"I AM CONVINCED OF THE CAUSE. MY PROPOSAL IS A VEHICLE, OR PUT ANOTHER WAY, A TARGET. I HAVE GIVEN THIS PROBLEM MUCH THOUGHT,—OTHERS MAY HAVE SUGGESTS WHICH DIFFER FROM MINE, BUT SOMEONE HAS TO BEGIN THE CYCLE, GIVE THE CAUSE SOME MOVEMENT. I THOUGHT I'D DO IT."

GOVERNMENT LEVELS TO BE INVOLVED IN THIS—"Both Federal and State governments would be involved. For instance, the Federal government would have to appropriate funds for the Hawaiian corporation. The State government owns the public lands, so our State Legislature and Governor must be of one mind, since they will deed over the lands."

REACTION TO PROPOSAL—"The Hawaiian organizations favor the principle unanimously. Some may have minor changes or amendments in mind. And this is what I wanted—discussion."

(one hawaiian organization has requested 10,000 copies of newsletter explaining proposal for dissemination.)

"I am hoping that the next year can be spent in refining a legislative proposal. Hopefully, during the next year, we can come up with something the diverse groups—State legislature, the Hawaiian groups, the public in general—can agree upon. Then, we can begin the legislative process."

One PROBLEMS—two major problems will be persuading the Federal government to appropriate $500 million for the corporation. In addition, the State of Hawaii may not be joyously inclined to give out certain lands, which are a considerable source of income.

* 1/3/73
Read to AP by K.A.
Proposal

Newsletter

no bill
just proposal --
vehicle ? movement
   target
   convinced of cause
   talk isn't enough
   initiative

Others may have different
changes
begin cycle as movement

3 State/Federal Gov't
   involved:
   return of public funds
   belong to State
   State must convey letter to Land

4 Hours big - favorability
   seem to be generally favorably
False principle universally

Prime despite despite

Stewart Udall

Facts

Next year -
- refining leg. proposal
- diverse group I must agree

1975 -- legislative process

nowhere - intro'ing bill next

Particular Problems

1. fed. govt.
2. Congress - $500 million
3. state - not inclined to convey title of lands to Hawaiians
NATIVE HAWAIIAN LAND CLAIMS

In 1971, the U.S. Congress passed the Alaska Native Claims Settlement Act.

Under this act, the United States sought to inscribe in law a land and monetary settlement to compensate the natives of Alaska for their aboriginal--or native--rights.

At the end of 1971, the President signed the act into law. As a result, our nation officially recognized certain entitlements retained by Alaska's native Indian Aleut and Eskimo population as natives of the land. The act also was designed to settle claims by these natives of title to lands on which they had fished, hunted, and dwelled for countless generations, but whose clear-title ownership had been left open to dispute.

Since the law's enactment, much interest has been shown both by persons of Hawaiian ancestry and by others for a similar law to settle land claims by native Hawaiians in Hawaii. That law would seek settlement to compensate the Hawaiians for their native rights.

Even before the Alaska Native Claims Settlement Act was born, I devoted much thought and study to this complex problem. Now I would like to share with you some of my thoughts and conclusions.
I feel that the Hawaiians have as much right as the Alaskans to some form of compensation for loss of lands.

The basis lies in Hawaii's history. Although missionaries and business concerns had the best interests of the Islands at heart, the Hawaiians lost much acreage without having received fair financial reparation or the benefits of due process under the law. I have detailed my history findings for you on page two.

To provide some restitution, I propose that the Congress establish a special corporation for Hawaii citizens of at least one-fourth Hawaiian blood. This corporation would pay its expenses and draw profits by owning and administering all present and future Hawaiian Home lands. The membership, through its elected board of directors, could lease or develop the lands for recreational, residential, or commercial use, as it saw fit.

Under my proposal, the corporation's lands would include the following:

- Lands currently owned by the State government but which are being leased to private concerns and are not being used for governmental purposes;
- Lands now administered by the Hawaiian Homes Commission;
Lands presently owned by the federal government, to be turned over to the corporation as they become surplus to federal government needs. Members would hold shares of stock—initially, perhaps 100 shares per person—and profits would be apportioned among members through dividends. To provide a measure of stability, shareholders would not be able to sell, transfer, or alienate their stock for the first 20 years. In event of death or divorce, stock could be transferred only to qualified beneficiaries.

The federal government would appropriate about $500 million for the Hawaiian corporation. (The Alaska Native Claims Settlement Act appropriated $462,000,000.) Corporate membership would elect its board of directors for staggered four-year terms. This board, which would report annually to stockholders, would have to make full public disclosure of its activities.

Briefly, other provisions are:

- Present lessees would continue to reside on Home lands, but dividends to these lessees would be less the amount of the annual appraised value of their leased property.

- The board could sell land parcels only if the stockholders approved by a 2/3 referendum vote.
Corporate profits would be subject to applicable Federal, State, and local taxes, and stockholders would pay applicable income tax on dividends.
THE ISLANDS' HISTORY

In many ways, Hawaii's history is one of contradictions. It is marked with events signifying both pride and honor, deception and disgrace. It is glorious and noble, and at the same time, sad and depressing. Essentially, during the process of blending the Islands' Polynesian culture with that of the Mainland Anglo-Europeans, much of what was uniquely Hawaiian was lost.

Historically, the Hawaiians' basic land tenure system was a monarchial, semi-feudal one. The land belonged to the king or principal chief on each island. He not only "owned" all of the land and property, but also held power of life and death over his people. He divided his holdings among his lesser chiefs into large estates called ahupuaas, which usually extended from the shores to the mountains. These were further subdivided into ilis and operated by lesser chiefs. Finally, smaller plots were provided for the commoners in exchange for a certain share of their crops, labor, and military service. If the king died or was defeated, his land was redivided among the new lesser chiefs.

Of interest, these events rarely affected the commoner or makaainana. An elaborate system of religious kapus existed to reinforce this structure and provide the Hawaiian society with a certain stability. Around 1810, Kamehameha the Great was able to unite all of Hawaii under his royal rule.
In 1820, the first missionaries arrived in Hawaii and thus began what is perhaps the most controversial era in Hawaii's history. There can be no question that most of these Americans were extremely religious and sincerely acted in a manner that they thought was best for the Hawaiians. However, the combination of their undermining the traditional Kapu system, the effect of various diseases brought in by the foreigners and the tremendously increasing participation of these new residents in the Hawaiian government led to the situation where, in 1850, the Honolulu Times stated that: (to obtain land) "Go to Boston and be appointed a missionary." By 1852, 16 missionaries held title to 7,886 acres. Similarly, the first census conducted in 1853 indicated that there were only 71,000 Hawaiians, in contrast to estimates of up to 300,000 when Captain Cook originally arrived. Undoubtedly, the "Great Mahele" of 1848 represented the climax of these developments.

