KAHOOLawe Island

- Principal training area in Mid-Pacific
  - Hawaii based forces
  - Transiting units

- Only facility in Pacific for combined arms training
  - Infantry
  - Artillery
  - Close air support
  - Naval gunfire
  - Amphibious landings

- Supports conventional weapons training for all DOD forces
  - Navy
  - Marine corps
  - Air force
  - Air national guard
  - Army
  - Coast guard
  - Joint/allied exercises
ANNUAL KAHOOLawe RANGE USEAGE

• FIRST MARINE BRIGADE KANEHOE.
  - 6 MAJOR EXERCISES PER YEAR.
    -- FOUR ARE BATTALION SIZE OR GREATER (1200 MARINES PLUS NAVY AND AIR FORCE SUPPORT UNITS).
    -- TWO ARE MARINE AMPHIBIOUS UNITS (2500 MARINES ON FINAL DEPLOYMENT QUALIFICATION BEFORE DEPLOYING).
  - 21 MINOR EXERCISES EACH YEAR FOR SMALL UNIT QUALIFICATIONS.

• NAVY FLEET UNITS.
  - SUPPORT MARINE AND JOINT AMPHIBIOUS EXERCISES.
  - NAVAL GUNFIRE SUPPORT (NGFS).
    -- 13 PEARL HARBOR BASED SHIPS MUST QUALIFY ANNUALLY ON FIVE SPECIFIC GUNFIRE EXERCISES.
    -- AVERAGE OF 6 TRANSITING SHIPS FROM CONUS REQUALIFY ENROUTE WESTPAC.
  - BATTLE GROUP TRAINING - AIR CREWS OF TRANSITING AIRCRAFT CARRIERS EXERCISE IN AIR TO GROUND BOMBING, PHOTOGRAPHY RUNS, MINIMUM ALTITUDE BOMBING AND STRAFING.
    BATTLE GROUP SURFACE COMBATANTS - LIVE NAVAL GUNFIRE TRAINING.
  - SURFACE ACTION GROUPS - LIVE NAVAL GUNFIRE TRAINING.
  - AMPHIBIOUS GROUPS - LIVE NAVAL GUNFIRE TRAINING.
- AIR FORCE (HAWAII BASED TACTICAL AIR SUPPORT SQUADRON).
  - 26 PILOTS REQUIRE QUALIFICATION ON FIVE EXERCISES EVERY SIX MONTHS.
  - UTILIZE KAHOOLAWE AN AVERAGE OF TWICE WEEKLY FOR MARKING ROCKETS AND FLARE EXERCISES.

- ARMY.
  - WITH THE DEVELOPMENT OF THE RAPID DEPLOYMENT FORCE CONCEPT, U.S. ARMY UNITS IN HAWAII HAVE JOINED NAVY AND MARINE FORCES FOR EXERCISES.

- COAST GUARD.
  - HIGH ENDURANCE CUTTERS (HECs) REQUIRE ANNUAL NAVAL GUNFIRE SUPPORT QUALIFICATIONS (AVERAGE TWO ANNUALLY).

- ALLIED FORCES.
KAHOOLAWEE OPERATIONS

- NO TARGETS WITHIN 800 YDS OF HISTORIC SITES.
- NO TARGETS WITHIN 800 YDS OF SHORELINE.
- MAX OF 25% LIVE ORDNANCE
  - 1981/82 NO MORE THAN 10% WAS LIVE
- HOURS LIMITED TO 0700-2200
- NAVY SUSPENDS OPERATIONS FOR 10 CONSECUTIVE DAYS/MO.
  - REFORESTATION
  - EROSION CONTROL
  - GOAT CONTROL
  - RELIGIOUS VISITS
  - ARCHEOLOGICAL PROJECTS
- ALL USERS MUST BE THOROUGHLY BRIEFED ON LOCATION OF ALL HISTORIC/RELIGIOUS SITES.
FUTURE USE

- CONTINUED USE IS ESSENTIAL TO NAVY/MARINE CORPS COMBAT PROFICIENCY.
- KAHOOLawe IS REQUIRED FOR THE FORESEEABLE FUTURE FOR CONVENTIONAL WEAPONS TRAINING.
- USN BELIEVES IT CAN CONDUCT REQUIRED TRAINING AND ALSO PROTECT ENVIRONMENTAL, RELIGIOUS, HISTORIC INTERESTS.
KAHOOLAWE FACT SHEET

Military Use:

Kahoolawe has been used as a target complex since 1941. Practically every type of conventional ordnance in the U.S. military inventory has been expended on the Island. There are currently 17 air-to-surface and 22 surface-to-surface targets. These targets occupy approximately 7,750 acres and encompass the center north and south sections of the Island. Both the U.S. Air Force and Naval aircraft participate in bombing missions over the Island. The first Marine Brigade conducts ground training exercises which sometimes involve the firing of small arms, crew served weapons and/or artillery and may be held in conjunction with aerial and/or shore bombardment training. Marine elements have maintained a continuous presence since February, 1977. Currently, the battalion exercise union ranges from 350-400 men. About 20-30 ships train at Kahoolawe yearly. (This compares with over 200 ships reportedly using San Clemente).

A. Use of Live Ordnance

Attached are two tables taken from the Navy's draft Environmental Impact Statement showing the amount and types of ammunition expended on the Island FY'77-FY'78. In a letter dated April 5, 1977, Secretary of the Navy, Graham Claytor gave these figures for inert and live air and surface ordnance use:

<table>
<thead>
<tr>
<th></th>
<th>Inert</th>
<th>Live</th>
</tr>
</thead>
<tbody>
<tr>
<td>Air:</td>
<td>75%</td>
<td>25%</td>
</tr>
<tr>
<td>USMC:</td>
<td>62%</td>
<td>38%</td>
</tr>
</tbody>
</table>

Surface: Majority of ordnance has been live

Ground: Artillery fire is entirely live ordnance because of non-existence of inert substitute.
         Mortar fire is primarily live ordnance.

It has been reported that consistent with the Navy's promise to reduce the use of live ordnance on the Island that 50-60% of puff ammunition is being used in ship-to-shore training efforts. The Navy's projection for live ammunition reduction is attached.

B. Frequency of Training Efforts

According to the Navy, training is conducted on the Island approximately four times a week, perhaps more. The figure submitted to Washington Naval officials equals 240 days per year but no breakdown beyond this was provided.
Unexploded Ordnance:

No calculation has been made of the number of tons of explosives fired on Kahoolawe over the years nor has anyone been able to determine the amount of unexploded ordnance now resting on the land and coastal waters of the Island. Because of previous target locations, free drop zones and unrestricted use in early years, the entire area has been subjected to varying degrees of ordnance contamination. A recent study indicated that after cleaning, the Island can be made reasonably safe for human habitation if land development is limited. The Congressionally ordered study also stated that no excavation can be made below 4 1/2 feet. No 100% guarantee of safety can be made because of the limitations of equipment. A pilot project including research and development was recommended.

Archaeological Survey and Historic Site Nomination:

See Kahoolawe memo page 5

Status: Revised Environmental Impact Study:

As a result of public criticism of the Navy's revised Environmental Impact Statement, the Navy admitted that its preparation had been rushed and, therefore, the document probably did not adequately address all the issues involved. The Environmental Protection Agency voiced no objections to the draft supplement. Now a final Environmental Impact Statement will be prepared by the Navy incorporating any suggestions from the public it may wish to include. The final statement will then be submitted to EPA who will again offer comment. It should be noted that the U.S. Environmental Protection Agency has no power to require an agency to conform to its recommendations. Legal action taken by concerned parties is the only recourse. The Navy is in the process of preparing its final Environmental Impact Statement and gives no estimate as to the date of completion. The recent court decision Aluli Et. Al. v Harold Brown, Secretary of Defense, requires the Navy to prepare a supplemental Environmental Impact Statement for every year bombing operations are conducted on the Island.

Joint State/Navy Use: See page 6

Though negotiations on a Navy/State Memorandum of Understanding have broken down, joint use, joint reforestation, conservation and archaeological survey efforts are suppose to continue. You have written a letter to Admiral Davis and Governor Ariyoshi inquiring as to the status and future plans for these discussions.
MEMORANDUM      May 30, 1978

TO:       SENATOR INOUYE
FROM:     ALVEY WRIGHT  C.A.W.
VIA:      DAVID PETERS

SUBJECT: KAHO'OLAWE

Training
a. Total use now running 245 to 248 days/year.
b. Combined exercises are 1/4 to 1/3 of the total days.
c. Air to ground fire on 2/3 of the total days.
d. Ship to shore bombardment train 25 to 30 ships/year.

Ammunition
a. Navy Air now 75% inert and improving.
b. Marine Air 62 to 65% inert.
c. Artillery 100% live because inert not yet developed.
d. Shore bombardment 70% inert; puff rounds are used almost exclusively in daylight exercises but produce no flash in night exercises.

Historic Sites
a. "Originals" of photographs and documentation for 59 sites sent to State Historic Preservation Officer this week.
b. Survey of impact area is now complete.
c. Navy offers to brief you on these and other Kaho'olawe matters before you go on KKUA.

✓ cc: Shannon (via telexcopier)
WITH ON-GOING RESEARCH, DEVELOPMENT, AND PROCUREMENT, OUR
GOAL IS:

A. REDUCE EXPENDITURE OF LIVE SURFACE ORDNANCE
   50% BY 1979 AND NEARLY 100% BY EARLY EIGHTIES.
B. REDUCE EXPENDITURE OF LIVE AIR ORDNANCE BY EARLY
   EIGHTIES:
   NAVY TO ABOUT 15% 
   MARINE CORPS TO ABOUT 30%
   NAVY MINIMUM REQUIREMENT SET BY NEED FOR
   OPERATIONAL READINESS EVALUATIONS;
   MARINE REQUIREMENT SET BY NEED FOR:
   - ORE (OPERATIONAL READINESS EVALUATION)
   - REALISM
   - GROUND CREW EXPERIENCE
C. ENHANCE NOISE ABATEMENT BY REDUCTION OF GUN MUZZLE
   BLAST EFFECTS AND LIVE ROUND EXPLOSIONS.
D. GROUND - NO PROGRAMMED DEVELOPMENTS TO PROVIDE
   SUBSTITUTES FOR LIVE ORDNANCE, (WHILE SUBSTANTIAL
   AMOUNTS GROUND ORDNANCE ARE EXPENDED - THE NOISE
   AND ECOLOGICAL IMPACT IS STILL SMALL COMPARED TO
   AIR AND SURFACE ORDNANCE.)


AIRCRAFT AND SHIP ORDNANCE ESTIMATES

The following estimates have been provided by the respective elements of military service branches for the past Fiscal Year (1 Oct - 30 Sep) and estimates for the present FY. Such estimates will vary according to the nation's defense posture and requirements for readiness, the extent of support for exercises, and the rotation of new units requiring familiarization with such targets, as well as other factors.

1. U.S. Air Force

<table>
<thead>
<tr>
<th>FY77</th>
<th>FY78</th>
</tr>
</thead>
<tbody>
<tr>
<td>2380 2.75 Inch White Phosphorus Rockets.</td>
<td>Same</td>
</tr>
<tr>
<td>580 White Rockets of same size.</td>
<td></td>
</tr>
<tr>
<td>296 Flares.</td>
<td></td>
</tr>
</tbody>
</table>

2. Naval Gunfire

<table>
<thead>
<tr>
<th>FY77</th>
<th>FY78</th>
</tr>
</thead>
<tbody>
<tr>
<td>High Explosives 176</td>
<td>963</td>
</tr>
<tr>
<td>Illumination Rounds 107</td>
<td>Same</td>
</tr>
<tr>
<td>Puff Rounds 641</td>
<td>1445</td>
</tr>
</tbody>
</table>

3. Naval Aircraft

Ordnance is delivered against Kahoolawe targets by Naval aircraft from locally based squadrons and by carrier airwing (CAW) pilots whose ship is enroute to the Western Pacific or is partaking in fleet exercises in the midPacific area. The approximate amounts and types for FY77 and FY78 are as indicated:

<table>
<thead>
<tr>
<th>FY77</th>
<th>FY78</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local Squadron: 662 MK76 Practice and Bomb</td>
<td>Same</td>
</tr>
<tr>
<td>24 MK45 Paraflares</td>
<td>Same</td>
</tr>
<tr>
<td>CAWS: 948 MK76</td>
<td>1000</td>
</tr>
<tr>
<td>50 MK82 500 lb. bomb</td>
<td>75</td>
</tr>
</tbody>
</table>
A. (4)(c) Total Ground Ordnance (Expended 1 November 1976-
1 October 1977 by U.S. Marine Corps Units)

<table>
<thead>
<tr>
<th>Type Weapon</th>
<th>Rounds</th>
</tr>
</thead>
<tbody>
<tr>
<td>155 Howitzer HE</td>
<td>120</td>
</tr>
<tr>
<td>WP</td>
<td>16</td>
</tr>
<tr>
<td>4.2 MORTAR HE</td>
<td>486</td>
</tr>
<tr>
<td>ILL</td>
<td>175</td>
</tr>
<tr>
<td>WP</td>
<td>70</td>
</tr>
<tr>
<td>106 RECOILLESS RIFLE</td>
<td>2,347</td>
</tr>
<tr>
<td>105 HOW HE</td>
<td>1,690</td>
</tr>
<tr>
<td>ILL</td>
<td>465</td>
</tr>
<tr>
<td>WP</td>
<td>253</td>
</tr>
<tr>
<td>81MM MORTAR HE</td>
<td>4,055</td>
</tr>
<tr>
<td>ILL</td>
<td>661</td>
</tr>
<tr>
<td>WP</td>
<td>277</td>
</tr>
<tr>
<td>60MM MORTAR HE</td>
<td>2,782</td>
</tr>
<tr>
<td>ILL</td>
<td>634</td>
</tr>
<tr>
<td>WP</td>
<td>334</td>
</tr>
<tr>
<td>M-72 LIGHT ANTI-ARMOR WEAPON</td>
<td>125</td>
</tr>
<tr>
<td>M-202 MULTI-SHOT FLAME WEAPON</td>
<td>171</td>
</tr>
<tr>
<td>M-203 HE</td>
<td>746</td>
</tr>
<tr>
<td>ILL</td>
<td>120</td>
</tr>
<tr>
<td>ANTI-Personnel</td>
<td>78</td>
</tr>
<tr>
<td>M-60 MACHINE-GUN</td>
<td>123,400</td>
</tr>
<tr>
<td>M-16 RIFLE</td>
<td>57,520</td>
</tr>
</tbody>
</table>

ABBREVIATION
HE = HIGH EXPLOSIVE
WP = WHITE PHOSPHORUS
ILL = ILLUMINATION
WITH ON-GOING RESEARCH, DEVELOPMENT, AND PROCUREMENT, OUR GOAL IS:

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B. REDUCE EXPENDITURE OF LIVE AIR ORDNANCE BY EARLY EIGHTIES:
   NAVY TO ABOUT 15%
   MARINE CORPS TO ABOUT 30%
   NAVY MINIMUM REQUIREMENT SET BY NEED FOR OPERATIONAL READINESS EVALUATIONS.
   MARINE REQUIREMENT SET BY NEED FOR:
   - ORE (OPERATIONAL READINESS EVALUATION)
   - REALISM
   - GROUND CREW EXPERIENCE

C. ENHANCE NOISE ABATEMENT BY REDUCTION OF GUN MUZZLE BLAST EFFECTS AND LIVE ROUND EXPLOSIONS.

D. GROUND - NO PROGRAMMED DEVELOPMENTS TO PROVIDE SUBSTITUTES FOR LIVE ORDNANCE. (WHILE SUBSTANTIAL AMOUNTS GROUND ORDNANCE ARE EXPENDED - THE NOISE AND ECOLOGICAL IMPACT IS STILL SMALL COMPARED TO AIR AND SURFACE ORDNANCE.)
Dear Admiral Davis:

Special Committee Report No. 13 dated April 5, 1978, of the Ad Hoc Committee on Kahoolawe of the State of Hawaii House of Representatives sets forth thirty-eight (38) specific recommendations regarding the present and future of Kahoolawe island.

I respectfully request your evaluation of and comment on each of these specific recommendations, as well as any other proposals set forth in the Committee's comprehensive study entitled "Kahoolawe: Aloha no . . . A Legislative Study of the Island of Kahoolawe."

I am confident that free flowing and open communication between all parties will produce a future for Kahoolawe preferred by the citizens of the State of Hawaii and the national interest.

Aloha,

DANIEL K. INOUYE
United States Senator

Copy to:
Honorable George R. Ariyoshi
Governor of Hawaii

Honorable James H. Wakatsuki
Speaker of the House
TODAY

TRAINING REQUIREMENT INVOLVE USE OF:

A. INERT AND LIVE AIR AND SURFACE ORDNANCE
   1. AIR - NAVY 75% INERT  25% LIVE.
      USMC 62% INERT  38% LIVE.
   2. SURFACE - DUE TO SPOTTING REQUIREMENTS,
      IN NAVAL GUNFIRE SUPPORT TRAINING,
      MAJORITY OF ORDNANCE HAS BEEN LIVE.
   3. GROUND
      ARTILLERY FIRE ENTIRELY LIVE ORDNANCE
      BECAUSE OF NON-EXISTENCE OF INERT SUBSTITUTES.
      MORTAR FIRE PRIMARILY LIVE ORDNANCE.
      RELATIVELY LOW NOISE INTENSITY AND COST
      HAS RESULTED IN NO. PREVIOUS NEED FOR INERT
      GROUND ORDNANCE.
Kahoolawe Island is the smallest of the eight main islands in the Hawaiian Archipelago, 94 miles southwest of Honolulu. The island is 11 miles long, 6 miles wide, and consists of 28,766 acres. The island is of volcanic origin with elevations of 1,477 feet; the slopes are fissured with gulches 50 to 200 feet deep. Approximately 60% of the island is covered with natural vegetation; i.e., kiawe trees, shrubs, and grasses. Over 30% is a barren dust cap with severe natural erosion forming deep gullies. The east and south coasts are dominated by formidable cliffs up to 800 feet high.

Kahoolawe has been used as a target complex since 1941; practically every type of conventional ordnance in the U.S. military inventory has been expended on the island. There are currently 17 air-to-surface targets and 20 surface-to-surface targets. These targets occupy approximately 7,750 acres and encompass the center north to south section of the island. (See Tab. A.) Because of previous target locations, free drop zones and unrestricted use in early years, the entire area has been subjected to varying degrees of ordnance contamination.

Executive Order 10436 of 20 February 1953 placed Kahoolawe under the jurisdiction of the Secretary of the Navy for use by the Armed Services. The order stipulated that when the island is no longer needed for military purposes, it would be rendered "reasonably safe for human habitation" and returned to the Territory without cost to the local government.

During debate on the Military Construction Appropriation Act, 1976, the Department of Defense was directed to conduct a study of the plan for utilization of Kahoolawe Island and to determine the feasibility and cost of clearing unexploded ordnance and restoring the island in a manner such as to permit domestic use. In response to this tasking, the Chief of Naval Operations (CNO) requested that Commander, Naval Sea Systems Command (COMNAVSEASYSCOM) provide CNO with a study on the feasibility and cost of clearing Kahoolawe.

The study was conducted by Marinco, Ltd., of Falls Church, Virginia, a contractor with several years of experience in the investigation of range clearance problems and mass area decontamination. The study included an actual survey of the island conducted from 1 to 6 March 1976 by a combined team of contractor representatives and Explosive Ordnance Disposal Group One (EODGRUQNE) personnel. Support included U.S. Navy resources from NAS Barbers Point, USMC helicopters from MCAS Kaneohe and the USS GRAPPLE (ARS-7). Approximately six percent of the island area was subjected to detailed surface survey encompassing over 14% of the target areas. An extensive surface reconnaissance was conducted on non-target
areas and EOD divers conducted an underwater survey of pre-selected areas along aircraft run-in-lines and surface ship firing zones. Additional information was gathered from previous surveys and discussions with knowledgeable personnel.

The survey revealed surface contamination of various types of ordnance, predominantly bombs, projectiles and rockets. There were 561 hazardous items recorded in the 1656 acres which were surveyed for an average surface density of 0.34 items/acre. Sub-surface and underwater contamination densities could not be determined.

FEASIBILITY AND COST CONSIDERATIONS

Total clearance of an area the size of Kahoolawe Island is a complex and costly undertaking. The presence of a wide range of ordnance contamination of unknown quantity over variable depths and terrain represents a multi-faceted problem with few quantifiable elements.

Certain assumptions had to be made to confine the feasibility and cost analysis to those areas on which data were available to the study team. These assumptions are:

a. There will be no constraints on the operation of heavy equipment or detonation of live ordnance on land due to environmental or ecological consideration.

b. Selected gulches can be designated as fill areas to allow for disposal of target scrap and demilitarized ordnance. These areas will be subsequently over-filled, contoured and seeded for erosion control.

c. Berthing, messing and recreational facilities will be contracted for on a self-supporting basis and are not included in the cost estimates.

d. Inter-island transportation for holiday/off-time travel, mail, etc. will also be run on a contract basis except for emergency cases.

e. A majority of the labor force is available in the Hawaiian area and a provision for ten hours a week guaranteed overtime will satisfy union demands for isolated area compensation.

f. Time for completion is not an overriding consideration and the normal contractor work year of 250 days, using single shifts of ten hours with a five-day work week, is acceptable.
Kaho'olawe Cultural Resources
Inventory

Summary of Findings as of 10 February 1977

Dr. Robert J. Hommon
Archeologist
Historic Preservation Office
Honolulu, Hawaii

In the 24 days so far spent on Kaho'olawe by the State archaeologist team, about 4,100 acres (14% of the island) have been surveyed, 28 archaeological sites have been recorded, and one of these--number 109--has been salvaged. All sites except for 109 are likely to be eligible to the National Register of Historic Places.

