

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**HCR6**

Submitted on: 3/21/2013

Testimony for JUD on Mar 22, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Kamaile Maldonado	Individual	Support	No

Comments: I write in STRONG SUPPORT of this measure which would reaffirm the state's commitment to providing meaningful justice for the overthrow of the Hawaiian Kingdom, and to address the ramifications it has ca. This resolution helps to ensure that the historic losses, ramifications, and ongoing responsibilities of the state as a direct result of the 1893 overthrow remain in our social consciousness, and in our social conscience. Justice in Hawai'i can never be fully achieved without justice for the Hawaiian people, and the Hawaiian nation. Please support the ongoing struggle for justice and reconciliation in Hawai'i and PASS HCR 6. Mahalo for the opportunity to testify on this important measure.

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**HCR6**

Submitted on: 3/21/2013

Testimony for JUD on Mar 22, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Bryce Groff	Individual	Support	No

Comments:

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Dear Representatives Rhoads and Har and Members of the House Committee on Judiciary,

Please accept my testimony in support of House Concurrent Resolution 6. I am an attorney who recognizes that the overthrow of the Hawaiian Kingdom was illegal by any interpretation. Although, for the most part, resolutions are symbolic gestures, I believe that not passing HCR6 would send the wrong message from a legislature that represents the many voices of Hawaii. If the Kingdom or another form of sovereign state is ever restored and I am someday forced to relinquish my citizenship to this beautiful land, it is a price I would pay in the interest of justice.

Thank you,

David A. Fanelli

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**HCR6**

Submitted on: 3/21/2013

Testimony for JUD on Mar 22, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Everett Ohta	Individual	Support	No

Comments: Welina mai kākou e Kōmike Ho'okolokolo, 'O wau 'o kekahi haumāna o ka Papa 'Ōlelo Makuahine. 'O kēia ko'u ha'i mana'o e kāko'o i ka HCR6. E hō'ōia'i'o a kāko'o au i kēia pila no ka mea ho'omaopopo 'o ia i nā mea hewa o ka wā ma mua. A hiki iā mākou ke holomua i ka ho'opololei i nā mea kūpono 'ole a ho'āla i ko mākou lāhui. No laila, ke ho'opai nei au e 'āpono i ka HCR6 i ke kāko'o o ka lāhui a me ko kākou holomua 'ana. Mahalo.

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**HCR6**

Submitted on: 3/21/2013

Testimony for JUD on Mar 28, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
Kealii Makekau	Individual	Support	Yes

Comments: THE PROGRESS MADE TOWARDS RECONCILIATION AND NATIVE HAWAIIAN SELF-GOVERNANCE AND SELF-DETERMINATION NEEDS TO BE ADDRESS VIA INTERNATIONAL LAW. AS FAR AS REAFFIRMING THE STATE'S COMMITMENT TO RECONCILIATION WITH NATIVE HAWAIIANS FOR HISTORICAL INJUSTICES THE STATE ACTING IN PART AS A USURPER NEEDS TO STAND ASIDE OR RENDER AID IN ANY AND FORM TO THE LAWFUL HAWAIIAN GOVERNMENT. WITH THE STATE OUT OF THE WAY THE FEDERAL GOVERNMENT CAN ADVANCE TRUE RECONCILIATION EFFORTS WITH NATIVE HAWAIIANS AND THE HAWAIIAN NATION THUS SUPPORTING EFFORTS TO FURTHER SELF-DETERMINATION AND SOVEREIGNTY OF NATIVE HAWAIIANS CAN BE REALIZED.

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**HCR6**

Submitted on: 3/22/2013

Testimony for JUD on Mar 28, 2013 14:00PM in Conference Room 325

Submitted By	Organization	Testifier Position	Present at Hearing
May Abraham	Individual	Support	No

Comments: I support passage of this bill to restore hawaiian monarchy.

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