Interwoven with these developments is a clear picture of increasing foreigner dominance in both financial and political affairs. They, particularly the Sugar interests, felt it was extremely important to obtain the security which comes with direct land ownership. They acted accordingly.
The antecedents of "land reform" appeared as early as 1825 when Kamehameha III ascended the throne at the age of 12. A national council of chiefs was organized to confirm the new king and to establish policy. Their recommendations resulted in the "Law of 1825," which essentially demolished the traditional custom of land redistribution and replaced it with the Western practice of inheritance. The new constitution further declared that the chiefs and the people were to be joint owners of the land. In 1848, King Kamehameha III signed the "Great Mahele", in which he officially divided his lands among his chiefs and set aside certain lands for the government.

It was around 1850 that a fee simple title system for the common tenants and for foreigners evolved. A Land Commission was established and until its termination in 1855, it was the vehicle for resolving conflicting claims. However, a great many commoners never received title to their land. Because they did not understand the importance of the new law, many failed to file any claims at all.
HOW ARE ALASKAN AND HAWAIIAN LAND CLAIMS CASES SIMILAR AND DIFFERENT?

ALASKA

TOTAL LAND AREA: 571,065 sq. mi. (1960)

FEDERAL-OWNED LAND AREA: 353,000,000 acres, most of which remain unassigned for usage.

U.S. GOVERNMENT ATTITUDE:
Native Alaskans generally have been considered in terms of distinct tribal units, similar to the American Indian. Accordingly, the U.S. government has viewed and treated these Alaskan native groups as "wards" of the State.

HAWAII

TOTAL LAND AREA: 6,415 sq. mi. (1960)

FEDERAL-OWNED LAND AREA: 396,000 acres, most of which have been assigned usage. (For example: national park lands and military installations such as Fort Shafter and Pearl Harbor.)

U.S. GOVERNMENT ATTITUDE:
Native Hawaiians, on the other hand, have not been grouped on any particular basis. For the most part, contemporary Hawaiians are broadly assimilated in society. Consequently, the IMAGE retained by the native Hawaiian is less distinct than that of the native Alaska, and for many Americans, the term "Hawaiian" most readily suggests a resident of Hawaii, not a member of a specific native grouping.

NATIVE RIGHTS TO OWN LAND:
Alaska's land tenure system did not allow natives to own land. So, when Alaska achieved Statehood, Congress indicated that the U.S. SHOULD

Because of the Great Mahele, by the time of annexation (1898), Hawaii had a highly developed system of fee simple land ownership.
ALASKA

Assume responsibility for the natives' land rights, and guaranteed to them some form of future settlement.

TRADITIONAL NATIVE RIGHTS TO PUBLIC LANDS:
The Alaska Statehood Act drew a clear distinction between the historical right of Alaskan natives and the general right of the State to lay claim to lands in the public domain in Alaska.

PRIOR LITIGATION EFFORTS:
Alaskan native groups previously had initiated litigation to legally perfect title to these lands which they historically had used.

NATIONAL VS. LOCAL INTEREST:
Legislatively, the Alaska Native Claims Settlement Act attracted national interest because of the potential widespread ramifications of any determination of land rights. (For example: the effect of a land right settlement on mineral extraction or oil drilling.)

HAWAII

Hence, Congress provided no similar guarantee of natives' land rights in the Hawaii Organic Act.

The Hawaii Statehood Act made no such distinction. No consideration was made for any special native rights to lay claim to lands in the public domain in Hawaii.

To date by Hawaiian native groups to similarly reclaim their lands. Thus, judicial history is non-existent.

Because Hawaii has no similar natural resource deposits, a similar legislative proposal for native Hawaiians would probably be construed as a local issue.
In a special report conducted by the Library of Congress in April, 1973, at my request, the most important argument in support of a special claim by native Hawaiian people is found in a section entitled, "HAWAII BECAME AN AMERICAN TERRITORY UNDER FOREIGN INFLUENCE AND WITHOUT THE CONSENT OF THE NATIVE HAWAIIAN PEOPLE". That section is important enough that I wish to quote it in its entirety for you:

"The U.S. acquired Alaska from Russia without the consent of the Alaska natives who lived there. Thus the assumption of title to public domain in Alaska by the U.S. Government left the natives without compensation for any of Alaska's 365 million acres, which they had used and occupied for centuries, and to which, on the basis of use and occupancy, they claimed aboriginal title. The Alaska settlement vested title in the natives to 40 million acres and provided a cash settlement totalling nearly one billion dollars as payment for extinguishment of aboriginal title to the rest of the land.

"It has been argued ever since the 1893 Revolution in Hawaii that Annexation to the U.S. was not the will of most of Hawaii's native population.

"President Grover Cleveland appointed a special commissioner to Hawaii, James H. Blount who investigated the circumstances relating to the overthrow of the Hawaiian monarchy in January 1893 and flatly concluded that the revolution was the result of a conspiracy between the U.S. Minister to Hawaii, John L. Stevens, and revolutionary leaders in Hawaii.

"President Cleveland's Secretary of State, Walter Q. Gresham, wrote the President in October of 1893:

'Mr. Blount states that while at Honolulu he did not meet a single annexationist who expressed
willingness to submit the question to a vote of the people, nor did he talk with one on that subject who did not insist that if the Islands were annexed suffrage should be so restricted as to give complete control to foreigners or whites. Representative annexationists have repeatedly made similar statements to the undersigned.'

"It was the President's conclusion, based on the reports, that

'The lawful Government of Hawaii was overthrown without the drawing of a sword or the firing of a shot by a process every step of which, it may safely be asserted, is directly traceable to and dependent for its success upon the agency of the United States acting through its diplomatic and naval representatives.

'But for the notorious predilections of the United States Minister for Annexation, the Committee of Safety, which should be called the Committee of Annexation, would never have existed.

'But for the landing of the United States forces upon false pretexts respecting the danger to life and property the committee would never have exposed themselves to the pains and penalties of treason by undertaking the subversion of the Queen's Government.

'But for the presence of the United States forces in the immediate vicinity and in position to afford all needed protection and support the committee would not have proclaimed the provisional government from the steps of the Government building.
"And finally, but for the lawless occupation of Honolulu under false pretexts by the United States forces, and but for Minister Steven's recognition of the provisional government when the United States forces were its sole support and constituted its only military strength, the Queen and her Government would never have yielded to the provisional government, even for a time and for the sole purpose of submitting her case to the enlightened justice of the United States."

"On the basis of these conclusions, President Cleveland refused to resubmit to the Senate a Treaty of Annexation which had been drawn up in 1893.

"The Republic which governed Hawaii between 1894 and 1898 served as a kind of "interim government" between the Monarchy and Annexation, and, in the opinion of many scholars, did not truly represent the Hawaiian people:

'The new government was considerably more 'republican' than democratic. The president was to be elected by the legislature for a single term of six years, although (the first and only President, Sanford B. Dole) was named by the Constitution as president until the end of the year 1900. Property qualifications were imposed upon members of the two-house legislature, as well as on voters eligible to elect senators....'