We have discovered archaeological sites in two regions surveyed: the central plateau and the northwest coast. Most of the sites on the severely eroded plateau consist of small hills or hummocks of top soil out of which cultural materials--artifacts, sea shells, charcoal, etc.--can be seen to be eroding and deposited on the red hardpan. Most of the coastal sites are located near the mouths of gulches and consist of clusters of platforms, terraces and stone enclosures that once served as foundations of pole and thatch structures and as working areas. These clusters are the remnants of small communities.

Despite the necessarily superficial nature of our investigation we have already gathered a great deal of unexpected information about the prehistory of Kaho'olawe and about ancient Hawaiian culture in general. Examples follow: 1) on the east slope of Pu'u Moiwi near the center of the island is an ancient quarry for stone adz heads that is second in size only to that on Mauna Kea. 2) Nearly all of the adze heads found at Pu'u Moiwi are of forms that are usually considered rare in the Hawaiian islands. An objective of future research will be to discover the significance of this fact. 3) The making and use of fingernail-sized cutting tools of basaltic glass (similar to obsidian) were major activities of ancient Kaho'olawe residents. One site contains an estimated 10,000 to 20,000 tools and fragments of this substance. Basaltic glass artifacts are extremely important because each can be dated quickly, accurately and inexpensively by a method developed here in Hawaii. We have already analyzed samples from five sites which reveal a minimum occupation span of more than 450 years; from about AD 1150 to about 1600. (Total period of occupation will almost certainly be more than 900 years: from AD 1000 or earlier to the present.)
4) Before our investigations only one verified Hawaiian quarry for basaltic glass had been found (on Mauna Kea). We now have evidence of numerous quarries on Kaho'olawe, one of which is a lava tube, actually mined by the Hawaiians, unique in the islands. 5) Our investigations now indicate that Kaho'olawe was occupied on a permanent basis and parts of the central plateau may have been planted in sweet potatoes and other dry-land crops. This tentative conclusion contradicts the earlier views that most of the sites on Kaho'olawe are the remains of temporary fishing stations. Population density was probably equal to that of Lana'i. 6) Preliminary archaeological and geological evidence suggest that as recently as the late 1300s the water table was higher than at present, surface water was more abundant, present-day gulches were gently-sloping valleys, vegetation was more widespread, and conditions on the plateau were much more conducive to Hawaiian agriculture than at present. It is quite possible that large-scale erosion and resultant environmental degradation was initiated by the introduction of goats to the island in the 19th century.
Battle of Kahoolawe: Hawaiians Blast Use of Island as a Target

* * *

They Dream of Developing It, But Navy Calls Bombing, Strafing Practice Essential

By James E. Bylin
Staff Reporter of The Wall Street Journal

WAILUKU, Hawaii - A funny thing happened to Elmer Cravalho, the mayor of Maui County. The U.S. Navy bombed his pasture.

The Navy doesn't think it's so funny. The bombing -- it was entirely accidental, the Navy says -- has helped embroil the service in what might be called The Battle of Kahoolawe Island. And Mayor Cravalho isn't amused either. He's a leader of the anti-Navy forces in the battle.

At issue is the future of Kahoolawe Island, an uninhabited, 456-square-mile hump eight miles off the west coast of the island of Maui and about 100 miles southeast of Honolulu. To the Navy, Kahoolawe is a dandy practice bombing target -- and, with the permission of the Federal Government, the Navy has been bombing, strafing and bombarding Kahoolawe since 1945. As a result, Kahoolawe has the dubious distinction of being the most-bombed island in the Pacific.

Mayor Cravalho and a band of supporters see Kahoolawe as a battered but salvageable resource -- a potential game and hunting preserve, perhaps, or maybe even a future residential area. The mayor, many citizens of Maui County, the state legislature and Hawaii's four-member Congressional delegation all agree: The Navy should get out and Kahoolawe should be returned to state administration.

(In some respects, the dispute is similar to that in Culebra, a small island near Puerto Rico where the Navy also conducts target practice. Recently, Culebra's irate residents asked the Navy to haul anchor.)

"Full Speed Ahead"

"We're all on a big kick about ecology and the preservation of our national assets," says the mayor, "but here the Navy goes full speed ahead and destroys another one."
For decades, Kahoolawe, the smallest of eight major Hawaiian islands and the only uninhabited one, was a private ranch operated under lease from the Territory of Hawaii. But the lease was transferred to the Army in 1941 and then to the Navy in 1945. Finally, President Eisenhower, in a much-debated Executive order, transferred official jurisdiction to the Navy in 1953.

Target practice at Kahoolawe is essential to national security, argues Rear Adm. Donald C. Davis, a ranking Naval commander in this area. Sitting in his Pearl Harbor office, he describes how the warships and plane-laden carriers that shuttle across the Pacific use the island "to polish and refine their skills." He adds that "hardly a week goes by, that we don't have ships over there for a few days" and argues that no alternative site exists with the island's attributes.

The Kahoolawe terrain, unlike the sandy atolls that do the Pacific, realistically resembles that of Vietnam, the admiral explains, and the weather is near perfect. The island's proximity to Pearl Harbor makes it easy for the Navy to repair and replace targets -- old trucks, concrete pillboxes, simulated roads and dummy airfields.

Strong opposition to the bombing began only about two years ago, after a residential development had lured about 3,000 people to the west coast of Maui. They began complaining bitterly about the noise -- the bombardments can come at any hour -- and asserted that concussions were damaging homes. They also worried what might happen if the Navy missed its target.

Banning the (1000-pound) Bomb

The Navy calmed the residents somewhat in early 1969 by ordering that bombing and shelling be restricted to the side of Kahoolawe away from Maui and limiting the bombers to 500-pound bombs instead of 1000-pounders. The Navy also allowed fishermen to use the Kahoolawe waters when bombing isn't in progress, although setting foot on the island still can subject trespassers to a $500 fine and six months in jail. As for the possibility of accidental bombing of Maui, Navy officials insisted, the danger was minimal.

Then a telephone company crew stumbled upon a 500-pound undetonated bomb in the pasture on Maui leased by Mayor Cravalho. And the Navy was back in the soup again.

"We didn't know where the damn thing came from," says Adm. Davis, "so I said, 'OK Mr. Mayor, we're restricting bombing with live ammunition.' " A subsequent Navy investigation, however, indicated that the bomb had been in the pasture since before 1967 and that it wasn't fused, meaning that it apparently hadn't been dropped during target practice. So after tightening restrictions to make sure that Navy planes fly over no land but
Kahoolawe, Adm. Davis resumed target practice with "live" bombs -- a decision Mayor Cravalho branded as the height of arrogancy."

Meanwhile, the admiral was under fire from another quarter. A provision in President Eisenhower's 1953 Executive order said that if and when the Navy no longer needed Kahoolawe, the island should be cleared for human habitation. In a 1969 letter to U.S. Sen. Daniel Inouye, however, Adms. Davis had argued that "the ravages of over a quarter of a century of air and surface bombardment have probably irrevocably eliminated the possibility of future, safe domestic use of the island."

Studies, the admiral continued, indicated "there may be some 10,000 tons of unexploded ordnance imbedded in the earth, lava and ravines," and no clearance could "guarantee that undiscovered projectiles would not be exposed later, or set off by construction or farm machinery."

That caused the Senator to accuse the Navy of a "deliberate lack of candor" in drafting the Executive order for the President's signature in the first place. The letter, he asserted is "a further example of the continuing deterioration of the Department of Defense credibility."

Adm. Davis now concedes that he made "an unfortunate overstatement" and that sometime -- perhaps decades from now -- the island may be cleared. But he insists Kahoolawe is hardly worth the effort, calling it "a barren hellhole" and "a most disagreeable place."

Mrs. Inez Ashdown disagrees. She's the daughter of the rancher who once leased Kahoolawe, and she calls the island a potential paradise of "gorgeous beaches and spectacular valleys, ravines and cliffs."

About the only thing both sides can agree on is that Kahoolawe's environment is deteriorating -- not only because of the bombardments but also because of its hungry population of sheep and goats, the semi-wild descendants of the original ranch stock. The animals are eating up the vegetation, and the tops of Kahoolawe's hills are barren now.

Navy riflemen are supposed to keep the animal population down, but the Navy says it's impossible to shoot all the animals. "They hide in the crevices and ravines, and they're difficult to find," says a Navy official. Besides, he adds the hunters run the risk of triggering unexploded bombs and shells.
House Democrats Organize

Last month, by a unanimous voice vote, House Democrats elected Massachusetts' Rep. Thomas 'Tip' O'Neill as House Speaker. Rep. O'Neill is a liberal who is able to work well with his colleagues. He is regarded as a canny politician who is likely to exercise more control over the House than did his predecessor, Oklahoma's Carl Albert.

After selecting the new Speaker, the Democratic caucus named Rep. Jim Wright of Texas to succeed O'Neill as Majority Leader. Wright defeated the more liberal favorite, Philip Burton of California, by one vote on the third secret ballot. Wright is a conciliatory legislator who is expected to work harmoniously with President-elect Jimmy Carter.

Rep. Thomas Foley of Washington beat Shirley Chisholm to become chairman of the Democratic caucus. The caucus has gained increasing importance as an instrument in House politics, and the popular Mr. Foley may be as important a figure in the house as Rep. Wright in the 95th Congress.

Senate Reorganization

In the Senate, the Temporary Select Committee To Study The Senate Committee System has recommended that the Senate Veterans' Affairs Committee be abolished. The proposal would combine several committees, including Veterans' Affairs, into a human resources unit. The recommendation will go to the Senate Rules Committee when Congress convenes this month. TROA opposes the plan to eliminate the Veterans' Affairs Committee and has been working with members of COMO and the AD HOC group to maintain the status quo. COMO members consist of military organizations such as TROA, the Air Force Sergeants Association and the Reserve Officers Association. The AD HOC group members include military and Veterans' organizations such as the American Legion and the Veterans of Foreign Wars.

Budgets

The transition between the Ford and Carter administrations will mean that at least two and maybe three budget proposals will be presented to the 95th Congress. Since none of the details will be known until later this month, all we can do is make some assumptions as to the impact on our own legislative goals.

According to all the indicators, the economy will demand priority attention. The possibility of tax relief, legislation to create jobs, an injection of Federal money into the economy—all will be considered. The major appropriations and authorization bills will also demand early attention.

The new Congressional budget procedure includes a rigid timetable for the submission of spending estimates by each of the standing committees by early Spring. With increasing indications that Mr. Carter will take a more conservative approach than was indicated during the presidential campaign, it appears he will meet with considerable resistance from the Congress. Although no major stalemates are anticipated, it's reasonable to expect delays while the White House and the Congress find a mutually acceptable path to follow. Over and above the foregoing, the international issues will demand attention. Although we are now enjoying a relatively stable period throughout the World, the new President will have to devote portion of his efforts to assuring the rest of the World that we remain dedicated to maintaining stability.
THE 95TH CONGRESS

Democrat in: Republicans in italic. Those marked "*" served in the Ninety-Fourth Congress.

ALABAMA

Senators
John I. Sparkman*
Jim B. Allen*

Representatives
Jack Edwards* 24
Ronny J. Fitch 25
Billy N. Young 26

ARIZONA

Senators
Donald H. STEVENSON
Stevens

Representatives
John J. Rhodes* 1
Bills 2
Bob Stump 3
Eliot Broid 4

ARKANSAS

Senators
David B. BARKLEY

Representatives
David J. Matthews 7
Jack Binkley 8
Elien H. Loeb 9
Andrew Young 10
John J. Flot 11
Bill Lee Evans 12
Ed Jenkins 13
Doug Darrow 14

CALIFORNIA

Senators
Albert Gore, Jr.* 1
Richard Riordan 2
Richard Riordan 3

Representatives
George Miller* 4
Marty Russo 5
Herman E. Talmadge* 6
David L. Cornwell 7
Berkley Bedell* 8
John Conyers, Jr.* 9
James J. Howard* 10
Charles C. Diggs, Jr.* 11
Frederick W. Richmond 12
Edward M. Kennedy* 13
Joseph A. LeFante 14
Henry J. Hyde* 15
Leo C. Zeferetti* 16
Robert F. Drinan* 17
Silvio O. Conte 18
Edward I. Koch* 19
Samuel J. Nunn 20
John J. Breaux 21
Clarence D. Long* 22
Michael Harrington* 23
Joseph A. LeFante 24
Timothy J. Wirth 25
Wallace Wilkinson 26
Edward J. Boland 27
John S. Bailey 28
Bob Kennedy 29
Henry B. Gonzalez* 30
Richard O. Davis 31
James P. Oberstar 32
James Oberstar 33
John J. Breaux 34
Michael P. Noerdlinger 35
John J. Breaux 36
Edward J. Boland 37
Edward H. Koch 38
Waldemar D. Young 39
John G. Tower* 40
John R. Torricelli 41
Orrin G. Hatch 42
William E. Brown 43

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Elien H. Loeb 9
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Richard Riordan 3

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TROA Issues

Sick Pay Exclusion
Although we have been told in no uncertain terms by the House Ways and Means Committee that under no circumstances would Congress entertain a recommendation to eliminate the retroactive feature of the new sick pay exclusion law, we have been informed that Sen Robert Dole of Kansas will introduce legislation that would reset the effective date of the tax liability to payments which begin on or after January 1, 1977.

The Tax Reform Act of 1976 provides that the new sick pay exclusion rules are effective for taxable years beginning after December 31, 1975. When hearings were held on the Act last year, TROA and other organizations urged that the law not be changed. If changed, a "grandfather" clause be inserted, and without a "grandfather" clause, the provision not be effective retroactively. Congress, in its wisdom, chose not to go along with our recommendations. As one Congressman told this writer, the philosophy of tax changes is simple. If the change adds money to the treasury, make the alteration retroactive. If the modification takes money away from the government, phase the new law in prospectively over a period of several years.

TROA/Aspin Face-Off On T.V.

As George Henrikus, TROA's Chief Legislative Counsel, told Aspin recently when they faced each other on ABC's national television program, GOOD MORNING, AMERICA, "You are playing political games with the national security." Aspin's recommendations will not save a dollar may even cost more and could force those military careerists with the best potential out of the Services. We spend a half billion dollars a year to attract people to military service, billions more to train and keep them. Yet, over 75% leave within four years. Only 5% for a normal 30 year retirement. It is this 5% career force that gives us the continuity and knowledge needed to keep the peace. The best weapons in the World are useless without this dedicated, technically qualified corps of professionals.

Henrikus further charged Aspin with intellectual dishonesty. Citing his argument that cost of military retirement in the year 2000 will be $35 billion—four times the present cost—then, with simple arithmetic, the same inflation factor applied to a Congressman's pay, would give him about $200,000 in basic salary that year. Responding to his argument for a contributory system, Henrikus pointed out that Mr. Aspin would retire in ten years and would receive 700% of his contribution in retired pay. Congressmen contribute 8% of their pay toward retirement.

If the Aspin measures were adopted, it is TROA's view that our Armed Forces would soon consist of mercenaries or caretakers whose only concern would be a fair wage and decent working conditions.

Blanket Pardon

General Carpenter, TROA's president, opposed "blanket pardon of draft evaders." In a telegram to President-elect Carter, Carpenter urged him not to grant blanket pardons because they are inappropriate and unfair. Instead, it was recommended that, in the best interest of all concerned, each case be considered individually.

In light of the above, it appears unlikely that any of the issues in which we have a direct interest will be considered in the first few months of the new Congress. Of course, there is always an outside chance that recomputation will be recognized as one means for injecting new money into the economy. Also, if there is a serious stalemate between President Carter and the Congress, attention might be given to such issues as Survivor Benefit Plan improvements. However, the chance for either of these possibilities are extremely remote.

Unfortunately, despite the thousands of hours expended on the commissary subsidy over the past two years, we have been told that the Defense Budget again will propose a phaseout. The subject may very likely be the first item of direct interest to us to be debated.

We have made several serious attempts to determine the attitude of the new Administration toward the military retiree. Thus far, all we have received are polite assurances that this will be clarified in time. Lacking any indication of policy, we can find little assurance in the statements of those to whom Mr. Carter has turned for advice. If, as a principal, consultant prior to the second presidential debate, Congressman Les Aspin of Wisconsin can be considered a primary source, then we can expect to have a very difficult time of it. Prior to the end of the preceding Congress, he submitted a series of bills covering military pay and retirement. They propose increased compatibility between military and civilian pay and benefits, to include a salary system, delayed receipt of retirement pay until age 60, relating jobs with Labor Department pay scales, and government quarters rental based on local market rentals, among other things. The package completely ignores the significant differences between military and civilian careers. One outrageous feature of the retirement proposal provides that from time of retirement until receipt of retirement pay—in most cases, the most expense laden 10 or 15 years of life—the involuntary military retiree will be forced to forfeit an amount equal to one half of the amount of such earned income. Of course, these proposals would not cover those already retired, but they provide some disquieting indications.

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If the Aspin measures were adopted, it is TROA's view that our Armed Forces would soon consist of mercenaries or caretakers whose only concern would be a fair wage and decent working conditions.
KAHOOLawe ARCHAEOLOGICAL DISTRICT

The Keeper of the National Register has determined the island of Kahoolawe is eligible for listing on the National Register of Historic Places as an archaeological district.

In his response to the Navy, the Keeper said he considered the Navy's long term use of Kahoolawe as being positive, and felt military use of the island can continue. He added that if it weren't for the Navy's control of the island, the cultural resources of Kahoolawe would have been lost.

- MORE -
The listing on the National Register will not significantly affect military training activities on the island. Individual archaeological sites on Kahoolawe are protected from accidental damage during training.

Targets within the impact area, the center one-third of the island, which were too near to archaeological sites, have been eliminated or moved. Archaeological sites are marked by ropes and treated as "mine fields" in the areas where Marines and Army troops conduct infantry and artillery operations.

The Navy will continue to cooperate with the State Historic Preservation Officer in developing the full potential of archaeological resources on Kahoolawe. The Navy will adopt an Archaeological Management Plan outlining procedures for protective measures for archaeological sites on Kahoolawe in terms of erosion control and military and civilian activities on the island.

The determination making Kahoolawe an archaeological district is the result of an archaeological survey on the military training island lasting over four years and costing over $600,000. The Kahoolawe survey was the first intensive survey of an entire Hawaiian island and was the largest archaeological survey conducted in the State.

A total of 487 sites were identified and recorded during the survey. From January 1976 through October 1977, the survey was conducted by the State of Hawaii. In May 1978, Hawaii Marine Research, Inc., a private firm in Honolulu, was contracted directly by the U. S. Navy to complete the survey.
Most of the 487 archaeological sites on Kahoolawe are classified as habitation sites, containing one or more features. Available evidence indicates that these features were sites of general residential activities such as the preparation and consumption of food, and the manufacturing of tools and craft items. Other archaeological features include lithic quarries and workshops, petroglyph clusters, fishing shrines, and three identifiable heiau, or shrines.

Although few of the archaeological sites discovered on Kahoolawe appear to be unique in terms of Hawaiian archaeology, they are important because they are relatively untouched by modern man and are likely to show the habitation development pattern of an entire island. The military has restricted access to Kahoolawe since acquiring the island after World War II. Campers and tourists have not been allowed on the island.

Kahoolawe remains the principal training area in the mid-Pacific for East Pacific and Hawaii-based sailors and marines before deploying to the Western Pacific. It is the only place in the mid-Pacific where combined arms training in infantry, artillery, air-to-ground strikes, and naval gunfire can be practiced. The loss of Kahoolawe as a training site would mean one of the following three training policies would have to be adopted:

1. Send Hawaii-based units to mainland training sites for segmented training.

2. Deploy Hawaii-based units to the Western Pacific without certain key conventional warfare skills which can be developed only on Kahoolawe.

3. Move Hawaii-based units to mainland training sites.
Captain B. F. Montoya  
CEC, U.S. Navy  
Director, Environmental Protection and Occupational Safety and Health Division  
Office of the Chief of Naval Operations  
Washington, D.C. 20350

Dear Captain Montoya:

Thank you for the request for the opinion of the Keeper of the National Register with regard to the eligibility of the entire island of Kahoolawe. Our determination is that the entire island of Kahoolawe is eligible for inclusion in the National Register as an archeological district under criteria A, C, and D as set forth in 36 CFR 1202.6. This decision was reached after careful consideration of the documentation the Navy has submitted; the opinion of the State Historic Preservation Officer (SHPO); information submitted by various concerned parties; and the results of an on-site inspection by a member of our staff. The SHPO has concurred in the opinion expressed by the Board of Land and Natural Resources that the entire island should be designated as an archeological district.

As you understand, Navy's request for our professional judgement constitutes a part of the Federal planning process. With the completion of the primary identification and evaluation phases of that process, the Navy has taken significant steps to comply with the National Historic Preservation Act of 1966 (NHPA), as amended, and Executive Order 11593. Under Section 106 of NHPA, your next action should be to afford the Advisory Council on Historic Preservation (ACHP) opportunity to comment with regard to actions that may affect the district. We understand that you have initiated that consultation and are therefore well underway toward full compliance with Section 106.

We believe that consultation with the ACHP and the SHPO, in accord with ACHP regulations, will result in an appropriate cultural resources management plan that will reflect consideration of your agency's concerns in both the areas of military training and responsibility for significant historic properties within your jurisdiction.

Our determination that the entire island is eligible for inclusion in the National Register is based on the fact that Kahoolawe is currently the only island in Hawaii where the total prehistoric and historic settlement system is known to be preserved. As such, it affords the only extant opportunity to study elements of human/environmental interaction in a bounded ecological system, as well as patterns of utilization specific to various ecological zones on the island.
nation obtained from a study of this entire system will be important in reaching a better understanding of the relationship between man and his environment, and the long term effect of certain land use practices upon the ability of the land to support a human population. In this context, sites which contain intact cultural deposits, sites altered by erosion, and areas which demonstrate environmental changes induced by human occupation, are all important aspects of the significance of the island.

