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TESTIMONY OF
MICAH A. KANE, CHAIRMAN
HAWAIIAN HOMES COMMISSION

IN SUPPORT OF S. 1011
THE NATIVE HAWAIIAN GOVERNMENT REORGANIZATION ACT OF 2009
BEFORE THE U.S. SENATE COMMITTEE ON INDIAN AFFAIRS

AUGUST 6, 2009

Aloha kakou, Chairman Dorgan, Vice Chairman Barrasso, Senator Inouye, Senator Akaka and members of this committee:

I am Micah Kane, Chairman of the Hawaiian Homes Commission, and I thank you for this opportunity to express support for this bill and to address how federal recognition plays a critical role in sustaining our Hawaiian Home Lands program.

In 1921, the United States Congress adopted the Hawaiian Homes Commission Act and set aside more than 200,000 acres of land in Hawaii to rehabilitate the native Hawaiian people. With Statehood in 1959, the responsibility to administer the Hawaiian home lands program was transferred to the State of Hawaii. The United States, through its Department of the Interior, maintains an oversight responsibility and certain major amendments to the Act require Congressional consent.

For more than 80 years, the Department of Hawaiian Home Lands has worked determinedly to manage the Hawaiian Home Lands trust effectively and to develop and deliver lands to native Hawaiians. Currently, there are over 36,000 native Hawaiians living in 29 homestead communities throughout the State. Each community is an integral part of our state's economic, social, cultural, and political fabric.

Passage of S. 1011 will enable the Hawaiian Homes Commission to not only continue fulfilling the mission Congress entrusted to

us, but to reach incredible successes that we are only starting to realize.

These five reasons are why we need this bill to be passed:

1. **Our housing program benefits the entire state.**
   The Department of Hawaiian Home Lands is the largest single family residential developer in the State of Hawaii and has provided nearly 3,000 families homeownership opportunities in the past five years. Each home we build represents one more affordable home in the open market or one less overcrowded home. In a state with high living costs and an increasing homeless population, there is no question that we are doing our part in raising the standard of living for all residents of our great state.

2. **We build and maintain partnerships that benefit entire communities.**
   We think regionally in our developments and we engage the whole community in our planning processes. Our plans incorporate people, organizations (e.g. schools, civic clubs, hospitals, homeowner associations), all levels of government and communities from the entire region - not only our beneficiaries. It is a realization of an important Hawaiian concept of ahupuaa - in order for our Hawaiian communities to be healthy; the entire region must also be healthy. This approach encourages a high level of cooperation, promotes respect among the community, and ensures that everyone understands how our developments are beneficial to neighboring communities and the region.

3. **We are becoming a self-sustaining economic engine.**
   Through our general lease program, we rent non-residential parcels to generate revenue for our development projects. Since 2003, the Department has doubled its income through general lease dispositions. We have the ability to be self-sufficient. Revenue generation is the cornerstone to fulfilling our mission and ensuring the health of our trust.

4. **Hawaiian communities foster Native Hawaiian leadership.**
   Multi-generational households are very common in our Hawaiian homestead communities. This lifestyle perpetuates our culture as knowledge and values are passed through successive generations. These values build strong leaders and we are seeing more leaders rising from our homesteads and the Hawaiian community at-large. It is common to see Native Hawaiians in leadership positions in our state. Three

members of Governor Lingle's cabinet are Hawaiian, as are almost one-fifth of our state legislators. Hawaiian communities grow Hawaiian leaders who make decisions for all of Hawaii.

5. **Hawaiian home lands have similar legal authority as proposed under S. 1011.**
   Because of our unique legal history, the Hawaiian Homes Commission exercises certain authority over Hawaiian home lands, subject to state and federal laws, similar to that being proposed under S. 1011.

   The Commission exercises land use control over our public trust lands, but complies with State and County infrastructure and building standards. The Commission allocates land within its homestead communities for public and private schools, parks, churches, shopping centers, and industrial parks.

   Amendments to the trust document, the Hawaiian Homes Commission Act, require State legislative approval and, in some instances, Congressional consent. Hawaiian home lands cannot be mortgaged, except with Commission approval, and cannot be sold, except by land exchanges upon approval of the United States Secretary of the Interior.

   The State and Counties exercise criminal and civil jurisdiction on Hawaiian home lands. Gambling is not allowed and the Commission cannot levy taxes over Hawaiian home lands.

The Hawaiian Home Lands Trust and our homesteading program is part of the essence of Hawaii. On behalf of the Hawaiian Homes Commission, I ask that you approve this bill so we can work toward recognition and continue doing good work for all the people of Hawaii.