"The President, Sanford B. Dole, was a white man.

"Thus it can be argued that the Annexation treaty, approved by the Hawaiian Senate and signed by President Dole on September 10, 1897, was sanctioned by a legislature and government that arose from an act that, in the opinion of the President's special emissary, was contrary to the will of the Hawaiian people.
"It could thus be argued that when Hawaii joined the U.S. and ceded the government and crown lands of the Hawaiian people to the U.S., it did so without consent (and possibly against the will) of the native population, who, as in Alaska, found themselves without title to the ancestral lands on which they had lived and which they had used from time immemorial. Although the Statehood Act retroceded these lands to the State of Hawaii, nearly 400,000 acres of what was originally Hawaiian government lands are still owned by the U.S. government. While it would not seem feasible to redistribute this land to the people (the bulk being either assigned to the Interior Department, as part of the National Park System or the military), a cash compensation for extinguishment of aboriginal title, similar to that provided in the Alaska settlement, would seem to be justified in light of the Alaska precedent."

The Library of Congress report cites two more important arguments in support of native Hawaiian claims. For one thing, according to the study, the U.S. government paid no compensation to the native population for Federal lands in either Hawaii or Alaska before the Alaskan settlement. For another thing, the study reports that the Hawaii Organic Act of 1900, like the Alaska Organic Act of 1884, left open the possibility of some future legislative settlement of native land claims.
March 21, 1973
MEMORANDUM

TO: SENATOR
FROM: LINDA


1) Minimum requirements for qualifying for a Hawaiian homestead
   a) at least 50% Hawaiian blood  
   b) 21 years of age at time of application

2) Hawaiian Home Lands Commission
   a) Total acreage: 189,878.33 acres
      Breakdown of land utilization (see attached sheet)
   b) Total used as houselots: 2,242 acres
      (Statewide figure)
   c) Family lessees: 2,102 homesteads
      Population on homesteads 12,612
   d) Privately leased acreage
      (primarily for agricultural) (see attached table)
   e) HHLC Waiting List 2,002 (As of June, 1972)

3) BREAKDOWN OF POPULATION

   State Department of Health Survey of 1971 shows:

   a) Total state population 761,143
      (Excludes 29,000 unsampled--those on military installations
       and Niihau)
   b) Pure Hawaiian 7,074 (0.9% of popl.)
   c) Part Hawaiian 139,073 (18.3% of popl.)
      (No breakdown of percentage is available)
Note that those persons with at least 50% Hawaiian blood are extremely difficult to locate, inasmuch as the part-Hawaiian figures include any person with at least one drop of Hawaiian blood.

(However, see attached sample breakdown from Kamehameha Schools' Admissions office)
1970 Survey of Kamehameha School students

<table>
<thead>
<tr>
<th></th>
<th># of Students</th>
<th>% of 2589</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Students:</td>
<td>2,589</td>
<td></td>
</tr>
<tr>
<td>Full-blooded Hawaiian</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7/8 &quot;</td>
<td>12</td>
<td>.50 of 1%</td>
</tr>
<tr>
<td>3/4 &quot;</td>
<td>81</td>
<td>3.13%</td>
</tr>
<tr>
<td>5/8 &quot;</td>
<td>187</td>
<td>7.26%</td>
</tr>
<tr>
<td>1/2 &quot;</td>
<td>371</td>
<td>14.33%</td>
</tr>
<tr>
<td>3/8 &quot;</td>
<td>517</td>
<td>19.97%</td>
</tr>
<tr>
<td>1/4 &quot;</td>
<td>732</td>
<td>28.31%</td>
</tr>
<tr>
<td>1/8 &quot;</td>
<td>571</td>
<td>22.09%</td>
</tr>
<tr>
<td>1/16 &quot;</td>
<td>110</td>
<td>4.25%</td>
</tr>
</tbody>
</table>
there are more Hawaiians than the census shows

There may be more Hawaiians in Hawaii than even the Hawaiians thought.

Figures just released by the State Department of Health show there are more than 125,000 persons in the State with Hawaiian blood, almost twice the number listed in the 1970 Federal census figures.

The DOH figures, based on a random survey of 5.4 per cent of the State’s people, also indicated that 65,000 fewer Caucasians live in Hawaii than the Federal Government thought.

The sampling was taken between 1969 and 1971 on all Islands except Niihau. It excluded persons living in military barracks or State institutions.

THE FIGURES LISTED Caucasians as the most numerous ethnic group, with 231,896 persons in the State, or 31.4 per cent. Next were Japanese, 199,099 or 26.9 per cent, and Hawaiians or part-Hawaiians, 135,152 or 18.3 per cent.

Other groups included Filipinos, 7.9 per cent; Chinese, 4.2 per cent; Samoans, 0.9 per cent; Koreans, 0.9 per cent, and Negroes, 0.7 per cent.

All racial combinations, with the exception of Hawaiian, were listed in the survey as “Others.”

A total of 769,913 persons were counted in the State in 1970, 739,263 of whom were considered in the DOH survey.

The major difference between the DOH survey and the 1970 Federal census was that the DOH based ethnic stock upon that of a person’s parents—and the census form simply asked a person to mark what he considered his race.

The Federal census listed Caucasians as 38.8 per cent of the State’s 1970 population, and Hawaiians just 9.3 per cent. But in that census, apparently not all persons with Hawaiian blood considered themselves to be Hawaiian in race.

The DOH survey listed as Hawaiian all persons with any known Hawaiian parentage or grandparentage.

DR. THOMAS BURCH, DOH research and statistics chief, said the 28,000 military persons living in barracks were excluded from the survey because they “aren’t really considered characteristic of the general population.”

Dr. Burch, DOH researcher Marie Viele and State statistician Robert Schmitt will discuss the implications of the survey Thursday at a luncheon meeting of the Hawaii chapter of the American Statistical Association. The meeting will be in Room 137 of the Richards Street YWCA.
Census Shows Where Racial 'Blocs' Reside

By Pierre Bowman
Star-Bulletin Writer

The State Department of Planning and Economic Development has released figures breaking down the racial mixtures of population in the 211 census tracts in the Islands, and they tell a story everybody already knows.

If you want to find large concentrations of Hawaiians, go to Niihau. Part Hawaiians? Waimanalo, Nanakuli, Hana and so forth.

Some place where there aren't many haoles? Try Kaliihi, mauka of School Street. Lots of haoles? Try the military bases.

A SECTION OF Wheeler Air Force Base was 93.2 per cent white, and part of Schofield Barracks was 94.8 per cent white. All the figures are from the 1970 census, pegging Island population at 699,913.

Other areas with high racial concentrations are Moiliili, with 73.3 per cent Japanese, and Niihau, with 94.9 per cent Hawaiian. The rest of the population on the tiny Island is Japanese.

The population classified as white made up 39.3 per cent of the State total, but ranged in tracts from zero on Niihau and 7.9 per cent in Kaliihi mauka of School Street to heavy concentrations on the military bases.