The most thoroughly documented aspect of the island is the archaeological research potential of the cultural remains there. Sites representing both prehistoric and historic periods exist, documenting almost 1000 years of human utilization of the island. The integrity of many individual sites, especially in the severely eroded upland areas, has been an issue in our consideration. After review of the Multiple Resource Area overview statement authored by Dr. Robert Hommon of Hawaii Marine Research; various enclosures with the document based on the work of Ms. Ann Peak of Ann S. Peak and Associates, Inc.; the report prepared by Dr. Roy Shlemon of Roy J. Shlemon and Associates, Inc.; and the results of our staff on-site inspection; we believe that sufficient integrity is retained by many of the sites to allow the recovery of important data. Although it is certainly the case that cultural materials in these eroded areas no longer remain precisely in situ, due to the loss of the soil matrix, many do retain approximate horizontal provenience, as evidenced by the continuing association of both light and heavy cultural debris at several loci. Artifacts, midden materials, and other organic and geological data are associated with these sites. These data can provide important information in addition to mere spatial relationships. The information potential of the artifactual data has already been demonstrated through the use of obsidian glass hydration dating. Detailed analysis of the midden remains will provide information relating to subsistence, and study of land-snail remains which have been noted in several locations can yield evidence of environmental changes. In addition, many of the soil hummocks retain obvious cultural deposits in which stratigraphic relationships are maintained.

Although some areas of the island, such as the western slopes, exhibit a low density of known sites, these areas are an integral part of the entire island-wide settlement pattern. Sites in this area represent prehistoric utilization of particular ecological zones and thus are vital parts of the pattern — the potential for data recovery is not limited to site locations alone. The existence of non-eroded soil deposits in these areas offers the potential for the observation of geological evidence directly reflecting the effects of human land-use activities. For example, the practice of slash and burn agriculture appears to have had a significant effect on the rate of erosion, which, in turn, was manifested in the removal of topsoil in some areas, increased soil deposition in other areas, accompanied by lowering of the water table.
It is a characteristic of archeological districts that additional resources, yet unidentified, may exist which will contribute to the significance of the district. We believe that this may be the case for Kaho'olawe. In some areas of the island, low site density coincides with the presence of soil and vegetation cover. Although we believe that the sites now known accurately represent the pattern of site distribution in this area, some additional sites may exist. You will probably wish to include consideration of this "additional discovery" potential in your discussion with the ACHP. We wish to note, for your information, and to allay any concerns you may have, that such discoveries will not necessitate new determination of eligibility requests because the new sites would be included under this district designation.

A second important aspect concerns historic and contemporary cultural values which may relate to the island as a whole, or to specific sites and features on the island, and yet are not necessarily represented by material remains. The State Historic Preservation Officer has indicated his belief that additional research relating to native Hawaiian culture and tradition is necessary to document these values. We concur in that opinion. However, it is apparent that the island is extremely significant to a segment of the Hawaiian population today. In addition, there is evidence for association of certain areas with ceremonial or religious functions (e.g. Moaula), or with historic oral tradition (e.g. Kealaikahiki). We urge that a professional assessment of these values be undertaken, and that you exercise caution in initiating actions which may affect sensitive areas in the interim. Again, this is an appropriate topic for discussion with the ACHP.

This decision has included respectful consideration for the request telephoned to me on January 23 by Vice-Admiral Cowhill to postpone action until the Navy could resubmit the determination of eligibility request on a site-by-site basis. However, the language in the orders of the United States District Court for the District of Hawaii, dated September 15, 1977 and December 1, 1980 clearly requires the Navy to ascertain the eligibility of the entire island. Faced with the clarity of the court orders, in possession of the Navy's request dated July 11, 1978, and supplied with abundant archeological evidence that the entire island meets the criteria for listing as a district in the National Register, we do not believe we have the option to delay.

The survey work that has been completed contributes greatly to a better understanding of Hawaiian history and prehistory. Further, the completeness of the archeological record on Kaho'olawe is due in large part to the Navy's control of the island for the past several decades. This has proscribed other more intensive land uses that have generally destroyed valuable archeological resources elsewhere. If we may be of further assistance in your planning process, or if we may answer questions, please do not hesitate to communicate with us.

Sincerely,

Jerry L. Rogers
Acting Keeper of the National Register
The Council of Hawaiian Organizations

January 17, 1976

The Honorable Gerald Ford, President
United States of America
1600 Pennsylvania Avenue
Washington, D.C., 20006

Dear President Ford:

As native Hawaiians, we wish to register our strong protest against the target bombardment of Kahoolawe by the United States Navy. Such utilization of Kahoolawe by the military with the approval of the Federal government has caused reckless destruction to the land and desecration of our temples (heiau) and places of cultural and historical significance to our People. We have been denied access to gather products from the land and sea for our sustenance because explosives have been strewn about the Island of Kahoolawe.

For too long, we have suffered in silence watching this senseless desecration continue. We can no longer remain silent nor suppress our own feelings of hurt and anger. We have traditionally shared a close relationship to the land ('aina) and natural elements. We cannot help but feel that your actions are an affront to the native Hawaiian People.

We believe that as President of the United States and as Commander-in-Chief of the military, it is within your power to correct this situation and to order an immediate halt to the bombing of Kahoolawe.

It is our hope that you will recognize our values and rights as native Hawaiians and that we will find recourse through your intercession.

We would appreciate the courtesy of a response from you regarding our request for an immediate halt to the bombing of Kahoolawe by the United States Navy.

ALOHA,

THE COUNCIL OF HAWAIIAN ORGANIZATIONS

for A.L.O.H.A.

for Congress of the Hawaiian People

for Friends of Kamehameha

for The Hawaiians

P.O. BOX 27351 • HONOLULU, HAWAII 96827 • TELEPHONE 595-3012
The
Council
of
Hawaiian
Organizations

[Signatures]

John M. Ayako
for Kamehameha Alumni Association

Anthony H. Sangka
for Hui Malama Aina O Koolau

Haleole Kekuewa
for Hui Malama Aina O Kahana

Vincent Velasco
for Waimanalo Hawaiian Homes Assn.

Blanche L. Kekuewa
for The People's Coalition for
Welfare and Employment

Concerned Citizens of Hawaii

Sidney R. Rebeca

[Signatures]

cc: Senator Hiram Fong
Senator Daniel Inouye
Representative Patsy Mink
Representative Sparky Matsunaga
KAHO'OLawe is the eighth largest island in the Hawaiian chain, located about six miles southwest of the island of Maui. In 1941, while Hawaii was under martial law (the only part of the U.S. to have this experience), the island was seized without compensation by the military for use as a bombing target. Despite official and unofficial protests, the Navy has held the island ever since.

PROTESTS broke out early in 1976 when nine persons staged a symbolic occupation of the island, and have continued over the past year with a series of occupations, suits brought against the Navy, legislative resolutions, and other forms of resistance. People of all races and backgrounds have joined in the struggle to protect Kaho'olawe, stop the bombing, and return the land to the Hawaiian people, but it is the native Hawaiian community which has provided the real strength of the movement.

THE ISSUE of Kaho'olawe is significant for a number of reasons. First, it has become a symbolic test of the land rights of native Hawaiians. An island with an important role in the cultural and religious past of the Hawaiian people, Kaho'olawe is a test for land claims to come. Second, it is the key to a growing political consciousness among Hawaii residents, causing them to reevaluate the meaning of "national defense" and "national security." Many now recognize that the land cannot be protected by bombing it, and that "aloha" cannot be conveyed by rattling sabers. Third, it has spawned a strong, nonviolent resistance movement built upon the foundation of traditional island values, which pose a deep cultural challenge to the society of militarism.

A POSITIVE VISION is also increasingly evident. This is a vision of Hawaii exchanging its role as a military outpost for a more creative role as a zone of peace in the Pacific Ocean. Hawaii would become a place where the ecological and social values of "aloha aina" (love of the land) would demonstrate, in practice, a more satisfying and productive way of nonviolent living.

TRAGEDY struck in early March when two men, George Helm and Kimo Mitchell, were lost at sea while paddling between Kaho'olawe and Maui on a surfboard. Their sacrifice is an indication of the depth of feeling that exists among Hawaiians. We must ask, how many more must die before the Navy recognizes the truth of Hawaiian claims?

"We cannot be deterred by the jails—they are run by our brothers. We will survive. But the land, once destroyed, cannot return." George Helm, lost at sea in March 1977.

"The military always says war, war, war. We are saying love, love, love, and let's see who is stronger."

SUPPORT is needed today. You can help by: 1) Writing Jimmy Carter and expressing your concern about this issue. Ask him to rescind the executive order which ceded the island to the Navy; 2) Write your members of Congress and ask them to support an investigation of the issue; 3) Call your local news media and ask them to carry more information about Kaho'olawe; 4) Write AFSC-Hawaii and ask to be kept up to date on important information about the future of the Kaho'olawe struggle.
E HO MAI I NA LIMA EIA HO'I HE HANA KA KAKOU

"Allow the hands to come forth for here is work to be done."

I. MAIHI: first landing

It was our kupuna, the spirit of this land, who reached out for help. On January 12, 1976 - nine kamaaina touched the aina and felt her pains upon seeing the desolation brought about by the military bombings.

II. MAEPA: second landing

The Kahoolawe issue is serious. The military has shown great disrespect for our kupuna, heritage, and aina - the President of the United States, the Department of the Navy, and our Congressional Representatives did not respond to our request to "talk story." On January 12, 1976 - two men and two women returned to the island, risking their lives, to show the seriousness of their concern.

III. MAHUA: third landing

Our kupuna were called on to bless the island and clear the pathway toward making right the wrong-doings, "hooponopono."

On February 13, 1976 - sixty-five kamaaina landed on the island to participate in the ceremonies of mai aloha and ho'okupu.

IV. MAH W: fourth landing

There is no wrong in wanting to stop the desecration of our heritage. Our kupuna need the kokua of many more. It will be soon when a fourth landing will stop the bombing.

V. MAIIMA: fifth landing

The life of this land will be perpetuated in righteousness on the fifth landing, and thus the fifth finger will complete the hand for working the aina.

The values of "Haole materialism" which has brought about large-scale development and the gross misuse of our aina, need to be replaced with the values of our kupuna and "Aloha Aina."

Kahoolawe will become the model of an alternative value structure for the Hawaiian people of today, as well as for the entire State and the rest of the world.

This is the calling of our kupuna...

Creation, not desecration
Proper use, not gross-misuse
Respect of land, not abuse of land
Self-sufficiency, not false dependency
Living heritage, not a museum heritage
A Puu-Honua, not an off-limits area
Caretakers, not owners of this Aina Hawaii
Take only what you need for today, not take all and sell
And to reach into our past to learn the many other values which sustained over three hundred thousand Hawaiian people in harmony with nature.

This palapala was written in the hopes that you will better understand the Ikaika, "force, strength," which guides the Kaho'olawe movement.

We are not asking for you to agree with all that we are doing, but simply to maopopo, "understand" what is in our na'au so that we may lokahi and once more be a true Hawaii.

We have much mana'o to share with you in the spirit of hooponopono. We need to reach the Hawaiian people on each island. Give us a time and date for your hui, so we may come, and you may look into our eyes as we speak and judge the truth.

MALAMALAMA KAHO'OOLAWE

(by the Protect Kaho'olawe Ohana)
NATIVE HAWAIIANS FIGHT FOR SURVIVAL
By Gard Kealoha

E Hawaii makou. We are Hawaiians. You can find us just about everywhere in our beautiful islands, from the precious few leaders in industry, education, medicine, tourism, government service, and private enterprise, to a great many in trouble with our courts, in disputes over land cases with our native rights ignored and shunted aside, and in resignation over the highly competitive rat race that rewards the individual over the total needs of the group. In our mediocre public schools on all levels, in the predominantly Hawaiian communities like our homestead areas, in the urban ghettos, our people are becoming increasingly alienated from the land we call Hawaii Nei, Hawaii here. We are strangers in our own land.

Our people, keiki hanau o ka aina, na pua, na opio o Hawaii, children born of this land, the flowers of proud Polynesian roots, the sons and daughters of Wakea and Papa, sky father and earth mother, the descendants of generations of superb Polynesian navigators and first-rate tillers of the soil, at home on the land and on the sea, are now named Native Americans. The rubric is a late inclusion in an act of Congress—an ironic term encompassing our past and present situations.

Why do we still find pockets of our Ohana, the great extended Hawaiian family, still resisting complete acculturation? Is there hope for the preservation of recognizable differences between native Hawaiians and the dominant culture? What are our own intrinsic strengths? Are they compatible with the American dream? Can they survive the assaults of technology and materialism?

How have we Hawaiians built the walls that have enabled us to maintain an equilibrium—albeit a tottering one—that is comfortable with our Polynesian heritage in a plasticized and ruthless technocracy? What are some of our major problems? How can we relate these to

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We are survivors of a people who were close to the aina, the land, and as the land and the people grew farther apart, something happened to the Hawaiian spirit. Where do we come from? Where are we now? Where do we go from here?

**Hawaii Before “Discovery”**

Once, long ago, we Hawaiians lived in rather splendid isolation, developing a unique culture based on the resources of the land and the surrounding sea. We preserved the knowledge of millennia in a remarkable oral tradition—mystical, honored, and cherished through countless generations.

Somehow after the heroic voyages crossing the wide Pacific ended and became dim memory, romantic legend, and incredible feat, our people settled down. They established a system of status relationships based on a mutually interdependent Okane, an extended family in which hospitality and generosity, cooperation and working together, were the central and guiding principles.

The aina, the land, was a lei of adornment for the ancient Hawaiian. From his wreath of mountains, valleys, plains, and surf-washed shores he drew physical sustenance, named every star seen by his naked eye, labeled the gods that manifested themselves to him in his very surroundings, and gave unceasing thanksgiving for these gifts. Indeed, the land belonged to the gods. Its control and management was the responsibility of the ali'i, or hereditary royalty, in a stratified society where each depended upon the other to prosper and survive.

The ali'i held the land in trust for the gods. They were the executors of the gods' estates. The makaainana or general populace provided the labor of the mahiai or farmer, the tradesman, the artisan—all doing the various jobs that were necessary for the production of goods from the soil and the sea. The oral tradition and anthropological records indicate that great respect and loyalty flowed in both directions between the social classes. A ruler was beloved as long as he did right, but when he became despotic, recourses for the common people that permitted them to shift their loyalties to another leader were well integrated into the larger code of living.

The haole, or foreigner, called the Hawaiian social structure feudal because of his own familiarity with the European tradition. However, the European framework was rigid and did not provide escape routes for those suffering under totalitarian rule or wishing to make another attempt at a new life.

The introduction of foreign attitudes fostered the ultimate breakdown of Hawaiian values. The demands of their children and significant events in their lives after its physical features. You can learn the genealogy of the Oahu chiefs by going to a historic valley and finding the names assigned to the ravines, the ridges, and the other physical peculiarities within. (Today, this same valley is threatened with destruction in order to accommodate a superhighway.)

You can still listen to the oli or chants and the mele or songs that never cease to praise the beauty of the lay of the land. The music of Hawaii uses the metaphors of nature to describe the daily emotions of life. The frequent use of triple meanings in a phrase of poetry indicate a sophistication of the highest order or creativity. The ancient Hawaiians were master poets.

They also could lay out an entire village utilizing both the mountain and sea resources to create a self-sufficient entity called the aina or and develop a system of irrigation to support it. They wove beautiful mats, beat the finest cloths from wooden bark as soft as silk, and shaped wooden implements of great beauty, form, and function. They made nets of natural materials that proved exceedingly strong. They constructed comfortable houses without benefit of nails. They developed a collection of natural medicines and a simple diet of wholesome foods from the land and the sea that nourished healthy bodies until the arrival of the white man. They created stunning feather capes that took great skill and patience for the brilliant pageantry of the rituals of their ali'i. They reveled in athletic sport, surfed the waves with abandon, rode the carefully constructed and breathing wooden sleds down steep mountain passes, climbed deep into the forests to haul down the great timber for canoes. They kept a remarkably detailed account of their history and recorded their genealogy in an oral tradition held sacred since time immemorial.

Ancient Hawaiians developed an ecosystem that showed respectful use of the land with an understanding of its limitations, taking only what was needed and replenishing what was taken. They abided by a system of kapu or tabus that disallowed the use of depleted land, based on a realistic assessment of the environment's capabilities. Indeed, it was when the kapu were abused by the ali'i that the people were able to leave an area for another that was better managed by an ali'i more respectful of the land.

**The Assault on Values**

The introduction of foreign attitudes fostered the ultimate breakdown of Hawaiian values. The demands
for goods from the foreign ships seriously depleted the supply of food and labor. The unfortunate assumption by Hawaiians that a major god in the spiritual hierarchy, Lono, had returned as predicted in oral tradition in the form of an English explorer was the beginning of the end. The resources of the people became subject to the duplicity of foreigners and the new desires of the ali'i for foreign goods.

Prior to the unification of the Hawaiian kingdom, each island was ruled separately with the land division sublet to subchiefs, who, in turn, depended upon an administrator designated to oversee the production of goods and the settlement of disputes arising within the smaller ahupua'a divisions.

An island was divided into districts. Districts were separated into ahupua'a. There were smaller divisions within the ahupua'a, but the ahupua'a generally meant a portion of land that ran from the mountain into the sea. It was designed to be a self-contained unit enabling its residents to maintain a harmonious economic self-sufficiency.

To maintain this self-sufficiency, the inhabitants
his debts and overshadowed the traditional series of divisions of the lands of Hawaii resulting in the Great Mahele of 1848. A tenant. He also changed the Hawaiian Government from an absolute monarchy to a constitutional one by granting the constitution of October 8, 1840. It contained the first formal acknowledgment by the king that the common people could claim some form of ownership of the land, aside from an interest in the products of the soil.

The most significant reformation of the land system in Hawaii resulted in the Great Mahele of 1848. A series of mahele or divisions of the lands of Hawaii concern. It was the first step toward the alienation of the Hawaiian people from the land. The makaainana were unable to understand the Western concept of land ownership. Along with many chiefs, they fell prey to the greed of people out of step with the traditional Hawaiian relationship and regard for the aina.

Confusion reigned; somehow a valued and time-honored trust relationship between the ali'i, the chiefs and the makaainana was completely gone. The ownership concept as perceived by Westerners had no parallel in Hawaii. A deed, a simple piece of paper could not instill such an idea. Future shock for the Hawaiian began in the 1820s. Clearly, the makaainana not only alienated the makaainana from the land, but went further; it cemented the demise of the cultural practices and lifestyles cherished since time immemorial.

Some of the chiefs themselves did not respond to the mandates of the makaainana. They too could not see how a piece of paper issued by a newly created land commission could change their relationship with the makaainana involving their responsibilities and customary direction of land use. Others understood the implication of the deed but did not support it.

Hoa aina or tenants of the land were given ownership rights, and they too, were confused by the implications. Native Hawaiians naively thought that certain land rights were to endure forever. Once again, western ideas influenced the ali'i's decisions. The ramifications were strange, reinforcing a tragic alienation.

To this day, for example, the concept of adverse possession—ownership based on takeover—has done irreparable harm to the Hawaiian. This concept of squatters' rights had already been used extensively by American expansionists and was historically sanctioned by the American Government. The practice was expanded beyond the continental United States when the American Government sanctimoniously proclaimed its Manifest Destiny.

In the light of this story, one can easily understand why native Hawaiians continue to distrust today's "Westerners." An act of Congress creating the Department of Hawaiian Home Lands, ostensibly to promote homesteads for the rehabilitation of Hawaiians in 1920, was poorly funded, badly administered by inexperienced administrators, and given very poor lands with little water for development. Native Hawaiian rights are callously ignored by the courts of Hawaii.

Land Reform

When Kamehameha III came into power, he was faced with strong pressure from the fur and sandalwood traders and the whaling industry merchants. They along with the missionaries were accustomed to owning lands with clear title that they could sell or rent as they wished. They wasted no time in challenging the King to dispose of "his" land. Often their actions were supported by visiting gunships. Kamehameha III created a bill of rights in 1839 which defined sufficient cause for a landlord to dispossess a tenant. He also changed the Hawaiian Government from an absolute monarchy to a constitutional one by granting the constitution of October 8, 1840. It contained the first formal acknowledgment by the king that the common people could claim some form of ownership of the land, aside from an interest in the products of the soil.

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The United States Navy bombs an island for target practice in an area where the Navy is so constructed that such tests are unnecessary, according to the bombing's opponents. (Hawaiians have protested the continued use of lands for military purposes.) In another instance, Hawaiians are protesting the destruction of an untouched valley in order to build another superhighway that will add to the glut of highway congestion. They are angry at the destruction of ancient religious shrines and sites. They will no longer be kept from enjoying the beaches and mountains cut off from them by large landholders.

They are unhappy at the attacks on the Bishop Estate, a very large landholding legacy of the last of the Kamehameha dynasty, the Princess Bernice Pauahi Bishop, whose revenues support an educational program and institution for Hawaiian children. They see unplanned development ruining the beauty of the islands and skyscrapers marred the once lovely mountain skyline.

And they see their children ignored in the educational system. They wonder why there is still no department of Hawaiian studies at their own University of Hawaii which boasts an East-West Center and funds Asian and Pacific studies. They want their children to be able to elect Hawaiian as a language in a system that offers Spanish, Greek, French, Russian, Mandarin, Latin, etc.

The New Struggle

Last fall, a new project began under the auspices of the Office of Native American Programs in Washington, D.C., Alu Like, Inc., was a result of careful planning by Hawaiians, who had a major say in the entire program's design. A registry of Hawaiians was started. A needs assessment survey was undertaken on all of the islands, and concerns were listed in order of importance at regional meetings held in predominantly Hawaiian populated areas. One unique aspect found Hawaiians implementing the program themselves. It has raised a lot of hope among Hawaiians.