Negroes were 1 per cent of the State's total population, and ranged from zero in 24 tracts to 15.5 per cent in part of Schofield Barracks.

AMERICAN INDIANS, accounting for only 0.1 per cent of the population, ranged from zero in 46 tracts to 3 per cent in downtown Honolulu.

Japanese account for 28.3 per cent of the population and ranged from 0.8 per cent at Barbers Point to 75.3 per cent in Moiliili. Neighbor Island concentrations of Japanese were high in Hilo, with 59.4 per cent in one section, Lihue, with 58.9 per cent and Kahului, with 56.9 per cent.

Only 6.8 per cent of the population was Chinese and concentrations ranged from zero on Niihau and several military bases to 42.3 per cent in Makiki Heights, where the Chinese were the largest single group.

IN "CHINATOWN" in downtown Honolulu, they only made up 19.9 per cent of the population, compared with 46.6 per cent held by Filipinos.

Elsewhere, the 12.2 per cent Filipino population of the Islands ranged from zero concentrations on Niihau to 53.6 per cent on Lanai and 51.1 per cent in Ewa.

Hawaiians, who account for 9.3 per cent of the population, were not present on one military base, but were the largest single group in three Oahu tracts. These were Namakuli, with 47.1 per cent, Kahana-Haumia, with 40.6 per cent, and Waimanalo with 41.6 per cent.

On Neighbor Islands, they were the largest group in a section of Hilo, with 47.6 per cent, in Hana, with 51.7 per cent on East Molokai, with 40.3 per cent, at Kalaupapa, with 39.5 per cent, and on Niihau, with 94.9 per cent.

Koreans account for 1.1 per cent of the population, and they showed small concentrations of 4.7 per cent in part of Wahiawa, and 4.8 per cent in Aala-Kauluwela.
### TABLE VII

**HOMESTEAD POPULATION AND APPLICATIONS ON HAND BY ISLANDS AND DISTRICTS AS OF DECEMBER 31, 1971**

<table>
<thead>
<tr>
<th>Island</th>
<th>Population By Families</th>
<th>Applications By Individuals</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>OAHU</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nanakuli</td>
<td>457</td>
<td>187</td>
</tr>
<tr>
<td>Papakolea &amp; Keawalo</td>
<td>318</td>
<td>197</td>
</tr>
<tr>
<td>Waimanalo</td>
<td>374</td>
<td>905</td>
</tr>
<tr>
<td>Unnumbered</td>
<td></td>
<td>278</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>1,149</td>
<td>2,067</td>
</tr>
<tr>
<td><strong>HAWAII</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Keaukaha-Panaewa-Waiakea</td>
<td>306</td>
<td>181</td>
</tr>
<tr>
<td>Waiheina</td>
<td>82</td>
<td>235</td>
</tr>
<tr>
<td>Kawahae</td>
<td>8</td>
<td>37</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>396</td>
<td>471</td>
</tr>
<tr>
<td><strong>MOLOKAI</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hoolehua</td>
<td>178</td>
<td>82</td>
</tr>
<tr>
<td>Kalamaula</td>
<td>53</td>
<td>22</td>
</tr>
<tr>
<td>O'ne Alii</td>
<td>23</td>
<td>11</td>
</tr>
<tr>
<td>Kapakahoe-Kamiloa</td>
<td>38</td>
<td>38</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>292</td>
<td>153</td>
</tr>
<tr>
<td><strong>KAUAI</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Anahola</td>
<td>68</td>
<td>119</td>
</tr>
<tr>
<td>Kekaha</td>
<td>14</td>
<td>28</td>
</tr>
<tr>
<td>Puu-Opaie</td>
<td>2</td>
<td>7</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>84</td>
<td>151</td>
</tr>
<tr>
<td><strong>MAUI</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Panikokalo</td>
<td>59</td>
<td>141</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>59</td>
<td>141</td>
</tr>
<tr>
<td><strong>GRAND TOTAL</strong></td>
<td>1,980</td>
<td>2,986</td>
</tr>
</tbody>
</table>

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**TABLE VIII**

**HAWAIIAN HOME LAND UTILIZATION ACQUISITION BY ISLANDS DECEMBER, 1970**

<table>
<thead>
<tr>
<th>Island</th>
<th>Residential</th>
<th>Farming/Ranching</th>
<th>Commercial/Industrial</th>
<th>Other</th>
<th>TOTAL</th>
</tr>
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<tbody>
<tr>
<td>OAHU</td>
<td>1,980</td>
<td>2,986</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>HAWAII</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MOLOKAI</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>KAUAI</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>MAUI</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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26

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27
TO: Senator  
FROM: Dick and Linda  
DATE: October 17, 1973  
IN RE: Information on Alaskan Native Claims Settlement Act

In order to assist you in preparing for Friday's meeting with leaders of various Hawaiian interest groups, we have attached pertinent documents:

1) Chronology of the enactment process of the Alaskan Act

2) Copy of the Act

3) Copy of the Conference Report

4) CRS Study of the Alaskan Act

5) CRS Study which you requested to compare the Hawaiian and Alaskan situations.

Alaskan clippings
Hawaiian Homes Act
CONGRESSIONAL RECORD — SENATE

S 1907

REPORT ON THE ACTION TAKEN BY THE EXPORT-IMPORT BANK

A letter from the Assistant Secretary for Administration, Department of Commerce, reporting pursuant to law, on executive dining rooms, for the fiscal year 1973. Referred to the Committee on Appropriations.

REPORT ON PROPERTY ACQUISITIONS OF EMERGENCY SUPPLIES AND EQUIPMENT

A letter from the Comptroller General of the United States, reporting, pursuant to law, on property acquired, for the quarter ended June 30, 1973. Referred to the Committee on Appropriations.

REPORT ON EXECUTIVE DINING ROOMS

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1) NATIVE HAWAIANS - Shall be defined as being at least one fourth Hawaiian blood.

2) LAND— Those lands presently administered by the Homes Commission.
   -- Those lands presently owned by the State government which are leased to private individuals or corporations and which are not used for governmental purposes (functions?).
   -- Those lands presently owned by the Federal government which will become available in the future when no longer used for governmental purposes.

3) MONEY - The Commission will be paid $ million from funds in the United States Treasury to be used as seed money for the Commission.

4) CORPORATE ORGANIZATION:
   -- The Commission will be organized as a profit-making corporation to take title to present and future Hawaiian Home Lands, to administer these lands and to receive and administer the Federal money settlement.
   -- All eligible native Hawaiians will receive 100 shares of stock in the corporation.
   -- Stockholders will elect Commission Board of Directors. Directors will serve term of four years. Election of one half of the Board of Directors shall take place every two years. Directors shall be subject to recall.
   -- Shareholders may not sell, transfer or alienate their stock for the first 20 years of its existence. Stocks may pass as a result of
death or divorce only to qualified recipients. After 20 years 
stocks will be completely liquid.

- Commission will be authorized to lease Home Lands for 
profit, to develop lands for residential, recreational and 
commercial uses.

- Commission may sell any parcel of land only if permitted 
by a two-thirds referendum vote by the stockholders.

- Commission shall issue dividends to stockholders of not 
less than 10% of annual income. It may at any time issue more 
than 50% of income as dividends if permitted by a two-thirds 
referendum vote by the stockholders.

- Present lessees shall continue to reside on Home Lands. 
Dividends to lessees will be diminished by an amount equal to the 
appraised value of their leased property.

- Commission profits will be subject to federal, state and 
local taxes. Dividends paid to stockholders shall be subject to 
income taxes.

- Commission will report annually to its stockholders and the 
public. Full public disclosure of Commission activities will be 
mandatory.
ALASKA NATIVE CLAIMS SETTLEMENT ACT OF 1971  
CHRONOLOGY OF ENACTMENT

<table>
<thead>
<tr>
<th>DATE</th>
<th>ACTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>June 21, 1867</td>
<td>The United States acquired the territory of Alaska by purchase from Russia. (15 Stat. 539.).</td>
</tr>
<tr>
<td>May 17, 1884</td>
<td>Congress recognizes rights of Native Alaskans to claims of aboriginal title to a portion of the lands which they occupied. Alaska Organic Act of 1884 (23 Stat. 24) stated &quot;the terms which (Alaskan Natives) may acquire title to such land is reserved for future legislation by Congress.&quot;</td>
</tr>
<tr>
<td>July 7, 1958</td>
<td>Alaska Statehood Act (85 Stat. 508) required the State to disclaim all right and title to &quot;any lands or properties...held by any Natives or...held by the United States in trust for said Natives.&quot; It also granted the State the right to select 103 million acres from the public domain.</td>
</tr>
<tr>
<td>1962-1964</td>
<td>The Tundra Times, a Native weekly was founded to provide a voice for regional associations of Natives which began to organize to bar the State from expropriating lands clearly used and occupied by Native villages and claiming royalties from Federal oil and gas leases on Native lands. The Native villages filed administrative protests against the State selections with the Department of Interior. Secretary Udall refused to award the State title to protested lands.</td>
</tr>
<tr>
<td>1964-1966</td>
<td>Indian and Eskimo leaders met in Fairbanks in 1964 to mobilize joint forces. In 1966, the Alaska Federation of Natives was formed to fight for Native rights.</td>
</tr>
<tr>
<td>1966-1969</td>
<td>In late 1966, Secretary Udall suspended sale of federal oil and gas leases for land on the North Slope, and</td>
</tr>
</tbody>
</table>
announced a "freeze" on the disposition of all federal lands in Alaska pending Congressional disposition of Native land claims.

In 1967, Governor Hickel condemned as illegal Udall's failure to proceed with the process of State land selections, and subsequently filed suit against the Secretary in federal court to compel him to complete the transfer of Native lands in Nenana Village. The U. S. Court of Appeals thereupon reaffirmed that "traditional Native use and occupancy created legal land rights, and that lands so subject are exempted by the Statehood Act from expropriation." The U. S. Supreme Court thereafter denied cert.

In January 1969, Secretary Udall issued Public Land Order 4582 which formalized the "land freeze." In effect the freeze preserved Native land rights and helped to then block construction of the proposed Trans-Alaska pipeline. The freeze was later extended by Secretary Hickel and by Secretary Morton.

In addition, a certain village obtained a federal injunction, in effect, enjoining the Secretary of Interior from granting a "right-of-way" for the construction of the pipeline across their lands.

In July, 1970, the U. S. Senate enacted legislation that would grant Alaska's native villages--numbering more than 200--title to only 10 million acres of land (less than 3% of lands to which they had valid legal claim). The Senate bill offered the Natives deferred cash compensation in return for the Natives' agreement to extinguish their claims to the remainder of Alaska's 375 million acres.

Senator Fred Harris unsuccessfully attempted to increase the land title provision to 40 million acres.
The Alaskan Natives, nevertheless, pressed on with their lobbying efforts--seeking at least 40 million acres.

In September, 1970, the House Subcommittee on Indian Affairs agreed in closed sessions to a provision that would grant the Natives title to 40 million acres. However, because the Interior Committee failed to report the bill, the measure was deferred until the next Congress.

Accordingly, the Native made use of the intervening period to mount a concentrated campaign to overturn the unfavorable Senate bill and to win over the Nixon Administration to the position maintained by the Alaska Federation of Natives.

1971

In February, 1971, joined by 12 co-sponsors Senator Fred Harris and Senator Edward Kennedy introduced legislation supported by the Natives.

Congressman Lloyd Meeds (D-Wash.)--along with more that thirty co-sponsors--introduced a companion bill in the House.

At the end of March, the Natives were confident that they had a sufficient number of votes in the Senate to obtain at least 40 million acres.

In April, 1971, President Nixon met with the President of the Alaska Federation of Natives (AFN) and publicly announce his own support for legislation conveying to the Natives title to 40 million acres.

In September, 1971, both committees reported out bills for 40 million acres of land.

On October 20, 1971, the House bill, managed by Cong. Wayne Aspinall, was adopted by a vote of 334-63.

On November 1, 1971, the Senate version, managed by Senator Henry Jackson, passed by a vote of 76-5.
Subsequently on December 13, 1971, the joint House-Senate conference bill was adopted by both chambers and sent to the President for his signature.

On December 18, 1971, President Nixon signed the "Alaska Native Claims Settlement Act" into law (P. L. 92-203).

This law settled the claim of Alaska's Indian Aleut and Eskimo population to aboriginal title to the land on which they have lived for generations.

Present

The appropriate governmental agencies have developed the administrative framework within which to implement the mandate of the Act.

In general terms, the registration process of qualifies natives has occurred. In addition, tribal corporation, which have been formed, have been engaged in selecting lands nearby under the allotment given them by the Act.

In some cases, it is reported that cash reparations have been paid out to certain tribal corporations.

Submitted by: D. Rust
              L. Luke
              October 17, 1973
NATIVE HAWAIIAN LAND CLAIMS

In 1971, the U.S. Congress passed the Alaska Native Claims Settlement Act.

Under this act, the United States sought to inscribe in law a land and monetary settlement to compensate the natives of Alaska for their aboriginal--or native--rights.

At the end of 1971, the President signed this act into law. As a result, our nation officially recognized certain entitlements retained by Alaska's native Indian Aleut and Eskimo population as natives of the land. The act also was designed to settle claims by these natives of title to lands on which they had fished, hunted, and dwelled for countless generations, but whose clear-title ownership had been left open to dispute.

--more--
Since the law's enactment, much interest has been shown both by persons of Hawaiian ancestry and by others for a similar law to settle land claims by native Hawaiians in Hawaii. That law would seek settlement to compensate the Hawaiians for their "native rights."

Even before the Alaska Native Claims Settlement Act was born, I devoted much thought and study to this complex problem. Now I would like to share with you some of my thoughts and conclusions.