Hawaiians want to recapture and reaffirm the native rights guaranteed by the constitution of Hawaii in 1846. Native rights were granted by the gods. The ali'i were empowered to administer these rights. The kings and nobels pronounced these rights in a written constitution; the present State of Hawaii constitution ostensibly guarantees these very same rights.

Today, the values of our ancestors are being reaffirmed, giving us a solid base on which our Ohana can thrive, prosper, and grow. We call it Aloha Aina. We call it love for our Hawaii Nei, our aina, our land.
ALU LIKE
INCORPORATED

ALU LIKE - O.N.A.P. PROJECT

OVERVIEW

FUNDING/SOURCE: $200,000/Office of Human Development, Dept. of HEW

PROJECT SUPERVISION: Region IX, Office of Native American Programs, OHD, DHEW

PROJECT MANAGEMENT: ALU LIKE, INCORPORATED (NON-PROFIT, PRIVATE, TAX-EXEMPT)
President - Alvin Shim; Vice President - Myron Thompson;
Secretary-Treasurer - David Peters; Member and legal counsel -
Yukio Naito; Member and Advisory Council Chairperson - Ann
Nathaniel; Executive Director - James Bacon (ex-officio)

PROJECT GUIDELINES: P.L. 93-644, Title VIII

PROJECT OBJECTIVES:
(1) Identification of Hawaiians & Part-Hawaiians
-Identify those needing assistance--low income, aged, etc.
-Identify the large(?) number who are self-sufficient--
to offset preoccupation with negative statistics

(2) Conduct Needs Assessment to confirm or negate previous
incomplete or extrapolated data in major categories
-Sampling of population--individuals, area group meetings
-Define: "Native Hawaiian", "self-sufficiency"
-Clarify: "Hawaiian Homestead"
-Identify community services currently available & blocks to services

(3) Project strategies and administrative structure for
direct action programs to meet identified needs

OPERATIONAL STRUCTURE: ALU LIKE, INC. Board of Directors

HAWAIIAN ADVISORY COUNCIL: 18 members (9 Oahu, 9 Neighbor Islands)

PROJECT ADMINISTRATIVE TEAM:
- Project Director - Winona E. Rubin
- Associate Director - James Bacon
- Field Coordinator - Paige A. Barber
- Secretariat - Mrs. Young, Mrs. Petolet

FIELD REPRESENTATIVES - Hawaii (2), Maui (1), Kauai (1), Oahu (2)

STAFF TRAINING CONSULTANTS: Helen Hsu, Krishna Kapur,
Midge Wasmu, George Nakida, Richard Raglinawan,
George Park, Stan Rosenberg, Dr. Hiro Uno, Joyce Winn

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1300 Kalona Street
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Phone: 847-0285, 847-0286

FIELD OPERATION/OAHU
Mayor Wright's Tenants Building
Rooms 205 & 206
521 North Kukui Street
Honolulu, Hawaii 96817
Phone: 848-0585, 848-0586

FIELD REPRESENTATIVE/HAWAII
(Part time)

FIELD REPRESENTATIVE/HAWAII
(Part time)

FIELD REPRESENTATIVE/KAUAI
(Part time)

FIELD REPRESENTATIVE/MAUI
(Part time)

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Associate Director: James Bacon
Secretary-Bookkeeper: Iris Young
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Konawaena High School, c/o Hale O Ponopono
Kealakekua, Hawaii

Elizabeth Maile Akimseu
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Nolan Ahn
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THE OHANA

Birth of a Nation or Bandaid Brigade?

ISAMU NOGUCHI: The Skygate That Never Was

DAN AKAKA: A Native Son in Congress
KGMB-TV No. 1 in Sports
Rainbow Basketball
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Joe Moore - Linda Coble
Walter Cronkite
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WATCH 9 & 3
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The Ohana: Birth of a Nation or Band-aid Brigade?

Now the Ohana is faced with the task of joining itself to the larger stream of Hawaiian political consciousness.
Tales out of session

If there was one issue that dominated this year’s session of the State Legislature, it was cutting costs and avoiding a tax increase. Thus, there is a certain delicious irony in the fact that the lawmakers adjourned without adopting a budget. There will, of course, be a special session, and legislators will act on a budget for the 1977-79 biennium. The document will probably be approved with relative dispatch since the word around the Capitol is that Governor George Ariyoshi will not call a special session until the House and Senate leadership work out their differences on the budget—presumably in private, unofficial meetings during the cooling-off period provided by the adjournment. A cooling-off period certainly seems to be needed, considering the bickering that went on during budget deliberations last month.

House members charge that the Senate Ways and Means Committee and its Chairman Richard Wong delayed meeting in conference with the House Finance Committee and its Chairman Jack Suwa in the hope that the action would force the House to consider several Senate bills stalled in House committees. When the Senate voted unanimously to kill the budget, senators accused the House of inserting provisions in the final budget draft that had not been agreed to in conference.

Whatever the case, the two committees did not go into conference on the package until the weekend of Saturday, April 16. The session was supposed to end on April 15, but three extensions granted by Governor Ariyoshi carried the squabbling legislators through till April 20. Although the legislative timetable called for the budget conference to begin as early as the second week of April, work on the document did not really begin seriously until Saturday the 16th. The session continued non-stop until late into Monday, when agreement was announced after a series of private meetings between key conferees. By the time Monday morning rolled around, the conferees were punchy and bleary-eyed and tempers were getting short.

House conferee Tony Kunimura got into a memorable exchange with Senate negotiator Dennis O’Connor over a disputed provision in the education budget to provide funds for individual schools to use for “special needs.” Kunimura insisted that the schools needed the money and charged that too much of the education budget goes to pay salaries for administrators and specialists. “The more specialists we hire,” he declared, “the less the kids learn.” O’Connor termed the special-needs funds “frosting on the cake,” and kept reminding Kunimura that no cuts were being made in the overall education budget. He then suggested that, as a compromise, the special-needs funds be cut in half. But Kunimura wasn’t having any of that. He branded the offer as “tokenism,” and shot back, “You may say half a loaf is better than none, but I’ve never seen half a ship float or half an airplane fly.”

The conferees recessed later, promising to return to the table by 1 p.m. However, the only conferees to return that afternoon were Representatives Ike Sutton and Jack Larsen. As the day wore on and it became apparent that the real conference was taking place elsewhere, most of the reporters who had been waiting for the meeting to resume gave up and left.

Then the craziness brought on by several sleepless nights of wheeling and dealing began. The Falstaffian Sutton,
NUTS, CRACKERS, & FINE FETTLES
(Whole Earth New Arrivals)

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9:00 - 11:00 P.M. Ke Kai

TUESDAY
5:00 - 7:00 P.M. Mr. Ke
9:00 - 11:00 P.M. Ke Kai
Four super talented Hawaiians singing and playing Hawaiian Music in the four part harmony that is a part of Hawaiian Music History

WEDNESDAY
5:00 - 7:00 P.M. Hana Wahine Nite
Kimo and Kalani hold a special party to celebrate the waking girls in Honolulu. Special drinks and prizes for the girls and entertainment
9:00 - 11:00 P.M. Ke Kai

THURSDAY
5:00 - 7:00 P.M. Mr. Ke
9:00 - 11:00 P.M. Booga Booga
Three mokes with humorous strokes

FRIDAY
11:30 A.M. - 2:00 P.M. Gabe
The "Uke" comes to life in the hands of Gabe for your luncheon pleasure
5:00 P.M. - 7:00 P.M. Ke Kai
9:00 - 11:00 P.M. Booga Booga

SATURDAY
11:00 A.M. - 9:00 P.M. Hawaiian Juke Box
Hawaiian songs of present and past
9:00 - 11:00 P.M. Booga Booga

SUNDAY
11:00 - 5:00 P.M. Hawaiian Juke Box
5:00 - 10:00 P.M. Hawaiian SUNDAY
Featuring the best in local "da kine" Hawaiian music and luau fun
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"DOWN TO EARTH FOOD AT DOWN TO EARTH PRICES"
who had been telling everyone how his Marine Corps training helped him stay alert through the marathon session, soon had a chance to prove it. A bored woman committee aide began teasing Sutton, who promptly got to his feet, rolled up a magazine, and went after her with the intention of swatting her in the obvious place. To elude the vengeful Sutton, the aide jumped on a row of desks and moved away nimbly. The pursuit ended without success and Sutton flopped into a chair which immediately up-ended, depositing its contents on the floor as the room dissolved in laughter.

The zaniness ended on Wednesday when both chambers met to act on the budget. The House approved the package, but word went out that the Senate would kill the bill because of unwanted provisions. Even Governor Ariyoshi's attempt to resolve the differences between the House and Senate leadership that morning was unsuccessful. During a conference between Ariyoshi and Senate leaders, one of the senators, George Toyofuku, told Ariyoshi, "We never agreed with this stuff. They even put the kitchen sink in there."

Despite another one-hour extension that day, no agreement was reached, and the Senate voted unanimously to kill the budget bill and adjourn. As the senators began clearing out their desks, a House aide who had been watching the proceedings offered one of the more perceptive analyses of the budget battle when he observed, "It was like Rashomon; everyone saw the same event, but they all described it differently."

Mark Anderson

Fast food folly

Ten years ago there were about a dozen neighborhood mom-and-pop combination shave-ice/crack-seed/hamburger stores where my school gang hung out and exchanged the secrets of life over a bottle of soda. We would spend hours after school at one of these establishments, monopolizing several booths as we swapped tall tales, bragged about our non-existent sexual capers and occasionally tried out a forbidden swear word. We didn't care how many hamburgers our favorite establishment sold that year, or whether we really "deserved a break" that day. And we certainly couldn't have the day-old hamburgers prepared "our way."

All we knew was that the proprietor, old-man Wong (who was "old" because he was over 40), was a pretty cool guy who'd let us hang around forever nursing a single soda. Once in a while he'd intrude on our conversation with stories about his youth and comments about how we had it easy, but we didn't really mind. His lectures were always good for a few laughs, and more than a few of us secretly took his homilies as gospel truth. He was a combination father, older brother, cop, counselor and friend to us, and we knew we could count on him to loan us a quarter or mend a broken heart after Cheryl or Carol had broken it. His hamburger joint was more than a place to eat—it was the epicenter of our existence: living room, dining room, rumpus room, back porch, and the first place we'd take our latest romance to show her off. (This was before Women's Lib.)

But Wong's place has gone the way of other relics of the past like the convertible and the hula hoop. I feel sorry for kids today who must choose between McDonalds, Burger King, Taco Bell and Jack-in-the-Box for an afternoon snack served up by a crew of pimply-faced robots who zip them in and out the door in under 60 seconds. Who will explain to these kids the complexities of life over a hamburger? (Certainly not the Jack-in-the-Box clown.)

I question the value of fast food for kids who have nothing but time on their hands. Fast delivery of food also implies fast consumption. In fact, the nameless, faceless proprietors of these modern establishments will probably have you arrested if you loiter too long over your order of fries. And no matter how many times you place your order with smiling "Bob" behind the counter at Burger King, he's not going to remember you, loan you a quarter or console you about your rotten love life.

Brian Thornton

Burger King customers eye the camera warily. Photograph by Alexis Higdon.
Reparations or Rip-off Rations

Native Hawaiian reparations are based on some very subtle ramifications.

For example, claimants of royal descent expect to be justly compensated for the loss of ancestral land grants, "ahupuas." These properties that reputedly reached from the mountains to the sea on today's market would be worth an oil sheik’s ransom. Grantees of lesser rank separated from their smaller "kuleana" lands are asking for proportionate settlements.

The all-powerful Bishop Estate-Kamehameha Schools-Alu Like ONAP hierarchy apparently considers reparation negotiations an opportunity to strengthen their political ties. These folks openly discuss ways and means for a satellite organization, Home Rule, to nurture suitable candidates for governmental office.

Presumably, everyone has been so busy pursuing his own ends that, inadvertently, reparation demands fail to include any protective provisions or specific benefits for Native Hawaiians as defined in the Homestead Act of 1920.

In essence, this act's beneficiaries, those of 50 per cent aboriginal blood or more, are the heart of the Hawaiian culture.

Since most descendents of the Great Mahelu Chiefs are less than a half Hawaiian, one can readily understand their reluctance to make blood quantum a necessary qualification for reparations.

By the same token, Alu Like ONAP has opted for Federal grants on a per-capita basis. In other words, from their standpoint, the less Hawaiian blood, the "mo' betta." Most important to them, this translates into the more heads counted, the more money.

Home Rule, to be a viable political influence, must attract followers from the widest possible base. Under these circumstances of mass appeal, they soft pedal any talk about blood requirements for Hawaiian reparations. The same situation exists for activist and a myriad of other organizations being popularized in their wake.

Historically, the Native Hawaiians' sense of pride and dignity has prevented them from stepping forth and speaking out regarding their plight.

The Hou, in trying to bridge the cultural gap in this delicate situation, proposes that at least 20 per cent of the benefits in reparations and/or any other Native American program be mandated by law for Native Hawaiians as defined in the Homestead provisions of the Statehood Compact.

In our humble opinion, to do less changes the intent of moral action like reparations to a despicable act best described as rip-off rations for the long suffering Native Hawaiian.

This column sponsored by the Hou Hawaiians
A reply from The Mayor

I'll admit to being outraged at your "Observations" regarding my recent indictment in Issue No. 102 of The Observer. I try not to let sloppy, inaccurate and distorted journalism get me down (God knows, I've had enough exposure to that sort of thing), but I frankly didn't expect so much of it from your publication.

Let me point to some specifics.

You say I "predicted" my indictment. Not true. In the TV interview you referred to I said that I did not expect to be indicted because I had done nothing wrong. But, I added, knowing how the State has operated in the past... the lengths they had gone in previous years... it would not come as a surprise to me if an indictment should be forthcoming. I consider that to be a small but extremely important point.

The newspapers, of course, reported that I "expected to be indicted."

You refer to the indictment of then-State Senator Mason Altiery in 1973 and state that the indictment was secured against him by "Fasi's prosecuting attorney." Later in the same article you accuse me of "perfecting... the use of a grand jury indictment against a political foe" in reference to the Altiery matter.

The facts of the matter—and these can all be verified—don't support that allegation. In the first place, it was KGMB-TV (Bambi Weil) which first reported the fact that Altiery had received but not reported a contribution of some $25,000 (actually, he received over $100,000 which he didn't report). A photostat of the check was shown on television. Following that broadcast, the grand jury itself—and not the City Prosecutor—initiated an investigation which resulted in an indictment.

Next, you state that it is a "widely held—though unproven—assumption that Fasi doesn't always walk the straight and narrow path." Oh? Really? And how do you know that is a "widely held" assumption? Come now, Tuck! That is a statement that cannot be supported and, therefore, should not be printed in fairness to me or to any other individual. I'm sure you would resent it if I said, "Most people seem to agree that The Observer deals largely in political gossip and is sadly lacking in fair, honest journalism." You would—properly—ask me, "Just what do you mean when you say 'most people'? Are you referring to the handful of people you have coffee with in the mornings?"

As a specific point to illustrate this "widely-held" assumption, you said I "circumvented" the City Charter provision requiring Council confirmation of the Corporation Council and the City Prosecutor. There is considerable opinion supporting my position that the Charter provision in question was designed to make sure that an incoming Mayor would not be burdened with a political appointee of his predecessor. It is our feeling that the provision quite clearly does not mean that a department head who has already been confirmed by the Council and has already been serving in his appointed capacity should have to give up his job and wait for a matter of weeks until the Council votes on his appointment again. In any event, there is a very clear difference of opinion among lawyers on this matter. I am not a lawyer and, I believe, neither are you. I therefore resent your statement to the effect that I have violated the Charter.

Finally, and most important, you said, "Crooked things were done in the course of developing Kukui Plaza. Some of the people doing them were close associates of the Mayor."

To the best of my knowledge, the only illegal activities brought to light so far were done by Hal Hansen and a couple of his close associates. These acts have been admitted and are, in fact, being held over Mr. Hansen's head pending his testimony related to the Kukui Plaza indictments.

If, on the other hand, you are referring to anyone else, I challenge you to have the guts to print their names. Exactly who did these "crooked things" you mentioned? Print their names... and then call your lawyer to stand by for a libel suit that will make your head spin! To make accusations of wrongdoing by people unnamed is unfair and cowardly journalism. I have come to expect that from the dailies. To find it in The Observer is most disheartening.

Frank F. Fasi, Mayor
City and County of Honolulu
Art imitates politics: The story of the Noguchi-that-will-never-be

By Bob Norton

Isamu Noguchi and his "Sky Gate" have become household words here in Hawaii. According to Alfred Preis, director of the State Foundation on Culture and the Arts, "People here don't get involved in art as a public issue as they do in Europe." For a while, it looked like Noguchi might have changed all that. But only for a while. The debate over his $120,000 Sky Gate quickly degenerated into a mock battle between would-be artists and poseur iconoclasts, with many people taking sides out of sheer boredom or to get off a few clever lines.

Some local observers have termed the Noguchi/Sky Gate controversy a symbol of the State's attitude toward art in general. "Culturally, people here don't know what's happening in the world," according to interior designer Sumiye Yoshioka. "They don't understand abstract art and therefore make fun of it." Yoshioka, a friend of Noguchi, is upset at the cavalier treatment the Mainland artist received here in Hawaii. And Preis himself claims, "If Noguchi was treated shabbily here, it was by the press which poked fun at his Sky Gate."

But never mind the media hoopla over Sky Gate. The real story is the Noguchi that got away: a sculpture canceled this year by Governor George Ariyoshi after Noguchi had signed a State contract and designed a model of a massive rock sculpture to grace the area in front of the new East-West Center Program Building. This Noguchi sculpture is important not only because it provides a glimpse into the labyrinthine workings of the State Government and because it reflects on Hawaii's checkered attitude toward art, especially modern art. It is important because it spotlights the central question of just how much the State could or should dictate artistic tastes by its powers of the purse.

The saga of the East-West Center Noguchi-that-will-never-be properly begins back in 1965 when the Legislature established the State Foundation on Culture and the Arts to: "Stimulate, guide and promote culture and the arts throughout the State." Two years later, the Art in State Buildings Law was passed which earmarked one per cent of all government construction funds for art acquisition. The legislation was a far-sighted attempt to enhance Hawaii's relationship to art.

According to State Foundation Director Preis, there is a large Noguchi following here that wanted a sculpture for Hawaii. The East-West Center building seemed like an ideal place—not only because of the symbolism of the Center but because the work would be highly visible at the Dole Street site. Accordingly, one per cent of the building's estimated costs were set aside. But right at the outset, a question was raised that presaged disaster for the whole idea: Who would own the new building?

The ownership question was raised because in 1975 the Center—formerly under the joint aegis of the University of Hawaii and the U.S. Department of State—split from the University in a stormy bid for autonomy. As a property settlement, the UH was allowed to keep three buildings that had been constructed with Department of State funds. But in return the State of Hawaii had to build the now-independent Center a new program building on Dole Street and East-West Road. Although the State of Hawaii would retain title to the building, the U.S. State Department would be given perpetual use of it. Since the State of Hawaii retained title to the building, the Attorney General's office ruled that it was covered by the one per cent art-acquisition act. Therefore, State Foundation Director Preis formed an art committee comprised of all interested parties: the UH, the Center, the Foundation as well as the building's architect and contractor.

According to the committee's members, there were the usual squabbles over what form the art should take. The East-West Center originally wanted a functional use of the area, with a sculpture representing the meeting of East and West. Other members demurred, however, asserting that it was the job of the Center to project that image, and that the sculpture should make a statement itself. In the end, the committee took the advice of UH Art Department Chairman Prithwish Neogy who recommended that they first decide on an artist and, secondly, consider what he had to offer. Noguchi happened to be in town at the time planning the City and County's now-famous Sky Gate and was approached.

Noguchi's friends claim that the prospect of the East-West Center commission excited the sculptor. Honolulu art patron Paul Yamanaka had just taken Noguchi to view the lava rocks at Kukaniloku near Wahiawa, and,
according to Yamanaka, "He was moved by the mana of the place." Noguchi himself says: "I wanted to do a work in stone because I feel about stone as I do about nature. Metal has its own life-cycle, whereas stone reflects the life-cycle of the earth itself, the life of the land."

Noguchi's plan was both bold and simple: a graduated rock layering 70-feet long and 20-feet thick, using mammoth one-to-five ton stones from Kukaniloko. The "wall" would not only balance the orange pipe sculpture on the opposite side of the street, according to Noguchi, but would echo the mountains surrounding Manoa. Moreover, it would provide functional space for meetings, plays and other group activities. One architect pointed out that the Noguchi piece would have also acted to keep out the heavy traffic noise from the building. But not all the committee members were impressed. One quipped that it was "just a pile of rocks." Two other members felt the rock sculpture was inappropriate here in Hawaii and wanted one of Noguchi's more conventional shaped-stone works.

But Paul Yamanaka takes issue with the appropriateness idea: "Professionals here are usually haoles and they don't give credit to Hawaiian culture. Native people of Hawaii, Japanese, etc., are interested in Hawaiiana, not like the statue of Kamehameha with a nordic nose. Hawaiians and Japanese just like stones, and Noguchi didn't want a marble monument there."

In the end, Noguchi won out with his design. But other problems quickly arose. The contractor's preliminary $22,000 site-preparation estimate for the work was raised to $109,000—more than the entire sculpture itself was to cost. "Site preparation," according to Noguchi, meant nothing more than "removing electrical fixtures not even there and then filling in the site with rubble." Likewise, architect John Hara claims he told Les Calvert, construction project manager overseeing Teval Construction Company's operations, that the $109,000 estimate was "absurd." The State Foundation's Preis also thought the site-preparation increase was way out of line and suspected—as did other people connected with the project—that the contractor had originally bid too low in the competition for the building contract and was now overcharging to make up for it.