A PROPOSAL

I feel that the Hawaiians have as much right as the Alaskans to some form of compensation for loss of lands.

The basis lies in Hawaii's history. Although most missionaries and business concerns had the best interests of the Islands at heart, the Hawaiians lost much acreage without having received fair
financial reparation or the benefits of due process under the law. I have detailed my history findings for you on page two.

To provide some restitution, I propose that the U.S. Congress establish a special corporation for Hawaii citizens of at least one-fourth Hawaiian blood. This corporation would pay its expenses and draw profits by owning and administering all present and future Hawaiian Home lands. The membership, through its elected board of directors, could lease or develop the lands for recreational, residential, or commercial use--however it saw fit.

Under my proposal, the corporation's lands would include the following:

- Lands currently owned by the State government but which are being leased to private concerns and are not being used for governmental purposes;
- Lands now administered by the Hawaiian Homes Commission;
- Lands presently owned by the Federal government, to be turned over to the corporation as

--more--
they become surplus to Federal government needs.

Members would hold shares of stock--initially, perhaps 100 shares per person--and profits would be apportioned among members through dividends. To provide a measure of stability, shareholders would not be able to sell, transfer, or alienate their stock for the first 20 years. In event of death or divorce, stock could be transferred only to qualified beneficiaries.

The Federal government would appropriate about $500 million for the Hawaiian corporation. (The Alaska Native Claims Settlement Act appropriated $462 million.) Corporate membership would elect its board of directors for staggered four-year terms. This board, which would report annually to stockholders, would have to make full public disclosure of its activities.

Briefly, other provisions are:

. Present lessees may continue to reside on Home lands, but dividends to these lessees would be less the amount of the annual appraised value of their leased property.

--more--
The board could sell land parcels only if the stockholders approved by a 2/3 referendum vote.

Corporate profits would be subject to applicable Federal, State, and local taxes, and stockholders would pay applicable income tax on dividends.
THE ISLANDS' HISTORY

In many ways, Hawaii's history is one of contradictions.

It is marked with events that signified both pride and honor, deception and disgrace. Hawaii's history is glorious and noble; at the same time, it is stained by injustice. Essentially, during the process of blending the Islands' Polynesian culture with that of the Mainland Anglo-Europeans, much of what was uniquely Hawaiian was lost.

Historically, the Hawaiians' basic land tenure system was a monarchical, semifeudal one. The land belonged to the king or principal chief of each island. He not only "owned" all of the land and property, but also held power of life and death over his people. He divided his holdings among lesser chiefs into large estates called ahupuas, lands usually extending from the shores to the mountains. These were further

--more--
subdivided into ilis to be operated by lesser chiefs. Finally, smaller plots were provided for the commoners in exchange for a certain share of their crops, labor, and military service. An elaborate system of religious "kapus" existed to reinforce this structure—thus providing the Hawaiian society with a certain stability.

In 1820, the first missionaries arrived in Hawaii from the Mainland. This opened what is perhaps the most controversial era in Hawaii's history.

There can be no question that most of these Americans were extremely religious and acted sincerely in a manner that they thought was best for the Hawaiians. However, the combination of their undermining the traditional "kapu" system, the effect of various diseases brought in by the foreigners, and the tremendously increasing participation of these new residents in the Hawaiian government led to the situation where, in 1850, the Honolulu Times stated that: (to obtain land) "Go to Boston and be appointed a missionary." Records show that, by 1852, 16 missionaries held title to 7,886 acres of Island land. Similarly, the first census, conducted

--more--
in 1853, indicated that there were only 71,000 Hawaiians, in contrast to estimates of up to 300,000 when Captain Cook originally arrived. Undoubtedly, the "Great Mahele" of 1848 represented the climax of these developments.

Interwoven with these developments is a clear picture of increasing foreigner dominance in both financial and political affairs. They, particularly the sugar interests, felt it was extremely important to obtain the security which comes with direct land ownership. They acted accordingly.

The antecedents of "land reform" appeared as early as 1825 when 12-year-old Kamehameha III ascended the throne. A national council of chiefs was organized to confirm the new king and to establish policy. Their recommendations resulted in the "Law of 1825," which essentially demolished the traditional custom of land redistribution and replaced it with the Western practice of inheritance. The new constitution further declared that the chiefs and the people were

--more--
to be joint owners of the land. In 1848, King Kamehameha III signed the "Great Mahele," a declaration in which he officially divided his lands among his chiefs and set aside certain lands for the government. It was around 1850 that a fee simple title system for the common tenants and for foreigners evolved. A Land Commission was established, and until its termination in 1855, it was the vehicle by which land titles were awarded and conflicting claims were resolved. However, a great many commoners never received titles to their land. Because many did not understand the importance of the new law, many failed to file any claims at all.
## How Are the Alaskan and Hawaiian Land Claims Cases Different?

### Alaska

<table>
<thead>
<tr>
<th>TOTAL LAND AREA:</th>
<th>571,065 sq. mi. (1960)</th>
</tr>
</thead>
<tbody>
<tr>
<td>FEDERAL-OWNED LAND AREA:</td>
<td>353,000,000 acres, most of which remain unassigned for usage.</td>
</tr>
</tbody>
</table>

### Hawaii

<table>
<thead>
<tr>
<th>6,415 sq. mi. (1960)</th>
</tr>
</thead>
<tbody>
<tr>
<td>396,000 acres, most of which have been assigned usage. (For example: National Park lands and military installations such as Fort Shafter and Pearl Harbor.)</td>
</tr>
</tbody>
</table>

### U.S. Government Attitude:

- Native Alaskans generally have been considered in terms of **distinct tribal units**, similar to the American Indian. Accordingly, the U.S. government has viewed and treated these Alaskan native groups as "wards" of the State.

- Native Hawaiians, on the other hand, have not been grouped on any particular basis. For the most part, contemporary Hawaiians are broadly assimilated in society. Consequently, the IMAGE retained by the native Hawaiian is less distinct than that of the native Alaskan, and for many Americans, the term "Hawaiian" most readily suggests a resident of Hawaii, not a member of a specific native grouping.

### Native Rights to Own Land:

- Alaska's land tenure system did not allow natives to own land. So, when Alaska achieved Statehood, Congress indicated that the U.S. should

- Because of the **Great Mahele**, by the time of annexation (1898), Hawaii had a highly developed system of fee simple land ownership.
TRADITIONAL NATIVE RIGHTS TO PUBLIC LANDS:
The Alaska Statehood Act drew a clear distinction between the historical right of Alaskan natives and the general right of the State to lay claim to lands in the public domain in Alaska.

PRIOR LITIGATION EFFORTS:
Alaskan native groups previously had initiated litigation to legally perfect title to these lands which they historically had used.

NATIONAL VS. LOCAL INTEREST:
Legislatively, the Alaska Native Claims Settlement Act attracted national interest because of the potential widespread ramifications of any determination of land rights. (For example: the effect of a land right settlement on mineral extraction or oil drilling.)