The man who drew up the $109,000 estimate, Teval Construction Company's Fritz Hewett, claims he doesn't remember the details of the job, but refuses to release the estimate for "competitive reasons." And construction project manager Calvert calls the charge that Teval was jack-up prices to recoup any losses a "bullshit statement!" Calvert insists that, though the Legislature had appropriated some $8.1 million for the building, the State Department of Accounting and General Services estimate, Teval Construction Company's Accounting and General Services

But whatever the truth about the estimate, it endangered the entire project. Originally, the $100,000 sculpture estimate was divided into $22,000 for site preparation and a $30,000 artist's fee. The remaining $48,000 was earmarked to haul the massive rocks from Wahiawa, bring two master stone layerers from Japan and retain cranes to stack the stones on site. According to the State Foundation's Preis, the committee had three options: (1) ask another contractor to prepare the site (a cumbersome process which, according to Calvert, is "almost never done"); (2) negotiate with Teval to try and cut the price; and (3) change the sculpture itself to fit the new financial realities. But before the committee met to ponder these options, two events intervened. Calvert canceled the committee meeting and Preis received a call from State Budget and Finance Director Eileen Anderson instructing him not to put his name on the contract Noguchi had already signed in good faith. Anderson said that she was instructed by the Governor's office to restrain Preis, Susumu Ono of the Governor's office explained: "The Governor made the decision not to spend State funds on an East-West Center building."

estimate was only $4.95 million, and three of the four original bidders fell within one per cent of that figure. Teval, he insists, did not bid unreasonably low since it was only $100,000 below the next bidder.

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- Ono's statement echoed the two official reasons given for the ultimate demise of the Noguchi sculpture: (1) the propriety of allowing State art acquisitions to grace an independent East-West Center building; and (2) the State's austerity program. But indications are that these were mere window-dressing for media consumption. To begin with, the Attorney General's approval to spend art-acquisition money for the building had already been secured. Secondly, though the $109,000 estimate was considered exorbitant, it hadn't as yet been formally presented to the committee for consideration. "It had," according to Calvert, "no formal standing yet."

These indications are buttressed by an event which originally had little to do with the fate of the Noguchi sculpture, but in retrospect seems to have been its
Coup de grace.

In the spring of last year, the EastWest Center tentatively decided to make extensive changes on the ground floor of the new program building, changes that would entail additional funds. The State balked. Asked one staffer at the Center, who wishes to remain anonymous, "Why hadn't the Center asked for the changes before the contract went out on bid?" But the Center—and its negotiator from the State Department—felt that the UH-EWC property settlement required the State of Hawaii to construct an $8-million building for the Center, and even with the late changes, it was actually constructing a building for considerably less than that figure. There the matter remained until Assistant Secretary of State for Education and Cultural Affairs John Richardson, Jr., flew out from Washington in early January of this year to break the log-jam in a tête-à-tête with Governor Ariyoshi. Richardson, no longer at the State Department, recently explained the stalemate as mainly a problem of communication. He said, "We worked out an agreement with fairly specific arrangements." The upshot was that the new ground-floor costs would be split 50/50 by the State of Hawaii and the East-West Center.

Was the Noguchi work scrapped as part of a larger trade-off between the State of Hawaii and the U.S. State Department? The State Foundation's Preis lamented, "I don't enjoy talking about a failure, I don't know how it happened." But, he added that he had heard Ariyoshi canceled the contract after a visit was made to the Governor's office "by a gentleman from the U.S. State Department." East-West Center Treasurer Ron Boggs recently denied that the Noguchi sculpture was part of a deal. "We sent a note to the Governor saying that if he wanted the sculpture, it was okay. If he didn't want it, that was okay too." But, Boggs insisted, "There was no trade-off." However, former Assistant Secretary of State Richardson, who negotiat-ed with Governor Ariyoshi, admitted two weeks ago that "the Noguchi sculpture was discussed, but I don't remember in what context." State Budget and Finance Director Anderson agreed, "The problem was that we couldn't get the Feds and the State to agree on how much we should spend on amenities. It got to where we had to leave out the artworks." And a high official at the State Department of Accounting and General Services, who was a part of the subsequent negotiations, concurred, "It's my understanding that the issue was who should pick up the ground-floor changes. The East-West Center felt they could do without the sculpture if it came to cutting frills.

Cancellation of the work itself seems to have been done in a fit of pique after the State of Hawaii/Department of State negotiations. One source at the Capitol commented that "someone upstairs became angry." Two other sources claim that the negotiations were followed by an angry call from the Governor's office to the office of UH President Fujio Matsuda with instructions to cancel the sculpture.

One thing seems certain: The East-West Center Noguchi sculpture was scrapped for political reasons, not aesthetic ones, and it was done by the Governor's office; not by the State Foundation's advisory committee constituted for that purpose by law. But great as the loss is, there is still the larger issue: Should politicians dictate artistic tastes in the community? Says UH's Neogy: "There are philistines in any bureaucracy who think art is simply unimportant. Contemporary and modern art here is simply not liked." But Paul Yamanaka put it more succinctly: "They're politicians. They piss with the wind. They don't understand art from the artist's viewpoint. All they're interested in are bids, contracts, etc."

W.H. Auden once described art as a means of breaking bread with past and future generations. If so, then what type of larder will the State bequeath to future generations? Will politics continue to impinge on art here? Not all the actors in the drama are so fatalistic. Said Preis, "I don't like to say the Noguchi sculpture is dead. The East-West Center can raise the money if it wants."

But it is artist Isamu Noguchi—who claims he's been treated like a stonemason—who has the last word: "I would not do it for any price now!"

Noguchi has recently finished a masterplan for the proposed City and County Civic Center at Beretania and Punchbowl streets, but it is problematical whether his 80-to-100-foot fountain will ever be installed. Mayor Frank Fasi is on record favoring the project. City Building Department Director Ernest Yuasa claims the main hitch now is money. The fountain will cost an estimated $400,000 to $500,000, requiring State or private assistance, according to Yuasa. "We're trying to sell the whole package," Yuasa said, "but the fountain may not go in until years from now. The main issue right now is trying to get approval for the parking structure from the City Council."
Learning the ropes in Washington

By Brian Sullam
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Despite arriving in Washington with “negative feelings and misconceptions” about his status as a freshman congressman, Hawaii’s newly-elected Representative Daniel Akaka (Democrat-2nd) says that, after three months on the job, he is pleasantly surprised by his initial experience. “It is growing on me,” he said in an interview two days before Congress broke for its ten-day Easter recess. “As I work here, I am beginning to like it. There are many things I like about this job.”

Akaka’s expectations were different from those of most freshmen who enter Congress buzzing with ideas and energy only to discover that the incumbents have little interest in using either. Edward Zorinsky, the freshman senator from Nebraska, made headlines in Washington in early March when he said that, after two months in the Senate, he was ready to quit. He had been an active, reform-minded mayor of Omaha who streamlined city government, increased services and held down municipal taxes. He was prepared to use his experience to tackle the nation’s problems, but he found that most of his fellow senators were more interested in pontificating on issues than in solving them.

Akaka is no Zorinsky. Perhaps too mindful of the often-repeated maxim that freshmen are supposed to be “seen and not heard,” he arrived in Washington fearful “that I would be nothing.” Instead, Akaka says he is finding that the senior House members accept him, occasionally solicit his opinions and frequently offer him assistance. “I had thought that I would have difficulty relating to the people here on the Hill. But almost every congressman I have spoken with has offered to help.”

Akaka says he has been treated with respect by everyone he has dealt with. To illustrate his point, Akaka told me that earlier that morning he had attended an Agriculture Committee meeting at which Secretary of Agriculture Bob Bergland presented the Carter Administration’s food-stamp program. Akaka said he was concerned that Hawaii’s high cost of living would not be taken into consideration. One of Bergland’s assistants allayed Akaka’s fears by saying that the Department was thinking of establishing three payment levels—one for Hawaii, one for Alaska and one for the U.S. in general. Akaka said he was happy to hear this, but he was even happier when a southern congressman approached him after the meeting and said, “If you want anything in the bill to ensure Hawaii’s levels, you have got my help.”

Possibly because Akaka lacks previous legislative experience, he apparently doesn’t realize that his southern colleagues weren’t expressing interest in Hawaii’s food-stamp problems out of a sense of altruism. Rather, he is interested in collecting IOUs which he will redeem when an issue dear to his constituents is up for a vote. After hearing this story, a Senate aide familiar with the wheeling and dealing of Congress, said, “If Akaka doesn’t watch it, these old southerners are going to eat him up.”

To date, they haven’t taken much of a bite. Akaka admits that he hasn’t asked for much, and demanding little is a virtue long-time House members respect. In addition, Akaka is still the amiable, low-keyed person he was before he entered Congress. His self-effacing manner contrasts with the over-inflated egos of many of his colleagues, and he is already recognized by some House workers as “that nice man from Hawaii.”

Akaka’s non-aggressive behavior, however, can be a liability as well as an asset. Shirley Chisholm, like Akaka, was assigned to the Agriculture Committee when she first arrived on the Hill. But Chisholm soon acquired a well-deserved reputation for being abrasive and egotistical, and she skillfully worked her way up the House hierarchy. This year she was appointed to the Rules Committee, a reward gained after years of self-interested maneuvering. The key to getting what you want in the House is to promote your desires without stepping too heavily on your colleagues. Akaka has yet to demonstrate that he is willing to step, even lightly, on anyone.

Akaka has already met with some disappointments. He did not receive his first choices for committee assignments, which were the Committee on Interior and Insular Affairs and the Committee on Education and Labor. Instead, he was assigned to the Committee on Agriculture and the Committee on Merchant Marine and Fisheries. But with apparently genuine enthusiasm, Akaka says he is satisfied with his assignments. “In fact, as I do more work in the committees,” he explained, “I get the feeling that these are the committees I should be on in order to help Hawaii. In Merchant Marine and Fisheries, I am on the Oceanography, the Fisheries and Wildlife, and the Coast Guard subcommittees, and these relate directly to one of my campaign themes: ‘Let’s move into the ocean.’”

Akaka’s only blunder in his short congressional career involved a premature press release on the bombing of Kahoolawe—a subject he feels very strongly about. In February, when the Navy began bombing Kahoolawe while members of the Protect Kaho’olawe Ohana were still on the Island, Akaka called the White House. “When the news came out,” Akaka recounted, “I just reacted.” Calling the White House is something freshmen congressmen don’t ordinarily do. Akaka spoke to a White House aide, and thought that as a result of his conversation the Navy would stop its bombing. Akaka immediately issued a press statement to that effect. However, two days later, the Navy resumed its bombing, saying that it had received no orders to halt.

Akaka says he encountered some resistance from other members of the delegation when he initially tried to solicit support to stop the bombing. “They wanted to know more. I knew more because I had talked with the Ohana.” Akaka added, “I also had to tell the folks back in Hawaii—who said, ‘We
Congressman Daniel Akaka catches up on his reading. Photograph by Alexis Higdon.  

only want to talk to Akaka’—that we needed the entire delegation.” Eventually, Hawaii's senior Senator Daniel Inouye was able to get some of the results that Akaka wanted, but could not get himself.

Although Akaka has receded into the background on the Kahoolawe issue, he doesn’t complain. ”I know that Inouye has the power,” Akaka said. “I know he has the position to make the difference. He meets with the President once a week. Our objective is to get something done. So, even if I had the ideas, he would be the guy to do it.”

“My objective has been to help the Ohana as well as any other group in Hawaii,” Akaka explained. He is finding, however, that he can’t just forge ahead on legislation he wants. “When I came here I was bubbling with ideas on how to do things. My staff called Inouye’s office and asked if they would join us in introducing legislation. Well, that was the wrong thing to do.” Akaka said he has found it better to make suggestions to his colleagues and “let them come out with it. I get more done this way than by trying to get them to join me.”

Unfortunately, this strategem has delayed legislation that Akaka would like to see enacted—the Hawaiian Native Claims Bill, for example. Prior to the start of the 95th Congress in January, the four members of Hawaii’s delegation met and decided to work together on the Native Claims Bill and on other legislation affecting Hawaii. In addition, they also decided that Inouye and Spark Matsunaga would introduce the bill in the Senate first; then, Akaka and Cec Heftel would introduce the companion measure in the House. “We are still waiting for the signal,” answered Akaka in response to a question about the progress of the bill.

In the meantime, Akaka says he has introduced a bill that would give Native Hawaiians the same benefits Native American Indians have received under Federal unemployment and education legislation. In addition, he has introduced a bill to provide Federal funds so that election materials can be printed in the language of “Pacific Island Americans”—Filipinos, Samoans, Tongans and Guamanians. So far there has been little action on these bills other than the routine referrals to the appropriate House committees.

After three months in Congress, Akaka’s interests remain much the same as when he campaigned in Hawaii—primarily issues directly affecting the Islands. Akaka is settling comfortably into his role as a congressman representing Hawaii in Washington, and he shows no signs of Potomac Fever, which columnist James Kilpatrick has diagnosed as “blurred vision and a noticeable swelling of the head.” However, if Akaka is to meet the expectations of the people who elected him, he may need a touch of the fever—nice guys usually don’t get far in Congress.

Brian Sullam, formerly an associate editor of The Observer, now covers energy for the Washington bureau of The Journal of Commerce.
## Blocking the Arzadon nomination

By Mark Anderson

A h, the subtle pleasures of Kauai. Lush, green fields of sugar cane sway gently in the spring breeze; fisherfolk cast nets from bridges; decrepit cars of the Fifties and early Sixties putt-putt along at 35 mph; and corrugated iron remains a favorite roofing material. Here, one longs to think, the lifestyles and habits of the Hawaii of a generation ago predominate, and a certain innocence and tranquility of mind prevail.

It is the very picture of what is known in the tourist trade as a visitor destination area. Interisland jets roar in over an unfortunately-located housing development outside Lihue. Tourists in rented cars zoom past slower-moving local residents in their haste to get to the next bit of Hawaiiana described in their guide books. Tour buses threaten to run you off the road as you go up Waimea Canyon Drive, a roadway that can best be described as a hiking trail for cars.

While most of the towns retain their sleepy village ambience, there are also plenty of hints as to what the future holds for Kauai. There are look-alike housing developments, condominium apartments, fancy hotels and restaurants, and an occasional shopping center. Although tourism and development provide an infusion of cash into an island economy suffering from depressed sugar prices, friction between local residents and developers is easy to detect.

The cab driver (who presumably depends on tourist dollars for much of his income) taking you to the airport blasts the tourists and the developers with both barrels. "They shouldn't even let 'em put up that kind of house," he grumps, pointing at an obviously prefabricated dwelling going up in a Lihue suburb. Later, he talks about an Oregon couple who complained bitterly to him about Kauai's rainy weather and appeared to hold him responsible for it. "As if I could do anything about that!"

There are plenty of other people on Kauai, in Lihue in particular, who wholeheartedly endorse the cab driver's views on development and tourism. And it was largely pressure from Kauai residents who share the cabbie's concerns that resulted in the withdrawal of Governor George Ariyoshi's nomination of John Arzadon to fill a vacancy on the State Land Use Commission.

Arzadon, a consultant engineer who runs a Lihue firm known as Arzadon Engineering and Construction, Inc., withdrew his name from consideration for the Commission following a rash of unfavorable publicity about his background that erupted in early April. Arzadon, a former deputy county engineer on Kauai, was indicted in 1971 for allegedly authorizing a double payment to a contractor in the construction of Lihue Stadium. The charges were later dismissed by Circuit Judge Alfred Laureta.

State officials who handled the Arzadon nomination were apparently unaware that the nominee had once been indicted. Robert Crowell, an administrative aide to the Governor who processes applications for appointments, says his hands are tied as far as background investigations of candidates are concerned. The application form that all prospective executive-level appointees are required to fill out contains no questions pertaining to police records, and Crowell says he is prohibited by law from requesting such information from the police.

Mary Thronas, Ariyoshi's representative on Kauai, claims she did not know Arzadon's name was under consideration for the Commission, and says she was not consulted about the appointment before the nomination was sent to the Senate for confirmation. After news of the nominee's background came out, Thronas called the Governor and asked that she be informed in the future about anyone from Kauai who is under consideration for an executive appointment. "I tell you, this will never happen again," she vows. "Somebody promised him the position, but they must know the Governor is the only one who can make promises." One Administration source suggested that Turk Tokita, the Kauai campaign manager for Ariyoshi's 1974 gubernatorial campaign and an executive assistant to the Kauai County Council, encouraged Arzadon to seek the position and that he bypassed Thronas because he thought she would oppose the appointment.
Life of the Land was mainly responsible for killing the Arzadon appointment. However, although the group alerted the press about the nominee’s background in an April 5 news release, spokesmen for the organization say their action was prompted by calls from Kauai residents. According to Life of the Land’s Ed Brown, the extent of the group’s involvement was to research the charges and incorporate them in a letter sent to Ariyoshi, the Senate Economic Development Committee and the news media.

Even before Arzadon’s name had been officially sent down to the Senate and referred to the Economic Development Committee, some committee members had already received phone calls about the nomination. Those receiving most of the early calls and letters were Chairman Francis Wong, Kauai Senator George Toyofuku and Senator Jean King. King reported receiving the largest volume of messages.

The early calls, she says, were from Kauai residents who opposed the appointment. However, once it became known that committee members were questioning the nomination, she started to get messages from persons and groups who supported Arzadon. Her next move was to discuss the matter with Toyofuku, after which she called the Governor and told him what she had learned. Ariyoshi, according to King, replied that he was unaware of the indictment. “I was told Arzadon he would try to keep the hearing from turning into “a circus,” Arzadon withdrew his name from consideration on the same day the hearing was to take place. He then departed from Honolulu after issuing a statement indicating that he had withdrawn his name out of consideration for his family. Several committee members said later that, had a vote been taken, it would have ended in a 6-6 tie, thus killing the appointment.

Of course, none of the information about Arzadon’s background that led to his withdrawal would have become public had not Kauai residents intervened in the first place. And although Arzadon’s indictment provided the cutting edge of the arguments against his nomination, the real reason for the opposition to the appointment lies in the struggle between those who favor limited growth on Kauai and those who favor increased development. One source with close ties to the Kauai County Council charged that if the nomination had been approved, “I think he would have voted right down the line with the developers. I don’t think he’s broad-minded enough to be a good decision-maker.”

Tokita and Alan Suzawa, president of the Kauai Contractors Association, disagree. Tokita claims that Arzadon’s record as chairman of Kauai’s coastal zone management advisory group has been “exemplary,” and that he would have been fair in his decisions if appointed to the Land Use Commission. Suzawa charged that resurrecting the old charges against Arzadon as a device to block his appointment amounted to “hitting below the belt.” “The environmentalists just wanted him out of there because he’s pro-development.”

The skirmish over the Arzadon appointment is unlikely to signal an early end to the struggle between developers and environmentalists on Kauai. Developable land on Oahu is scarce and expensive, and there is considerable pressure for development on Kauai in places like Poipu, Kilauea and Eleele. Unemployment in the construction industry and depressed prices for sugar add fuel to the developers’ arguments, and it is not unreasonable to predict further showdowns between the two sides.
The Ohana
Birth of a Nation or Band-aid Brigade?

By Pam Smith

At the small, ramshackle house of Boogie Kalama in the hills above Kapaa, Kauai, a dozen people are squeezed into the living room, eating and talking story. The room, which holds little besides cushions, a low table and a television set, is dominated by Boogie, a huge, gentle Hawaiian, renowned as a waterman, who was one of the Hokule’a crew. Friends from the Maui and Oahu Ohanas are there, and the talk, between food and beer and the Academy Awards presentations, centers around Kahoolawe. One man, who recently swam back to Maui from the Island, speculates on the fate of George Helm: “The ocean can do strange things to you when you get exhausted. It lulls you, tells you there’s no point in going on.” Others talk about the sense of isolation among the Kauai members of the Ohana and the lack of communication: “Nobody ever seems to know what’s going on.” Boogie, dressed in a striped T-shirt, a flowered lava-lava and a baseball hat, says finally: “That’s because we’re not really the Ohana. We’re like the mavericks, you know, because we don’t like to sit down and plan and talk story with the politicians. When we see something that needs to be done, we just go do it. If you want to know about the planning and all that, go talk to Avery Yuen.” “We’re not mavericks,” says another, half-jokingly. “What we are is the warrior society,” he added, pointing to a poster on the wall of an ancient Hawaiian carrying a shield and spear. Boogie has had enough of the discussion. He disappears into the next room and reemerges lugging a bass cello nearly as round as his own considerable girth. Cross-legged on the floor, he cradles the instrument like a giant ukelele and sings softly a song of his own about Kahoolawe: “They say that you are barren, but life still grows . . . .

Avery Yuen talks hurriedly on his lunch break in a small restaurant in Lihue. Polite, carefully dressed and well-educated, he is the epitome of the urbanized Hawaiian—haole-ized to some. As deputy director of the Kauai County Planning Commission, he tends to approach the Kahoolawe issue initially from a land-use point of view: “Our land in Hawaii is a very finite resource—any of it is too valuable to be bombed. It is important, he adds, to keep Kahoolawe within the perspective of alohaaina—caring for and preserving the land—“not just for Hawaiians, but for everyone.” With Yuen, as with many urbanized Hawaiians, one has the sense of a man walking a precarious tightrope between passionate involvement in issues that affect Hawaiians and a dedication to working within the system. Yuen, a close friend of George Helm’s, was with him the evening after Helm went before the Legislature. Helm, frustrated with his original reception, was ready to give up, Yuen says, but he and others persuaded Helm to write up the resolution that was adopted the following day. “I know all too well that frustration,” he says, “but we have to keep banging on all the doors.” To do that, Yuen adds, requires structure, leadership and a clear sense of purpose. “George was aware of all that,” he says. “He spent most of his time going between Islands, talking to all kinds of people, making them see how all the issues are connected.” Echoing the words of many in the last few months, he says, “We have suffered a great loss.”