HAWAII

Hence, Congress provided no similar guarantee of natives' land rights in the Hawaii Organic Act.

The Hawaii Statehood Act made no such distinction. No consideration was made for any special native rights to lay claim to lands in the public domain in Hawaii.

To date, no such comparable effort has been made by Hawaiian native groups to similarly reclaim their lands. Thus, judicial history is non-existent.

Because Hawaii has no similar natural resource deposits, a similar legislative proposal for native Hawaiians would probably be construed as a local issue.
HOW ARE THE ALASKAN AND HAWAIIAN LAND CLAIMS CASES SIMILAR?

In a special report conducted by the Library of Congress in April, 1973, at my request, a very important argument in support of a special claim by native Hawaiian people is found in a section entitled, "Hawaii Became an American Territory Under Foreign Influence and Without the Consent of the Native Hawaiian People." I wish to quote this section for you:

"The U.S. acquired Alaska from Russia without the consent of the Alaska natives who lived there. Thus the assumption of title to public domain in Alaska by the U.S. Government left the natives without compensation for any of Alaska's 365 million acres, which they had used and occupied for centuries, and to which, on the basis of use and occupancy, they claimed aboriginal title. The Alaska settlement vested title in the natives to 40 million acres and provided a cash settlement totaling nearly one billion dollars as payment for extinguishment of aboriginal title to the rest of the land.

"It has been argued ever since the 1893 Revolution in Hawaii that Annexation to the U.S. was not the will of most of Hawaii's native population.

"President Grover Cleveland appointed a special commissioner to Hawaii, James H. Blount, who investigated the circumstances relating to the overthrow of the Hawaiian monarchy in January, 1893, and flatly concluded that the revolution was the result of a conspiracy between the U.S. Minister to Hawaii, John L. Stevens, and revolutionary leaders in Hawaii.

"President Cleveland's Secretary of State, Walter Q. Gresham, wrote the President in October of 1893:

'Mr. Blount states that while at Honolulu he did not meet a single annexationist who expressed willingness to submit the question to a vote of the people, nor did he talk with one on that subject who did not insist that if the Islands were annexed suffrage
should be so restricted as to give complete control to foreigners or whites. Representative annexationists have repeatedly made similar statements to the undersigned.

"It was the President's conclusion, based on the reports, that:

'The lawful Government of Hawaii was overthrown without the drawing of a sword or the firing of a shot by a process every step of which, it may safely be asserted, is directly traceable to and dependent for its success upon the agency of the United States acting through its diplomatic and naval representatives.

'But for the notorious predilections of the United States Minister for Annexation, the Committee of Safety, which should be called the Committee of Annexation, would never have existed.

'But for the landing of the Unites States forces upon false pretexts respecting the danger to life and property the committee would never have exposed themselves to the pains and penalties of treason by undertaking the subversion of the Queen's Government.

'But for the presence of the United States forces in the immediate vicinity and in position to afford all needed protection and support the committee would not have proclaimed the provisional government from the steps of the Government building.

'And finally, but for the lawless occupation of Honolulu under false pretexts by the United States forces, and but for Minister Stevens' recognition of the provisional government when the United States forces were its sole support and constituted its only military strength, the Queen and her Government would never have yielded to the provisional government, even for a time and for the sole purpose of submitting her case to the enlightened justice of the United States.'
"On the basis of these conclusions, President Cleveland refused to resubmit to the Senate a Treaty of Annexation which had been drawn up in 1893.

"The Republic which governed Hawaii between 1894 and 1898 served as a kind of "interim government" between the Monarchy and Annexation, and, in the opinion of many scholars, did not truly represent the Hawaiian people:

'The new government was considerably more 'republican' than democratic. The president was to be elected by the legislature for a single term of six years, although (the first and only President, Sanford B. Dole) was named by the Constitution as president until the end of the year 1900. Property qualifications were imposed upon members of the two-house legislature, as well as on voters eligible to elect senators....'

"The President, Sanford B. Dole, was a white man.

"Thus it can be argued that the Annexation Treaty, approved by the Hawaiian Senate and signed by President Dole on September 10, 1897, was sanctioned by a legislature and government that arose from an act that, in the opinion of the President's special emissary, was contrary to the will of the Hawaiian people.

"It could thus be argued that when Hawaii joined the U.S. and ceded the government and crown lands of the Hawaiian people to the U.S., it did so without consent (and possibly against the will) of the native population, who, as in Alaska, found themselves without title to the ancestral lands on which they had lived and which they had used from time immemorial. Although the Statehood Act retroceded these lands to the State of Hawaii, nearly 400,000 acres of what was originally Hawaiian government lands are still owned by the U.S. government. While it would not seem feasible to redistribute this land to the people (the bulk being either assigned to the Interior Department, as part of the National Park System or the military), a cash compensation for extinguishment of aboriginal title, similar to that provided in the Alaska settlement, would seem to be justified in light of the Alaska precedent."
The Library of Congress report cites two other important arguments in support of native Hawaiian claims. For one thing, according to the study, the U.S. government paid no compensation to the native population for Federal lands in either Hawaii or Alaska before the Alaskan settlement. For another thing, the study reports that, as written, the Hawaii Organic Act of 1900, like the Alaska Organic Act of 1884, left open the possibility for some future legislative settlement of native land claims.

--30--
U.S. President Grover Cleveland requested investigation into the fall of the Hawaiian monarchy, then concluded Americans had illegally overthrown the Queen's Government.
MEMORANDUM

Contacts
Penny — 763-5360
Leg. Liaison on Census B.
Matter
Mrs. Fontville — 763-7572
Census Bureau
Bob Schmidt — Hawaii DPED
548-3017
Sue Matson — Hawaii Home Lands Commission
548-2304
James Detour — 548-7517
United States Senate

MEMORANDUM

American
White negro Japanese Indian
Chinesee Filipinos

ph. 763-5360 Census Bureau

Ethnic strain

Brown x White
General Population Characteristics

Green = White
Economic

Ethnic

Table finding guide
United States Senate

MEMORANDUM

Hawn Health Surveillance
Race of Mother
"of Father"

30/32 63.4
Any fraction of Hawn

0 Health Survey
1971
exclude persons in institution, barracks,
+ Niihau
Sample of 14,000 persons

Total Pop. (exc.
1971 761,143 (exc. 29,000 unsampled)
puntnl 1,074 (0.9% of pop)
part + 1 139,073 any fraction
(18.3% of population)
United States Senate

MEMORANDUM

Health Dept

Outmarriage is great
4,000 babies born in 1969
w/ some H blood

More, more fractional

1965

# 83 August 27, 1971
United States Senate

MEMORANDUM

Fractions of Haun
Polynesian Society -
- How Many H's

<table>
<thead>
<tr>
<th>Fraction</th>
<th>Percentage</th>
</tr>
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<tbody>
<tr>
<td>7/8</td>
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<td>1/8</td>
<td>22.09%</td>
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<tr>
<td>1/16</td>
<td>4.25%</td>
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</table>