Boogie Kalama, waterman, and Avery Yuen, administrator, are examples of the range of Hawaiians who have become involved in the Kahoolawe movement. They are also symptomatic of the differences that have, up to this point, kept the Hawaiian community divided: gulfs in lifestyles, mutual suspicions between groups—young and old, rural and urban—heightened by the traditional Hawaiian “crab mentality” and the “no make waves” ethic. “Hawaiians,” said Waianae leader Frenchy De Soto at a recent meeting, “tend to only react when things are in their own backyard.” That’s one reason, Walter Ritte feels, that Kahoolawe is important as a rallying point—it is everybody’s backyard: “Nobody lives on that Island. It is everybody’s kuleana.” Ritte and others feel that once the Hawaiian community is united behind the single issue of saving Kahoolawe, they will be able
the helicopters that brought Congress-
men Akaka and Cec Heftel and Senator
Inouye to the Island for a Naval guided
tour and a bombing demonstration; the
same day Francis Kauhane and George
Helm went to Washington. They talked
daily of getting off the Island, but they
stayed on, waiting for a sign, thinking
perhaps that now was the time when
others might join them. That plan was
indeed in the making, but meanwhile,
Kauhane and Helm were making a go-
for-broke bid for support from the
system.

On February 12, George Helm ad-
dressed the State House of Repre­
sentatives. He carried with him a reso­
lation to halt the bombing which had been
drafted hurriedly the night before. His
appearance in the House the day before
had thrown everyone into a state of
consternation—even though Helm was un­
der the impression that he had been in­
vited there by Representatives Jann
Yuen and Henry Peters. Yuen and
Peters hastily lobbied for his appearance
the next day after assurances were given
that it would not set a precedent.

To one observer of the scene on that
day and the next, the reaction of House
members to what Helm had to say set a
precedent of its own. "It's not often," he
said, "that you see people down there in that insulated world, respond­
ing at a gut level to anything." At one
point, he recalls, George Helm had sev­
eral members of the Republican caucus
holding hands with him and praying,
some moved to tears. At the podium,
Helm spoke simply of Kahoolawe and the
Hawaiians' feeling of aloha aina—
love of the land. "God can hear us," he
said. "Why can't the politicians?" "If
you don't understand what aloha aina
means," he concluded, "go do your
homework." A voice vote was taken,
and the resolution to halt the bombing
passed.

Armed with resolutions and peti­
tions, Francis Kauhane and George
Helm decided to tackle Washington.
That decision, like many, was hasty and
perhaps ill-timed. While all the congres­sional delegates but Matsunaga were
here being briefed by the Navy on the
Kahoolawe issue, Helm and Kauhane
found most officials in the Capitol ig­
norant of events and unwilling to move
without pressure from Inouye. An ap­pointment was finally secured with As­
sistant Secretary of Defense Tom Ross,
who confessed he was ignorant of the
issue and would have to review it.
Helm's angry summary of the trip: "Ha­

George Helm at the State Legislaure.
Photographs by Steve Shrader.

waiians are non-existent there." There
were Hawaiians willing to stand on the
bombing targets and let the bombs
come, he said, and now there was no
reason to stop them.

The invasion was scheduled for Feb­
uary 20. More than 100 people gath­
ered the night before at Makena Beach
on Maui, with plans to move to waiting
boats in Lahaina before dawn. But word
had leaked to the Coast Guard, who
warned that boats would be confiscated.
Many of the boat owners, who make
their living as fishermen, panicked.
Helm called off the mass invasion, but
secretly picked a small group to go to
the Island. Ten finally made the landing.

More than 100 marines were dis­
patched to track down the invaders.
Richard Sawyer recalls that search as
the only time the military came near
their hiding place: "They came in a pla­
toon, right down the middle of the
gulch; we could hear them a half mile
away." Although the marines heard the
baby goats the two men had gathered
crying, they didn't bother to explore the
rocky area where they were hiding.
All the other invaders, however, were
picked up within a few days except two
who made the long swim back to Maui.
Some Ohana members were found to
be carrying supplies of extra clothes and
water, obviously hoping to make con­
tact with Ritte and Sawyer.

By this time, friends and immediate
family were acutely worried about the
welfare of the two, and Helm, one of
the few who knew their hiding place,
began to talk of going on the Island him­
self. Meanwhile, Ritte and Sawyer,
down to their last water, had moved to
Pedros Bay where they knew some
water had been hidden in a previous
landing, only to find the plastic con­
tainers eaten through by rats. About
the time that Helm, Kimo Mitchell and
Billy Mitchell (no relation), began mak­
ing preparations to go on the Island,
Ritte and Sawyer were trying to get off.
"For two days," says Walter Ritte,
"with jets shrieking over us, we tried to
get off the Island, lighting bonfires,
sending smoke signals, flashing with mir­
rors. Nobody saw us."

The events leading to George Helm
and Kimo Mitchell's tragic disappear­
ance remain somewhat of a mystery.
Billy Mitchell, the survivor of the ex­
pedition, is reluctant to tell the whole
story: "It's not just my story," he says.
"It involves two others; I would like to
keep their memories good." In the at­
mosphere of mistrust, bitterness and
confusion following the two men's dis­
appearance, that has not been easy; as
the last person to see Helm alive, people
have looked to Mitchell to help them find some way of coming to terms with what seems, to many, a senseless tragedy.

From some of the facts that Mitchell and others have revealed, a hazy picture emerges of a world of dreams and signs that led to a fatal voyage. Helm, physically and emotionally drained from the events of the past weeks, dreamed that Ritte and Sawyer were in trouble. Francis Kauhane, Emma de Fries and others had dreams which warned of rough waters and danger; despite their fears, Helm was determined to go. He asked Billy Mitchell, one of the best watermen around, to accompany him. While they were in Hana, Kimo Mitchell decided to go. They may have landed on the Island within hours of the time when Ritte and Sawyer were finally spotted by a helicopter. Finding no one, and possibly without food or water, they must have decided to swim back.

Upon his return, before deciding to keep silent, Billy Mitchell said that Helm was wracked, physically and mentally, by "spirits," and was in poor condition when the three entered the water, with two surfboards, for the return to Maui. One can only surmise what that meant. Emma de Fries, one of the kupunas to whom Helm often turned for spiritual guidance, says enigmatically that Helm "failed to heed the signs" and "talked to too many people who told him too many different things." Those close to George Helm know that he did indeed to his homework, "relentlessly and obsessively" trying to extract from an incredible hodgepodge of books on science, religion, psychology and mythology, some way to articulate the forces he felt were working within him—and which spoke so clearly through his music. It was a Herculean task, and the strength of Helm's feelings about the aina and his thirst for knowledge gave him a sense of personal urgency that few others understood.

The weeks of the search for George Helm and Kimo Mitchell were a time of confusion and bitterness and of gathering strength, as families and friends came together to help. Being forced to work through the Navy's unwieldy chain of command for permission to go on the Island galled them. Though Navy and Coast Guard both cooperated in the search, they did so at their own ponderous pace—"It's easy to see," remarked one disgusted Ohana member, "how they got the word on Pearl Harbor a little late." Many who had sat on the sidelines joined in the search, the prayers and the waiting: Others were stirred to anger at what seemed like a senseless loss. At the recent meeting of all the Ohanas on Molokai, one member from Hana expressed the frustration: "They are still bombing the Island, and two lives have been lost. Some are wondering if that Island is worth it." In the confusion, rumors proliferated—could the military be somehow involved? Others remembered warnings Helm had received to lay off certain politicians, to quit stirring things up. "If only," says Billy Mitchell, "we could have at least found the bodies. This [the rumors] has zapped so much energy from the Ohana."

On March 19, 12 days after Billy Mitchell left Kimo Mitchell and George Helm in the waters off Kahoolawe to paddle for help, blessing ceremonies were held for the two on all the Islands. The ceremonies were as much a blessing for those who gathered as they...
were for the two who were gone. Emma
de Fries, who officiated at the Oahu
ceremony at Sandy Beach, explains:
"Dawn is the time of the new day, the
new beginning. The bonfire is the burn­
ing and the light of malamalama—mak­
ing things clear, cleaning one's own
house." In the light of the fire and the
canry morning wind, Emma de Fries,
wrapped in a red sarong, her gray hair
streaming, told the large circle of peo­
dle, "We must not be angry at nature.
Nature does not punish us—we punish
ourselves when we are out of tune
with the elements." She moved down to
the water and sat down to pray among
the rocks, the red cloth washing around
her in the incoming tide. Two young
Ohana members waded out into the
water with an offering of two coconuts
cast them into the waves. One floated
back in the wash of the tide; the
other lodged for a moment in the rocks
beside the praying woman. The young
men waited a moment, then picked up
the coconuts and carried them waist­
depth into the water, throwing them out
again. They washed back in. "It makes
me sad when the kids don't under­
stand," said de Fries later. "They are so
impatient; they take things so literally.
I knew the coconuts would come in—
you can't go against the tide. The young
don't understand that, but they will
learn."

The meeting of all the Ohanas on
Molokai on April 13 may figure as an
important day in the future annals of
local history. Or it may simply figure
as the laborious birth of one more or­
ganization in a long string of organiza­
tions which have attempted to unite
Hawaiians as an effective political force.
Time will tell, but meanwhile it is ap­
parent that the issue of Kahoolawe has
instilled many Hawaiians with a renewed
sense of urgency. The momentum of
events in the last few months has swept
up Hawaiians from all walks of life: vet­
erans of other organizations, conserva­
tive older members of the community
as well as the young urban Hawaiians
and rural Hawaiians, grandmothers and
law students, fishermen and government
workers. Many were brought into the
movement by the forceful presence of
George Helm, who was able to cut
through traditional differences and
reach people in their "na'ao"—their gut
feeling about being Hawaiian.

Now with George Helm gone, they
face each other, many for the first time;
representatives from all the Island
Ohanas and a few from other organiza­
tions, such as the Council of Hawaiian
Organizations and the Hawaiian Coali­
tion of Native Claims. Some people have
arrived that morning; others have come
earlier to visit friends and relatives. The
meeting is held in an airy building be­

leadership. Some speak of the problem
of getting people involved when the
goals are not clearly defined: "If we do
get the bombing stopped, what then?"
Some express resentment that the Mol­
okai Ohana has come to be viewed as the
prime source of energy in the move­
ment—"We on Oahu are just as involved
as Hawaiians." Peter Apo, head of the
Hawaiian Heritage Center in Waianae,
sums up the problem: "We are at a
crossroads, and the main problem now
is structure. The Ohana-style structure
is horizontal, where everybody parti­
cipates, and it is very time consuming.
It is easier in rural areas to organize
along these lines, where people have
more direct say, but in the urban areas
it is difficult."

As the meeting wears on, however, it
becomes clear that ideology is as much
of a problem as structure. On Oahu,
Francis Kauhane, Charles Warrington
and Billy Mitchell, all law students, have been working toward establishing a solid political base for the movement, talking to business groups and labor leaders as well as community leaders and politicians. As Francis Kauhane makes a report on the actions of the "political committee," he runs into a wall of mistrust. "We cannot start playing, 'Let's make a deal' with the politicians," says one person. Another reminds Kauhane of what George Helm repeated insistently—that this is a spiritual movement, not a pilot project calling for partial clearance of Kahoolawe, as set forth in Senate Bill 221 (introduced by Inouye and Matsunaga in 1971), be adopted.

On April 5, the Navy countered with its own proposal. Secretary of the Navy W. Graham Clayton, Jr., wrote to Inouye that the Navy was willing to work (1) toward reducing and eventually phasing out live ordnance usage on Kahoolawe over a period of several years; and (2) double the number of days when access to the Island was furnished to archaeological teams. On the heels of the letter to Inouye, The Honolulu Advertiser printed a UPI bulletin on Navy testimony before a Senate subcommittee, which indicated that the Navy is still having a hard time taking seriously its troubles in paradise. The testifying admiral said that he was aware of Hawaiian protests, but that "we're going to be using that Island pretty heavily." The real boner came when an aide was asked to spell Kahoolawe for the records. "C-U-L-E-B-R-A," he spelled, as the admiral shouted, "No! No!" Culebra Island, in Puerto Rico, is a subject that the Hawaiians have kept in mind. The Navy would just as soon forget. But it is one the Hawaiians have kept in mind. The Navy made several promises to phase out bombing of the tiny Island and stalled until the pressure of popular protest grew so heavy that they were forced to withdraw. (A further note of irony: Since then, the tourist industry has invaded Culebra.)

Through Inouye, Kauhane continues, the Ohana has been given an opportunity to testify before a Senate subcommittee in Washington, and it must decide what position it will take on the proposals that have been made. "We must indicate," he says, "that the Ohana is willing to listen to the other side." This suggestion throws the room into confusion. "We cannot," says Frenchy De Soto, "accept a bombing halt on Kahoolawe in return for them bombing the hell out of other sites." "They are just offering these things to confuse us," shouts Joyce Kainoa, "to makes us fight among ourselves." "The first and foremost thing," says Peter Apo, "is to stop the bombing. You don't sit down to peace talks while the war is still going on." Kauhane is unconvinced: "If we say stop the bombing, period, and they don't listen, where does that leave us? We have to be ready to back it up, to go back on the Island. How many of us can risk our jobs getting arrested? How will we keep paying our lawyers?"

Frenchy De Soto has tears in her eyes as she watches personal enmities and differences boil to the surface. Walter Ritte, finally, appeals to Aunty Clara, the oldest kupuna in the room: "Aunty, give us your na'ao." The stolid, heavy-set woman, who has sat and watched silently most of the long day, rises to her feet. Out of her comes a voice like the roar of a lioness: "Have you forgotten yourself? Have you forgotten why we are here? We are here to save that aina. That aina is being bombed, and you are all here hukihuki [quarreling] . . . we cannot listen to the politicians . . . we cannot listen to the Navy . . . we have to listen to our hearts. God is in our hearts, he will tell us what to do." She sits down to a shamed silence. A proposal is made and voted unanimously: The Ohana will stand firm on a six-month halt to the bombing, enough time for a joint committee of citizens and congressmen to study the situation. Meanwhile, energy will focus on rallying community support for those who will be tried on trespass charges at the end of June. The meeting ends with prayers and embraces, as everyone steps out into the softly oblivious Molokai night.
The chess hustler: making his way in a less than ideal world

By Kent M. Keith
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When Raymond Groeschner was young, he couldn’t speak. It may have been a problem with his nervous system. “There was nothing in my voice box,” he says. “My mother didn’t know what to do. She had me practice blowing out candles. She put peanut butter on the roof of my mouth so I’d lick it and move my tongue. All I could do was watch TV—that’s how I learned.” Years of painful practice gave him his voice; and then, after a few years in school, he was declared mentally incompetent. Eventually he was sent to a trade school for the mentally retarded, where he spent seven or eight years. “They said I would never get a job,” he recalls. “But I pestered the boss at a graphics company to give me a job. It was the company where my father and brothers worked.” He worked as a floor boy/plate washer there for six years until he was laid off during a slump in 1974. Then he headed west, spending time with his sister in Texas and arriving in Hawaii in 1976.

Groeschner is now 33. His biggest problem is that he doesn’t fit into any of the convenient labels of human intelligence levels that educators are so fond of. On the one hand, he needs help in many aspects of his daily life. He has difficulty reading, writing and handling numbers. In Connecticut, where he was born and raised, he is still considered mentally incompetent by State authorities. On the other hand, Groeschner is both intelligent and witty in conversation, and he has a major skill—chess. He is a card-carrying member of the United States Chess Federation. His interest in chess began when he found a chess set in a trash can in Stamford one night while walking home from the trade school where he worked. He fished it out of the trash can and persuaded friends to teach him how to play. One of the first benefits was that it helped him learn about numbers. “Chess pieces have points,” he says. “That’s how I learned to add and subtract—counting the points when I played.”

Groeschner receives welfare payments, so he doesn’t need money, but hustling is his greatest thrill. “I like to play chess for money,” he says. “I’m not a gambler—I’m a professional.” His skill has helped him out in a pinch. “When I left Connecticut and headed west, I ran out of money,” he recalls. “I got arrested in a California bus station because I was sitting next to a hippie who was smoking marijuana. They put me in a mental hospital. I had my chess set and hustled enough money to make a long-distance phone call to my sister, who got me out of the hospital.”

While staying near his sister’s place in Texas, Groeschner lived in a half-way house, where he made progress with his reading and writing. His earlier efforts had been painfully slow. “It took me a month to learn to spell my name,” he says. “I sure wish my father’s name had been shorter. It would have saved weeks!” When his sister moved to Denver, Groeschner headed west again, this time to Honolulu.

“When I was young, I went to the World’s Fair and got hooked on a Hawaiian girl. That’s why I wanted to come here. I never wanted to be cold again, and I wanted to get myself a hula girl.” The day he arrived, he put all his belongings in a coin locker, and they were stolen. He didn’t know what to do, so he slept on beaches and just walked around for a couple of days until he met Sophia, a local singer-actress. “She’s beautiful. I’ve never known such a pretty girl before. She’s treated me like a brother.” Sophia introduced Groeschner to some soldiers, who found him a place to stay near their barracks and got him on welfare so he had the money to get his own apartment. Sophia helped him buy things for his apartment, and the Salvation Army began a chain of referrals which led to Pat McMahon, coordinator at the Volunteer Citizen Advocacy office.

Volunteer Citizen Advocacy is a pilot project begun this past year. It is affiliated with the Hawaii Association for Retarded Citizens and partly funded by the Developmental Disabilities Council. Varying types of citizen advocacy programs exist throughout the country. The main impetus for them has been a recognition that many developmentally-disabled individuals do not have anyone to fill their personal needs and be advocates for their human rights. Many developmentally-disabled citizens are in institutions and are helpless when those institutions ignore their rights and cannot meet their needs. Others are in the community and have great difficulty transacting their daily lives, often being taken advantage of by sharp dealers and mistreated by the bureaucracy. Still others are safe at home, but never leave home, and are emotionally starved for human companionship. The solution provided by the Citizen Advocacy program is simple: Find members of the community willing to be friends and advocates of the developmentally disabled and match them up with specific individuals who need their help. The
“advocates” go to training sessions, and a great deal of time and effort is spent finding a suitable match with a “protege.” Advocates make regular reports to the Citizen Advocacy office, which monitors progress, makes suggestions and provides general back-up services. The program has made 26 matches in the last six months and hopes to eventually handle 60. Raymond Groeschner was matched with an advocate named Bobby Smith.

Smith was born and raised in Mississippi, later moving to San Francisco, where he spent ten years working in a department store and then running his own business as a gardener. “I wanted to work with people, not alone,” he says, so I gave up the gardening, made a break and came to Hawaii.” He worked in a department store for a year and then became a waiter at a local hotel. “I was mugged in Waikiki last June,” he says, “and after I got out of the hospital, I knew it would be several months before I could work again. I was bored. I wanted to do something, so I looked through the paper and found Volunteer Citizen Advocacy listed. I went to some training sessions, was introduced to Raymond and hit it off with him right from the start.”

Smith and Groeschner get together three or four times a week. “We wash clothes, go shopping, or pay the rent, or write a letter to Raymond’s mother, or whatever needs to be done,” Smith says. He has helped Groeschner at the Social Security office and has taken him to the Kalihi-Palama Education Center, where he is receiving speech therapy, and where he would like to study for a high school diploma. “I wish I knew more words,” Groeschner says. Their next project is to get him a job.

“I tell Raymond he’s socially retarded, not mentally retarded,” says Smith. “He’s been set back by a lack of experience in society. He’s spent most of his life in institutions.” Groeschner wants to sue the State of Connecticut because it declared him mentally incompetent and limited his educational opportunities. “I’m not retarded in Texas or Hawaii,” he says. “I don’t see why I’m retarded in Connecticut.”

Groeschner dreams about living in Lahaina, close to the water and the boats. “It’s amazing what the Hawaiians did with their canoes,” he says. He’d like to go to Niihau to learn about the old Hawaiian ways. “It’s good to learn about different cultures,” he says. “If people learned to live together there wouldn’t be so much fighting. I only slugged one person in my life, and he deserved it. Last time I saw him, he was a priest.”

Groeschner has learned to tell time, but it’s not something he does with any enthusiasm. Recently he found a good watch, but he couldn’t figure out how to wind it, so he decided to hock it instead. Hocking means money, and money means hustling. He claims he made $165 one night in Waikiki with his chess set. “The guy just wouldn’t give up,” he says, relishing the memory. “I’ll bet his wife could have killed him when he got back to his hotel.” Groeschner proudly opens his copy of Chess Life and Review. “If anyone wants to play me, I’m ready—Fisher, Petrosian, anybody!”

“I was nervous when I signed up to be a volunteer Citizen Advocate,” Smith says. “I didn’t know if I could help someone. But when I met Raymond, it was easy. Meeting him is one of the best things that has ever happened to me.”

“Me too,” says Groeschner, looking up from his chess magazine. “Not counting Sophia.” He grins. “I’m only human, you know.”

Kent M. Keith is an occasional contributor to The Observer.
One of the truly wild places

By Peter Adler

The way up starts at 6,662 feet. Driving from Hilo, it's less than two hours to the end of the strip road. We park the car by an overlook near where the trail begins and unload. This is the beginning of an alpine zone, an intergrading of small kipukas, dry niches, cool ledges, birds, flowers and mists. The National Park Service sign says seven miles to Red Hill Cabin. We cinch our boots, shoulder the packs and set off up the path. The small, cool forest quickly gives way to dry, open slope. The stony trail following an old pahoehoe flow is marked by ahus and an occasional bootprint in the dust. The thick vegetation of nene country disappears and is replaced with ohelo bushes, hinahina and bracken fern. At 8,300 feet we pass the last ohia tree and move unshaded into the harsh light. The air is cool but we are dripping. It's a heart-pounding ascent up the 12-degree slope, sweating and grunting as our sea-level bodies slowly adjust to the altitude. We stop often, drink from our canteens and gaze down on the steaming landscape of Volcanoes National Park.

A long, hard hike in Hawaii's back country is a purification rite, a journey through inner and outer geographies. This is my second trip up Mauna Loa and there will probably be more. I know people who have done it five and six times. It's a kind of local consciousness, more bioregional than political, focused on the land itself rather than the land's uses. It's a strenuous climb. There is the altitude. There is the fickle weather and a snow pack that can be six-feet thick above 11,000 feet. Hypothermia, hypoxia and dehydration are all potential hazards. It's the most massive mountain in the world, 13,680 feet above sea level and 30,000 feet from the ocean floor with 10,000 cubic miles of hardened lava. Its bulk is greater than the entire Sierra Nevada. The proportions are staggering. The largest volcano in the world looks like a hill. Mokuaweoweo, the caldera at the top, is three miles long and one-and-a-half miles wide, a colossal pit pushing out a steady flow of gas and steam. The trail is 18.2 miles to the top and takes two days to cover.

Mauna Loa, let it be said, is one of the archipelago's truly wild places. But it's not the only one. From the Alakai Swamp and Molokai's north shore, from a few valleys and mountains on all islands one can feel the pulse of the Islands. Up any ridge, beyond the housing tracts where the pavement ends, there are rare and delicate things. Disturb them too much and they disappear. Ignore them completely and life becomes empty. Hawaii's miniature wilderness tracts are fragile and vulnerable, haunted by the pressures of an expanding economy. But there are still places to experience the solitude of forests and the fine desolations of lava. There are bats and hawks, turtles and sharks, good stands of trees and places without buildings or roads.

Hawaii's councils and commissions can quibble over definitions for the land. But on the flanks of Mauna Loa, wilderness jumps out and overpowers one's senses. No humans live here. There are hikers, technicians and an occasional scientist. But no one resides permanently on the mountain. At Red Hill, 10,035 feet, we stop for the night, clean up, eat and rest. The freezing air and clear stars seem to heal most hurts. From there the trail follows Mauna Loa's northeast rift, flanking the Big Island's saddle and Mauna Kea. By noon on the second day, the altitude and distance are taking their toll. It's a bone-shaking 11 miles from Red Hill to the cabin at the top. It's monotonous. It's demonic. The colors and textures are a landscape pulled from the primordial dreams of our species.

Finally, we ascend the crater's lip and stare out from the portal of ahus which marks the top. The gray, awesome caldera is below us. We stay on Mauna Loa's snowless summit for two days and three nights, walking the rim, exploring the crater, sleeping, reading and eating in the presence of the mountain's immense energy.

Mauna Loa and the volcanic lands of the Big Island are the best-known tracts of wilderness in Hawaii. They are no longer pristine though they still provide a sanctuary for animals and plants. But parks perform another vital function, namely that of human refuge. Not the predigested experiences of tour groups, but a chance to live close to and lightly on the earth. Wildness and wild nature are states of total awareness. That is why we need the presence of both in our lives. We need the remaining wilderness of Hawaii as a place for human and non-human intelligences to meet and commune. We require mountains and valleys as reminders of our own insignificance. Wilderness is not just the preservation of the past. It is a cherishing of the present and an affirmation of the future.

Peter Adler will be escaping to Mauna Loa again in the near future.
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THE NIXON INTERVIEWS

WITH DAVID FROST

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MAY 19 — 7:30PM ............ NIXON AND AMERICA
MAY 25 — 7:30PM ............ THE FINAL DAYS

Don’t miss the most dramatic and best researched Interviews the American Public has ever seen.
He emergence in the last decade of programs called Ethnic Studies—in state universities, secondary schools and among community groups—has been both complex and misunderstood. The fact that Ethnic Studies grew out of the civil rights and black power movements of the Sixties has caused some of the misunderstanding—and apprehension—about it. Consequently, when Governor George Ariyoshi’s proposed budget cuts at the University of Hawaii-Manoa threatened to eliminate Ethnic Studies because it is a “fringe” program, protests were relatively mild. Given the ethnic diversity of Hawaii’s population, the smallness of the protests to save Ethnic Studies should be surprising; but it is not. It is not surprising because Ethnic Studies in fact is a threat to the University as it is now constituted, and people sense this even if they are not totally convinced of it. However, it should be understood that what Ethnic Studies stands for is no less a necessity for a healthy university as it is a threat.

Opponents who argue that Ethnic Studies does not belong at the UH as a separate department or program are in part correct. It is doubtful that Ethnic Studies can co-exist alongside most other departments, nor can it be co-opted into them. This is because Ethnic Studies, like Women’s Studies, takes fundamentally different assumptions as its starting point for research and discourse. Unlike most other academic programs, Ethnic Studies begins—ideally—by asking: “What if our society’s way of looking at and understanding history (or art, or science, or sociology, etc.) has been basically wrong? What if American language, cultural patterns and modes of behavior have determined how we think to such an extent that we have been unable to see other ways of understanding the world?” In short, the idea of an Ethnic Studies program is to begin to question very basic assumptions about the content of our knowledge and the conclusions drawn from it. There is hardly anything more threatening to established institutions than this sort of questioning. And, ironically, there is hardly anything more in keeping with the “ideal” of a university ought to be.

The Ethnic Studies programs in various other states have already begun to produce research and commentary important for revising old viewpoints. For example, the Asian American Studies Center at UCLA has recently published Counterpoint: Perspectives on Asian America, a substantial anthology that attempts to reexamine the history, experiences, behavior and feelings of Asian and Pacific Americans. Naturally, the book is not definitive, but it is remarkably comprehensive and diverse in the subjects it treats and the points of view it allows. Specifically, Counterpoint is divided into three parts.

Part I, Critical Perspectives, includes bibliographical essays and book reviews that reexamine traditional approaches to studies of Asians and Asian Americans. In addition, Part I has 16 modestly short articles, most of which are amply documented.

Part II, Contemporary Issues, deals with a number of separate areas: Education; Communications and Mass Media; Land, Labor and Capital; and Recent Immigration. Again, the number of good articles in this part are too numerous to discuss. Among them, though, are an article by Judy Chu on Anna May Wong, one of the first Asian-American stars in Hollywood; “Forty-four Years of Raising Avocados,” by Hashiji Kakazu, an article—written when he was 81 years old—about the author’s experiences as a tenant farmer on the Big Island; “Issei Women,” by Emma Gee; “Plantation Struggles in Hawaii,” by Koji Ariyoshi; and articles on the Samoan community in Southern California and Korean small businessmen in Los Angeles.

Part III of Counterpoint comprises an anthology of short stories and poetry, and an interview with writer Toshio Mori. And the final section of the book is an informative and useful appendix of tables and charts extracted from the U.S. Census giving highlights of data on Asian and Pacific citizens and non-citizens in the U.S.

Ethnic Studies should be nothing less than an attempt to restudy—with fresh vision—what we know about ourselves, our present, our history and the other peoples of a world that increasingly presses closely around us. Every attempt to undertake this sort of study, if it is done intelligently and in good faith, needs to be encouraged. Counterpoint—to the extent that it touches that study in regards to Asian- and Pacific-Americans—seems to me to be such an indispensable anthology that every school in Hawaii ought to have a copy. And it ought to be read by everyone here who is at all ready to understand, or revise, their understanding of the roles of Asians—and non-Asians—in American society.

Frank Stewart is a teacher and writer.
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**Great Escapes**

**Noumena**

"Ka Lei No Kane," a one-act comic opera set on the Big Island, will debut May 6 in Brigham Young University Auditorium. The opera is based on an ancient Hawaiian legend of two brothers who learn a lesson of peace and friendship from the god Kane. Menotti's "The Telephone" will open this joint performance of the Hawaii Chamber Orchestra and the Opera Players of Hawaii. Performances will be held at BYU May 6 at 8 p.m. and in Leeward College Auditorium, May 7 at 8 p.m. A free symposium and preview of the opera will be held May 4 at 3:30 p.m. in the Little Theatre of BYU. Composer Jerre Tanner, librettist Harvey Hess, designer John Thomas, conductor Sidney Rothstein and director Charles Peck will discuss the effort that went into the production of the opera. Call 737-2660 for more information.

"Footsteps," an M.F.A. thesis play about prison life, by writer-director Wayne Babineau, will be presented by the University. Drama Department May 6, 7 and 8 at 8 p.m. The play employs a kaleidoscopic series of scenes with dance, mime and innovative staging in an attempt to depart from the standard "heavy-handed" treatment of prison plays. Performances will be held in Lunalllo No. 4, a temporary classroom located makai of the new Music Building. Free. Call 948-7655 for more information.

"Of Edgar Allen Poe": Basil Rathbone will recite five Poe classics, including "The Bells," in the taped concert series at the UH-Manoa recital hall. Performances are Saturday and Sunday at 1 p.m. Admission. Call 988-6131 for more information.

Beethoven's "Missa Solemnus" will be presented in a concert of the Honolulu Chorale at St. Andrews Cathedral, at 8 p.m. May 15. Tickets are available at The House of Music.

**Phenomena**

Planters and plants on sale at the Ala Wai Art Center on May 7.

The First Annual Pacific Kool Jazz Fair will be held through May 8 at the Waikiki Shell. The fair will feature different styles of jazz—traditional to modern, from blues to soul—and various craft and food booths. Entertainers will include Al Green, Woody Herman and his Orchestra, the Chuck Mangione Sextet, Earl Hines, The Muddy Waters Blues Band, Benny Carter and Trummy Young. Fair hours are 5 to 10:30 p.m. weekdays and 2 to 10:30 p.m. during the weekend. Admission good for one day only. Featured artists will perform daily. Tickets available at the Waikiki Shell.

"Art for the Land," an art sale and auction benefit for Life of the Land, will be held May 14 at La Pietra, Hawaii School for Girls (2933 Poni Moi Road). The auction includes works by local artists Randy Hakushin, Peggy Happer, Dodie Warren, Mary Bonic, Lee Chesney and John Wiosnisky. Silent auction will take place from 5 to 7 p.m.; public bidding starts at 7 p.m. Call 521-1300 for more information.

A kite exhibit by Los Angeles artist Thomas Van Sant will be held in Honolulu Hale Courtyard through May 16. Van Sant's flying sculptures are made out of spinnaker sailcloth stretched over fiberglass skeletons, in the forms of birds and insects.

"She's Only a Farmer's Daughter," a production of the Lanikai Mortgage Players, will be presented at the Lanikai Community Center May 6, 7, 13 and 14 at 8 p.m. The melodrama, complete with oilo, barbershop quartets, sing-alongs and fez popcorn, is a semi-annual benefit to pay off the mortgage on the park where the play is held. Admission. Call 262-7767 for more information.

"A Very Special Arts Festival," a celebration of the abilities of handicapped children, will be held May 14 at Jefferson Elementary School. The celebration will include art displays, films, demonstrations and entertainment by handicapped children. Call 523-4535 for more information.

"Vegetable Gardening in Containers," a course in how to garden on your lanai, will be offered free, by Foster Garden, May 20 from 10 a.m. to noon. The course will kick off a series of summer courses at Foster Garden. Call 538-7258 for registration and other information.

An open reading of poetry, prose and song will be held at the UH-Manoa Campus Center Ballroom, May 10 from 1:30 to 5:30 p.m. The public is invited to come and read their works. Presentations will be limited to ten minutes. Featured readers will include the judges and winners of the UH Writing Contest. Call 948-8178 for more information.

A festival of Pacific songs and dances commemorating the University of Hawai'i's 70th anniversary will be held May 6 at 12:30 p.m. in Andrews Amphitheatre. Chants and dances of ancient Hawaiian, modern hulas, and the music and dance of Maorís and Tahitians will be featured in the program, "Na Keiki o ka Pāpikīs (Children of the Pacific)." Free. Call 948-7520 for more information.

Writer Fredrick Exley will read from his work, "More Notes From Home," May 5 at 8 p.m. in Kuykendall Auditorium on the UH-Manoa campus. Exley, currently living on Lanai, is the author of an autobiographical trilogy, what he calls his fictional memoirs. The reading will include excerpts which promise will be "Hawaiian and colorful." Black poet Michael Harper will read from his poems May 6 at 8 p.m. in Kuykendall Auditorium on the UH-Manoa campus. Harper, author of "Dear John, Dear Coltrane" and "History is Your Own Heartbeat," is concerned with the plight of Third World people as victims of racism.

The Third Annual Plants and Planters Sale will be held at the Ala Wai Art Center, May 7 from 10 to 4 p.m. Call 523-4535 for more information.

Mother's Day in the Park, an event featuring Hawaiian music and a youth talent show, will be held at Kapilolani Park May 8. A Polynesian Show will kick off the program at 11:30 a.m., followed by a concert by the Royal Hawaiian band at 1 p.m. A Youth Talent Show will conclude the program at 2:30 p.m. Call 523-4535 for more information.

**On Film**

"Minotchka," with Greta Garbo, will be shown free in the Pacific Room of Jefferson
On Display

"Oahu Fish Market," an exhibit of batik hangings by Amos Kotomori, will mark the opening of the Following Sea's new gallery, adjacent to the Following Sea Shop. The abstract batiks were influenced by "the sights, sounds and smells of the fish market" which intrigued Kotomori during his childhood. Kotomori, a professor of textile design, is known for his fashion garments and shows. The exhibit will continue through May 7.

"Exhibition One," an array of artworks by Mainland artists, will be on display at Following Sea Gallery May 13 to June 11. The display features art glass by Richard Marquis, who specializes in murinii teapots melted by Colile Haven; raku pottery by Kurt Weiser; and classically designed stoneware and procelain by Scott McDowell.

A miniature exhibit of prints, drawings and photographs by local artists will be on display at Gimal's Art Gallery May 9 to 28. The works are no larger than four square inches. A reception for the show will be held at 6:30 p.m. May 8.

Art 101: a multi-media exhibit of projects from Art 101 classes at the UH-Manoa will be on display at the Campus Center Art Gallery through May 14.

Recent paintings, lithographs and paper reliefs by Ken Bushnell are on display at the Contemporary Arts Center (605 Kapilolani Boulevard) through May 13. The artworks include acrylic paintings in geometric designs. Art of the Far East, an exhibition of ceramics, lacquerware, screens and arts comparing and contrasting the cultures of Japan, China, Korea and Okinawa, are on display at Spalding House (2411 Makiki Heights Drive). The exhibit continues through July 31, Tuesday through Sunday from 1 to 4:30 p.m. Admission (free Tuesdays).

Harunobu Prints from the Mitchener Collection are on display at Spalding House through May 29. The collection is composed of works by Suzuki Harunobu (1725-1771), the first ukiyo-e artist to use full-color printing. Replicas of tools and implements of old Hawaii will be on display at the Hawaii Kai Library (249 Lunalilo Home Road) through May. The implements constructed by Reverend David Harada include weapons, musical instruments, gourds, a shark's-tooth dagger, drums, rope work and a feathered helmet base. A slide demonstration and lecture will accompany the exhibit on May 17 at 7 p.m. in the library auditorium. Free. Call 395-2310 for more information.

Graduate Thesis Exhibition, a multi-media exhibit of works by graduate art students of the UH-Manoa, opens May 5 in the Gallery of the new Art Building. The exhibit continues through May 22.

Siapo: An exhibit of tapa prints by Mary Pritchard and her students is on display in the Inner Gallery of Amfac Plaza. A four-foot by eight-foot tapea donated to the Friends of the East-West Center is on display, along with traditional and modern tapa prints. The exhibit continues through May 6. Call 949-3136 for more information.

Gourds by the Reverend David Harada on display at the Hawaii Kai Library.

Sports

Superkids, a track and field competition for youths aged nine to 14 years old will be held at Cooke Field on the UH-Manoa campus, from 8:30 a.m. May 14. The event, a benefit for the American Lung Association, will feature the standing long jump, 50-yard dash and potato sack race by youths who will earn a minimum of one cent a point from sponsors. Call 537-5966 for more information.

The Hawaii Bicycling League will hold a May 8 Century Ride featuring 100 miles of cycling within a 12-hour time limit. A 50-mile ride within a six-hour time limit will also be held. The event will continue at noon on May 15. A gigantic baldachino (altar pavilion) will be constructed for the event. Timothy Cardinal Manning will be the guest speaker, and a special 900-voice choir will be assembled for the occasion.

Addenda

Thursday Circle, a weekly forum on humanism for faculty and graduate students, will be held in the UH-Manoa Campus Center Room 306 at 3:30 p.m. The May 5 forum centers on "Hans Kung's answer to Humanism." Professor Ronald Butler, guest lecturer in philosophy at the UH-Manoa campus, will evaluate Kung's book. On May 12, Professor Earl Babbie of the Sociology Department will discuss his book, "Society by Agreement." The forums, sponsored by the University Christian Ministry, are open to the public. Call 949-1210 for more information.

"Caring for Our Aging Parents," a community education course offered by the UH Gerontology Program and the YWCA, will begin May 5. A series of four lectures on the anxieties, loneliness, money and health problems of the aged will be presented May 5, 12, 19 and 26 from 9 to 11 a.m. The class will meet at the YWCA (1040 Richards Street). Call 535-7051 for registration and fee information.

A public hearing on the reclassification of seven acres of land in the Agricultural District to Urban District at Malal, Lualualei and Waianae, will be held May 17 at 9 a.m. The hearing is scheduled in Conference Room 322 of the New State Building (1151 Punchbowl Street).

"Humanism, an Alternative to Religion," will be the topic of a lecture by Bette Chambers, president of the American Humanist Association. The lecture will be held May 9 at 7:30 p.m. in the Campus Center Ballroom of the UH-Manoa campus. Call 948-9178 for more information.

"Body Alignment Through Imagery," a workshop on improving posture and energy flow, will be conducted by Marie Riley at the Koko-kahi YWCA (45-035 Kaneohe Bay Drive). The class will be held free, May 17 at 7:30 p.m. A subsequent National Mass will be held at Hinko Stadium at noon on May 15. A gigantic baldachino (altar pavilion) will be constructed for the event. Timothy Cardinal Manning will be the guest speaker, and a special 900-voice choir will be assembled for the occasion.

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KAHOOLAWE BANISHMENT.

Upon Oahu a considerable number of these herons are killed by the Portuguese under the name of “fish-hawks” and eaten, and their rank flesh is highly esteemed.

Description.—Adult. General color bluish gray; crown, scapulars and interscapulars dark glossy green; forehead, throat and underparts generally whitish; occipital plumes white. Length about 24 inches.

Young birds lack the plume, and are otherwise very different. Above, grayish brown, paler below; much spotted with white.

IBIDÆ. IBIS FAMILY.

Plegadis guarauna (Linn.). Glossy Ibis.

The occurrence of this ibis in the Hawaiian Islands has hitherto rested upon a single specimen obtained by Mr. Knudsen in 1872, upon Kauai, and identified by Mr. Ridgway as of the above species. Mr. Newell informs me that in 1873 Mr. Wilder of Honolulu shot a second specimen of this ibis on the island of Maui, and sent it to him for preparation. It was probably of the above species, though this is not definitely known.

Description.—Adult. Head, neck and lower parts chestnut; upper parts metallic green, bronze and purple; lores lake-red; feathers at base of bill white. Length about 22 inches.

Young with lower parts grayish brown.

(To conclude next issue.)

KAHOOLAWE AN EARLY PLACE OF BANISHMENT.

Among the events and conditions of dawning Hawaiian civilization that has been overlooked by historians and voyagers, with but two exceptions so far discovered, is that of the island of Kahoolawe as a penal settlement.

Many of the older residents recall the common rumor in their early days here of that barren island having been a convict station,
but, like the writer, are at a loss to define either the time of its designation as such, or its date of termination.

Notwithstanding the unsavoryness of the subject the fact that a chapter of Hawaiian history, illustrating the development toward civilization has been missed, is of sufficient interest to demand enquiry and investigation, hence this effort to embody such facts as can now be ascertained for future reference, or additions if discovered.

Looking for the commencement of banishment for offences in these islands, the "blue book" of first published laws, of 1842, reveals the existence of its practice at that time but defining no locality, for chapter XLIV, entitled "A law respecting banished persons" refers to their treatment, while penalties of banishment are prescribed in the laws on forgery, counterfeiting, perjury, lewdness, assault, theft, burglary and degrees of murder. Its origin, therefore, antdates the first written laws.

It seems evident that in framing these first written laws they were made to embody what had been promulgated by royal edict. In their emergence from heathen darkness the king and chiefs were led to observe grades of punishment according to the depth of crime, instead of many alike being punishable by death, according to their former custom.

It is thought by some that this law of banishment shows evidence of Kaahumanu's hand. If so, it would date back to about 1830, or earlier, her death occurring in June 1832. "Alexander's Brief History," under the subject of "Persecution of Catholics," (page 206) has the following fact confirming its early existence:

"Louisa, a native woman who had been baptized in California, remaining firm in her belief, was treated with severity. Kaahumanu even intended to send her to Kahoolawe (which was then used as a place of banishment) but was dissuaded from doing so by Mr. Richards."

In its origin, doubtless the fact that not a few escaped convicts from Botany Bay, who had made their presence felt on these shores in early days had familiarized the king and chiefs with the subject of banishment, was an influence toward its recognition and adoption here as a penalty for crime. While the time and circumstances
of its origin is clouded with uncertainty, it appears to have been a working factor at the time of the visit at these islands of Wilkes' Exploring Expedition, in 1840-41. The account therein given is the only one published by an early writer, so far met with, and though somewhat contradictory gives important data to work upon. We extract from the record (Vol. IV, pp. 244-5) as follows:

"Kahoolawe * * * is fourteen miles long by five miles wide. It is uninhabited except by a few fishermen, and is used as a place of exile; at this time there was one state prisoner confined on it. Lieut. Budd * * * set out in search of the town. * * * After wandering over the rugged face of this barren island for many miles he discovered, to his great joy, from the top of a ridge, a cluster of huts near the water, which they soon reached. They proved to be inhabited by Kenemoneha, the exile above spoken of, who for the crime of forgery had been condemned to spend five years in exile upon this island. This was effected in a singular manner, and the punishment of the offender will serve to show the mode in which the laws are carried into execution.