Only source -> fraction

Kamehameha dept of Admissions Specialized

1970 2,589 students
Hawen Homes

1. Min. requirements to qualify
   a) 50% income
   b) 21 yrs.

2. Original Grant
   - # acres
   - Character: public lands
   - # acre - # land use: # Public lands
   - Designated to Dept. of Interior
      - Orange Reef
      - White

3. Current figures - update
   - Hawaiian:
      - Papakōlea / Molokai

2102 families

- 2102 homesteads
- None for outsiders

- Pineapple
  - 240 acres live on 5 acres
    - Including 35 acres - 170 farm
    - Total 170

- Population in H.S. areas
  - 2102 = 12,612 families

- Total
  - 170
  - 35
  - Pineapple
HEW Survey Among

DPED
Bob Schmidt  DPED - Population
ph. 548-2211

2,002 Waiting List June 1, 1972

50%

Survey HEW Existing Homestead

FAMILIES (FARMED) 10.05.72

TOTAL 1,315.55

M. 141.5
F. 115.5

1,315.55 = 1,501.5
Wachu Maui

Hookehua, Hawaii
Kauai

Kekaha
Grazing

Anohola

Mau
Hawaii
Kauai
12.5
316
14,559
1,652

189,800
14,852
8
Breakdown of population of State of Hawaii #’s Hawaiian ancestry (total)

Breakdown of % of Hawaiian blood
# 0% Hawaiian blood e.g. 10% blood
# 10% Hawaiian blood 50% blood
# 50% Hawaiian blood 100%

Other Relevant Statistics

- Most specific or exact info in numbers – and best is % of population

Douglas Yamamura
1) Eligible persons
   50% ancestry

2) Salvage of land
Submit memo by next week

OUTLINE -- HAWAII LAND CLAIMS

-exterity interview
- disclose
- outline of proposal

1. Sim/Dis
   - 1 element - unique in Hawaii
difficult
   - Alaskan - 3rd party interest
     - prim. those seeking mineral fl (oil)
     - Oil interests -> futile to try
     - to enter into "as if leased as"
   - uncertain title
   - longstanding suit -- claim
     - cloud over title

2. More than a local issue
   - Texas --
   - oil people
     - no public element in Hawaii

3. Lack of documentation
   - debated on a higher principle

4. Availability of lands
   - Alaska -- average: unexplored
     - value: none to differ
     - quality: may differ/may be same
(a) All Autos Lands

(b) Because of

Dissim.

(c) Hawaiians never proceeded to legally lay claim to land -- lack of court action
1st study -- CRS report
Alaskans had one existing litigation
no opportunity for Alaskans to get
the simple ownership
Great Valhala --> opportunity

(d) Govt.

Indians/Eskimos --> wards of Gov't +
"areas designated as reservations."

Hawaii -->
attitudes differ
psychological situation
lack: pal. plus in discussion
* where do you point to in Hawaii
no positive attitude

Facilitated Alaskan efforts
works against Hiaun effort
Hawaii --
attitudes differ
psychological situation?
differ
lack: goal, plus in discussion
* where do you point to in Hawaii
No positive attitude

Facilitated Alaskan efforts
Works against Hawaiian effort
Dkl Principle: Natives have rt. to lands

1. Cont.
   lands taken away from Hi's w/o proper authority, w/o people's content.
   Clean involvement of U.S. Govt -- U.S. Marine Natives lost their lands w/ astonishing
   than way Alaskans were affected.
   Alaskan Act -> delineate lands
   U.S. bought Alaska from Russia

2. Sovereignty & govt taken away from Hi's
   - armed intervention
   - no auction

Dk1 Plan: eq.

1. Corporation: $500 million
   similar to Alaskan plan

2. One Corporation
   One tribe (contra)
   a) Issue stock to qual
   b) inalienable for 20 yrs.
   c) subject to death, divorce
   d) Bd. of directors -- elected
      investments, profits issued in
      form of dividends
      - taxable -- subject to all taxes
      initial 500 m. not taxable
$462 million in Alaska

- Change def. of public lands present definition
  - Hawaii Home Land Commission
  - unconscionable, unconstitutional

- title to all these lands for gov't function not used & occupied by State to be turned to Commission

  State Govt. will convey back to Comm. all lands not used & occupied

  1/4 Hawaii blood

Commission
- Complete freedom
- If comm. sells lands -- must be done by referendum of membership
  - Any parcel that's sold
  - 2/3 vote

Why no Federal lands
- none AvL.
- fed. lands
- Any sold lands fails give to State goes back to Hawaiians
DKI Study:

Lands are worth a lot

n < 10% income shall be distributed as dividends --

Anytime > 50% income is to be declared as dividends → 2/3 vote referendum

Corpus of Corporation

Elected Directors

4 yr. terms

Every 2 yrs. staggered terms

CT certifies election

Laches

1. DKI UNAVL

2. Fighting Chance
   w/o Alaskan precedent

Problems Surmount

1. Diversity of interests - eff. HWR groups

2. Essential Elements (Cong. obstacles)

   a. UNITY - go as one group

   b. Cong. Delegation - must be of one mind

   c. State good must agree
Memo to

Dissim/Sim.

Actual #’s of qualified Hawaiians use Hasham ratio

Newsletter
  a) News
  b) Proposal
  c) Similarities/Dissimilarities
  d) Essential Elements

Bks can never be closed.
Too late to undo what was done in 1898.

Statistics

Eligible Hawaiians
Hawai Homes Commission Annual Report

Income from Leased Lands
Where Y comes

1970 Special Study
TOXICITY

10/26 FRIDAY

Sue Mattson

1. # homesteaders
   (50% blood or more)
   waiting list
   12,678
   3,328
   16,006

2. Average
   Homestead
   Home lots
   Farm lots
   1,149.348 acres
   9,869.33
   16,809.741
   12,951.6
   (grp of 30)

   Homesteaders Commercial
   Industrial
   19,075.562

3. General Leases
   to private enterprises
   construction motor companies
   Annual Revenue - $815,000

4. $
1971 Hawaii House  
1973 State of Hawaii Data Bk  
8½ x 11 290 79 yellow page  
Nawuns Table IX p. 26

Dept. Heads proportion --  
10 m  
# unmixed Nawuns  
March 1 - Dec. 31  
1971 Sample  
13,918 persons  
PART-Hawuns  
139,073 (18.3%)  
TOTAL POPULATION 761,143  
excluded 29,298  
inst/baracks/Hii

Detailed Report  
Population + Mobility #1  
April, 1973  
TABLE III  
Migration Trends

Hawn  
Stat. #95  
July 1972  
blue paper (8-9 pages)
Lands - State Lands

Annual Report 1971-72 of Dept of Lands

State Lands leased
July 1, 1971
June 30, 1972

# acres / by use
150 leases issued 6/3/72
3.7 million rental
$98,000

aces