"The chief Kenemoneha treated Lieut. Budd with great kindness, supplied him with dry clothing and gave him of his scanty fare. The village is a collection of eight huts and an unfinished adobe church. The chief has three large canoes for his use. *

"The only article produced on the island is the sweet potato, and but a small quantity of these. All the inhabitants of the island are convicts, and receive their food from Maui; their present number is about fifteen. Besides this cluster of convicts' huts there are one or two houses on the north end inhabited by old women. Some of the convicts are allowed to visit the other islands, but not to remain."

The time of this visit was in March, 1841. In the census both of 1832 and 1836 Kahoolawe is credited with a population of eighty, but it has not figured in the census tables of any later period.

In the early part of 1858 it was first leased for a sheep station, which was the occasion of a communication in the Polynesian of
April 10th, of that year, in which the following reminiscence relating to the island is given:

"It used to be a penal settlement, and no doubt the convicts enjoyed there as much ease and freedom from both surveillance and labor as their hearts could wish. I have heard that the late Kiimimaka¹ had a fine time of it. He was a native of some little rank and had his own dependants who used to swim from the shores of Maui and take him what he wanted to make his banishment entirely agreeable.

"I have also heard that one George Morgan was the last convict placed there, and that one or two females used to render passable that utter solitude which is never so well enjoyed as in agreeable company. George used to hunt the wild hogs and cultivate a little patch of land. I believe he used, also, to back down his drinking water from some considerable distance. He was a shoemaker by trade, and if, as many followers of Crispin have been, he was of a poetical turn of mind, he must have had a fine opportunity for the indulgence of his fancies."

Enquiring among Hawaiians upon this subject we have an account from a venerable native writer of this city, formerly of Honouatula, Maui, who testifies of his own knowledge not only of the existence of the penal settlement of Kahoolaws about the year 1840, but one also at Lae-o-kaena, Lanai; the former island being designated for the men, and the women being banished to the latter place. He states he knew whereof he spoke, for his own mother was among the parties sent there. In the narrative he furnishes we gather some particulars of the daring escapade of the Kahoolawe convicts, vaguely touched upon in the foregoing extract from the Polynesian.

According to this statement the new law was by decree in a council of the king and chiefs, before legislative enactments, and was promulgated by Kaukeaouli. The crime of murder was punishable by death; theft and adultery by exile, the men being sent to Kahoolawe and the women to Lanai. The narrator claims to have been born in 1832 at a place on Maui that had much to do

¹Probably the Kenemoneha of Wilkes' account.
KAHOOLawe BAnishment.

With Kahoolawe, being right opposite it, and these things were freely talked of among the people. There was much sadness and wailing at the arrests made under the new law on the parties being locked up at Lahaina for subsequent trial, before the governor, and sentenced to one island or the other.

The women were conveyed across to Lae-o-kaena by the schooner Hooikaika, afterwards the men were sent to Kahoolawe, among whom was the Maui chief Kinimaka who was designated as superintendent of the exiles. The work he assigned to them was the erection of houses of stones and dirt (adobe) at a place called Kaulana, a small bay, where with some residents they numbered 80 or more. After its designation as a convict station the former settlers left and returned to Honuaula, whence most of them had come.

In those days much trouble existed among the exiles for want of food; they even eat of the kupala in their distress. This was found of good size; usually it is fed to the hogs. It somewhat resembles a sweet potato, but on a steady diet dysentery and its attendant conditions would result. At this critical time they considered what course to pursue and decided to swim over to Maui, for life or death. Fifteen of the number, good swimmers, were chosen for the venturesome trip, and their return was to be looked for with a food supply in six days, or be considered drowned, or captured.

These deliverers prepared for their errand in the month of February, 1841. Before starting they procured a wiliwili log to which they fastened a rope and with a stone anchored it out at a depth of fifteen fathoms where the tide ran swiftly, as a buoy, that on its indication of the tide running towards Maui would be the time to start. Meanwhile they held old-time devotions at an altar called Aikupau, then set out to swim across. And as they swam vigorously it was not long before they reached Molokini, the cluster of rocks in mid-channel, where they rested awhile. Toward nightfall they resumed their swimming till they landed at Puuolai, near

2A descendant of this chief states he was banished for beating his wife.
3A kind of vegetable the root of which was eaten in time of scarcity.—Andrews' Dict.
Makena, not so much tired as they were hungry. They therefore quickly sought out a grove of cocoa-nut trees from which they obtained a food supply. Six of their number were familiar with the locality and guided the party inland to a cave where they remained till morning, when they set out for the potato patches and gathered a quantity in bundles, making three trips nightly for three nights. They then appropriated several canoes for their needs and loading them they returned to Kahoolawe according to the time agreed upon.

Subsequently they returned for further supplies and committed like depredations. From Kalepolepo and Maalaea they stole five canoes then proceeded along the shore to Ukumehame and Olowalu, where they took others. They pulled all the taro of these two places, and also of Waikapu, which they loaded into the canoes and set out for Kahoolawe. With these canoes they afterwards went over to Lae-o-kaena, Lanai, and brought all the women to Kahoolawe to share their solitude. By these acts of the convicts a fear of them prevailed so that they were not molested by the government, but they lived peaceably together until in 1843, during Lord George's rule when, it is said, he put an end to the ridiculous law and sent the exiles to their respective localities to work upon the roads.

The acts of Lord George's administration are all matters of record, but they reveal nothing which confirms this story of his abrogating the law or laws of penal servitude as above stated, though he did release a number of persons that were confined in the fort for certain offenses. It is possible, however, that in the "Act of Grace" of Kamehameha III, in commemoration of the restoration of the flag by Admiral Thomas, July 31st of that year, whereby "all prisoners of every description" committed for offenses during the period of the session "from Hawaii to Niihau be immediately discharged," royal clemency was extended to include prisoners of earlier conviction, since which time the laws on banishment appear to have been a dead letter long before they were dropped from the statutes, apparently without special repeal.
LYING between the channel of Kealaikahiki, "The route to Kahiki," and Aalalakeiki channel, where the ocean current running counter to the Maalaea wind kicks up the surface of the water and makes the children cry, lies the Island of Kahoolawe, bathed in romance and a cloud of red dust.

History is rather silent concerning this unfrequented island but hints concerning its barrenness and its use as a place of exile have given Kahoolawe rather a bad name. M. J. Arago in recounting his voyage around the world in the Uranie in 1817-1820, describes the rocky sterility of the island and says:

"Taouré sera éternellement déserte, ça la vie y est impossible"—Kahoolawe will forever be uninhabited, because life there is impossible.

It was on the shores of Kahoolawe that Kaluahinenui, a survivor from the foundered schooner Keola, dragged up her weary body from the sea in May, 1840, after thirty hours of struggle in the waters of the Hawaii channel in the attempt to save the life of her husband Mauae.

The use of Kahoolawe as a place of banishment probably began about the year 1830, for history tells us that then Kaahu- manu intended to send Louisa, a Catholic woman, to the island as an exile but was dissuaded from doing so by Mr. Richards.

Although the early census of the Hawaiian Kingdom, which may not be considered very accurate, gave the population on Kahoolawe as 50 in 1823, 80 in 1832, and 80 in 1836, the men from the Wilkes' U. S. Exploring Expedition, who landed on Kahoolawe in March, 1841, found the island uninhabited except by a few poor fishermen and fifteen convicts who, under the superintendence of Kenemoneha, a Maui chief who had been condemned for forgery to spend five years in exile upon the island, lived in a village of eight huts built close to the sea.
At this time, Lae-o-kaena on Lanai is supposed also to have been a place of banishment for women. Confinement on Kahoolawe seems to have made the men exiles venturesome, for there is a story of how they once tested the tide by casting a wiliwili log off from the shore and finding conditions favorable swam to Maui, a distance of seven miles, resting on Molokini on the way, stole taro, sweet potatoes and some canoes and then paddled over to Lanai and brought women back to Kahoolawe to share their exile.

The use of Kahoolawe as a place for banishment lasted at least until 1852, for on November 10, 1847, John Young, minister of the interior, wrote as follows to Judge Lee concerning one George Morgan who was convicted of stealing money:

"Cast him away on another land, at Kahoolawe, the island nearest Maui. That is the place they are usually sent to. Heretofore the natives who were sent there swam to Maui, could not confine them there, but a foreigner cannot accomplish such a feat."

On January 14, 1852, the acting governor of Maui wrote to the minister of the interior asking approval of his action in taking Morgan back to Lahaina and giving him medical treatment because Morgan had become sick and had run out of food and water in his place of exile.

After the custom of using Kahoolawe as a place of banishment had ceased, attention was turned toward putting the island to more profitable uses, for we find that on August 18, 1854, Z. Kaauwai applied to the Privy Council to lease the island for fifty years at $200.00 per year. This application does not seem to have been approved, but on March 11, 1864, the first lease of Kahoolawe was made by His Hawaiian Majesty's minister of the interior, Charles Gordon Hopkins. The lease which included the whole island was to run for fifty years, from January 1, 1863, at an annual rental of $250.00. Following is a list showing the original lessee and the assignees with dates of assignment of the lease:
Albert D. Courtney, Wm. H. Cummins, assigned March 22, 1880.
Kynnersley Bros. and R. von Tempsky, assigned April 27, 1887.
B. F. Dillingham Company, Ltd., assigned 1901.
C. C. Conradt, assigned December 21, 1903.
Eben P. Low, assigned December 28, 1906.
Proclaimed a forest reserve on August 25, 1910.

It is difficult now to look back and determine with accuracy the amount of vegetation that previously existed on Kahoolawe. Old Hawaiians say that sugar cane, bananas, and sweet potatoes were raised there in the early days and that wild pigs uprooted the bananas. The narrative of the Wilkes' U. S. Exploring Expedition says:

"In passing over the island, the walking had been found very tedious, for they sunk ankle-deep at each step. The whole south part is covered with a light soil, composed of decomposed lava; and is destitute of vegetation except a few stunted shrubs.

"On the northern side of the island there is a better soil, of a reddish color, which is in places susceptible of cultivation. Many tracks of wild hogs were seen, but only one of the animals was met with.

"The only article produced on the island is the sweet potato, and but a small quantity of these."

From evidences still visible today in the form of dead prostrate trunks, it is certain that along the top of the island at least there was quite an extensive grove of the xerophytic wili-wili tree, Erythrina monosperma, a few living specimens of which still survive. Among the smaller forms of vegetable growths, there doubtless were found the ilima and many other weed-like shrubs and low-running plants, and among the grasses the pili was most conspicuous. Prominent today on the drier situations is the paka, the tree tobacco, Nicotsiana glauca, which the Spaniards brought to the islands in the early days.
More recently the white cactus has been introduced, and is found in a few places on the north side of the island. To this has been successfully grafted the spineless cactus. The high-land ironwood, *Casuarina quadrivalvis*, has been planted near the top of the island but only a few trees have survived the exposure and drought.

By far the most valuable tree introduction on Kahoolawe, however, is the algaroba, *Prosopis juliflora*, which is now found over about one-third of the island or wherever the horse stock has grazed on the *pili* and other grasses. Ten years ago there were only a few of these trees in the gulches but now they are found on the ridges and upland flats as high as 1,200 feet above the sea and fairly thickly scattered wherever the stock has grazed.

The present denuded condition of part of Kahoolawe has been due primarily to over-grazing, although aeolian erosion seems to have been in operation there as far back as 1841. Goats were found on the island before sheep were taken there by the first lessee. The first attempt at raising sheep resulted
in failure on account of the drought, and the land lay idle then for some time.

The second holders of the lease brought over cattle, horses, and pigs, and in 1890 the third holders of the lease had 900 cattle and 12,000 sheep on the island. At one time the number of sheep reached 15,000 and there were always innumerable quantities of wild goats. In 1909 there were 40 head of cattle, 40 head of horses, and approximately 3,200 sheep, and 5,000 goats on the island. The raising of cattle and horses on Ka-

![ALGAROBA TREES SPREADING ON KAHOOLAWE.](image)

hoolawe in any large numbers was always a losing game because of the lack of fresh water. The water in the few surface wells in the larger gulches has always been too brackish to be relished by stock, and consequently when a prolonged drought dried up surface water in pools in the gulches and in the two natural reservoirs near the top of the island, the stock naturally died from thirst.

Now let us see what were the results of this over-stocking of the island. The innumerable sheep and goats cropped the grass and other herbage so closely that the sod cover was broken. This gave the entering wedge for the wind to exert
its influence on the light top soil. This unprotected and exposed soil could not stand the force of the strong trade wind but was lifted little by little and carried southwest across the island many miles out to sea in the form of a great red cloud. In this manner the top of the island which was once covered with from four to ten feet of good soil has been reduced largely to hardpan. Where grass turf has protected the soil in many places there may still be seen hillocks or columns of soil standing up above the hardpan. In this process of wind erosion the soil has been blown away also from the roots of wiliwili trees leaving them stranded like ships high and dry on the beach at low tide. This cloud of red dust is very familiar to the voyager who passes Kahoolawe in windy weather, and traveling on the island when the wind is blowing strong is very uncomfortable on account of it. A rain gage placed near the southwestern end to measure the meager rainfall is often on examination found not to contain water but red dust.

The area affected in this manner by aeolian erosion covers fortunately only about one-third of the island on the higher elevations. One-third, as already has been stated, in the more sheltered parts is covered with pili and other grasses in which there is growing up a fine stand of young algaroba trees. The remaining one-third, toward the southeast, is at the lower elevations and is very rocky and barren.

The greatest length of the island is about ten miles from east to west and at the widest point it extends six miles from north to south, and has a total area of 28,260 acres. The highest point is 1,427 feet above the sea and although the smallest of the Hawaiian group, the island is really much larger than it appears. This can be vouched for by the goat hunter who wearily scrambles over Kahoolawe’s dry and hot reaches.

The prominent features, familiar to those who have visited the island, are the long, gentle slopes of tall pili grass cut by sudden steep-sided gulches on the northwest side; the glaring
white sand beach at the southwest end with the skeleton-strewn goat pen near it; the abrupt cliffs on the east end of the island which hem in Kanapou Bay with its brown beach covered with driftwood of Douglas fir, western red cedar, redwood and spruce brought from the Pacific coast by ocean currents; the small bay near the heiau where the ship Olga was wrecked in 1906; Kuheia Bay, the landing-place near which is the little cluster of houses and sheep pens, and on the top of the island the extensive area of bare hardpan with the two natural reservoirs, already mentioned, containing muddy water in the rainy season.

Kahoolawe has been cited as an example of a place where the rainfall has been lessened on account of the destruction of the forest, but I am loath to give this much credence because, so far as can be ascertained, there never did occur any extensive or heavy forests on the island. It is true that if extensive forests existed there now the rain falling on the island would run off much more slowly and would be available for long periods in the form of springs and small streams which are not now found there. From somewhat unreliable records kept during the years from 1912 to 1914, the annual precipitation on different parts of the island varied from 5.33 inches to 18.35 inches. The general report is, however, that 40 years ago there was a much heavier rainfall on Kahoolawe which used to drift over to the south end of East Maui at Ulupalakua. This may be ascribed to the present-day phenomenon, for very frequently the moisture-laden clouds begin to pile up on Kahoolawe from the southwest and whenever the trades from Maalaea slacken up, these clouds with the Nalu breeze drift across the seven-mile channel to Maui dropping their welcome precipitation on the parched earth beneath.

Toward the termination of the Kahoolawe lease it became apparent that as the erosion continued the island was becoming of less and less value to the people of the Territory and that an attempt, at least, should be made to reclaim it. Naturally the first step to be taken was to rid the island of all stock
and in order to hasten matters the lease, which was to expire on January 1, 1913, was taken over by the government with a remission of rent, the island was declared a forest reserve on August 25, 1910, and was placed in the hands of the Board of Agriculture and Forestry.

When the last lessee took over the island in January, 1906, there were estimated to be 3,200 sheep and 5,000 goats on the island. During the last ten years all but approximately 150 sheep have been removed and over 4,300 goats have been slaughtered. It has been found practicable to drive the goats in large numbers into the pen at the southwest end.

During this period there has already been a marked change in the improvement of the island due to the reduction in the number of stock. Although the denuded area has not been reduced in size, the surrounding fringe of vegetation is in much better condition, the pili grass has grown tall and rank; other grasses such as mani enie and paspalum dilatatum have come in; the native weeds have taken on a new lease of life and the algaroba is extensively established and will be a valuable asset in the future.
Plans are now laid for getting rid of the few remaining wild goats and then attention will be turned toward the reclamation of the denuded part of the island by closing the present fringe of vegetation in upon it with the aid of windbreaks. Just how this can be done most economically must be determined by a series of experiments. To bring back a cover of vegetation over the whole island would require a long time and a considerable outlay of money, but natural means such as self-sowing trees and plants will be relied upon as far as possible.

A MASONIC ANNIVERSARY

BY ED TOWSE

ON the evening of the 8th day of April, 1916, there was celebrated by an elaborate banquet at the Alexander Young Hotel the "Seventy-fourth Anniversary of the Coming of Masonry to Hawaii." The propaganda was introduced by Capt. Le Tellier of the whaling bark Ajax of Havre. He held, from the Supreme Council 33° Scottish Rite of France, a roving commission authorizing him to "set up Masonic Lodges in the Pacific Ocean," where he followed his calling for many years.

The lodge, the first to exist in this part of the world, was organized aboard the Ajax and such well-remembered names as those of Captain John Meek and Henry Sea were in the list of both dispensation and charter. The title of the body was Lodge le Progres de l'Oceanie No. 124 and it continued active here until ten years ago. Then it went under the jurisdiction of the Grand Lodge of the State of California as Oceanic Lodge No. 372. Petition has been made to restore the old name and will likely be granted. "Le Progres" always "worked" the three degrees of the Scottish Rite, all other Masonic "blue" lodges in the new world, with the exception of Parfait at San Francisco using the three York Rite degrees since the days of the Revolutionary fathers. Two of the Ka-
experienced before, flocked to the store in such numbers as to completely fill the street with a dense mass of men, women and children, of all ages, and colors, each of whom was striving by dint of shoving and elbowing, to reach the threshold of the trading elysium. As soon as the door was opened a crowd rushed in filling up every available space, while greater numbers were pressing in from behind. Hardly, however, had the trading commenced, when the floor of the house, not having been built in anticipation of such a weight of customers at one time, gave way, and precipitated the buyers and sellers into the cellar, about seven feet deep. Those who were near the door at the first crash, struggled to get back much harder than they had struggled to get in, and a scene of confusion ensued, which was curious to behold. However, none were much hurt, and after the fallen had climbed out, the store was closed and the mob, enjoying the mishap of their cheap buying friends most heartily, retired. Thus ended the first experiment at selling below cost in Honolulu. It will cost the Celestials something handsome to get up what is below, without carrying their attempt any further, and we apprehend none will care to follow their example.

EARLY FIRE PRECAUTION

The ordinance by Kamehameha III, December 27, 1850, establishing the Honolulu Fire Department, required each householder to keep at least two buckets hanging handy, for fire use exclusively, and further ordered that they be brought to every fire. The bucket part was probably the most effective, as the only other equipment at that time was a hand engine and 150 feet of homemade canvas hose through which, by constant relays on the pump handles, water could be thrown some sixty feet.

KAHOLALWE’S NEW OUTLOOK IN 1858

Mention was made recently that the Island of Kahoolawe had been leased and was about to be converted into a sheep station. Everybody here knows that Kahoolawe has hitherto been about as useless a tract of land as can well be imagined. It used to be a penal settlement, and no doubt the convicts there enjoyed as
much ease and freedom from both surveillance and labor as their hearts could wish.

It has been said that the late Kinimaka had a fine time of it. He was a native of some little rank and had his own dependents who used to swim from the shores of Maui and take him what he wanted to make his banishment entirely agreeable.

I have also heard that one George Morgan was the last convict placed there, and that one or two females used to render passable that utter solitude which is never so well enjoyed as in agreeable company. George used to hunt the wild hogs and cultivated a little patch of land. I believe he used also, to back down his drinking water from some considerable distance. He was a shoemaker by trade, and if, as many followers of Crispin have been, of a poetical turn of mind, he must have had a fine opportunity for the indulgence of his fancies. But at this time the island was very unprofitable. It is now for the first time that it is going to yield anything. In the first place the lessees have got to pay every year into the treasury some $505, which of itself is quite an item. But in doing so they hope to make a profit by growing wool, which wool will swell the aggregate of our exports and take the place of so much money exported to square the difference between the sum total of our imports and exports. Besides all which the occupation of that island will give employment to many persons as well as those who tend the flocks, as those who being in the carrying trade must be hired to take the produce to market. The lease lately consummated may be said to have virtually added the available portion of some 25,000 acres of land to these Islands, for land unoccupied is of little more count than no land at all.

Thus we are creeping up and crawling on. There is nothing very brilliant in our career, yet, as the adage has it, "Soft and fairly wins the race." Whenever I hear of a piece of land being taken up and put in the way of becoming productive I rejoice as much as the Hollanders used to do when they reclaimed another piece of flat from the sea. It was not the scrap of washy land they jubilated in, but what they could make of it. Our lands are ready to hand, but until we make them yield us something they might as well be at the bottom of the ocean.
When I look about and see how many hundreds and thousands of acres are now subservient to useful purposes that only a few years ago produced nothing, or nothing but the trifle that served to maintain the inhabitants in life, I certainly do feel that we as a people are coming up—yes, coming up. Look at this island of Oahu, with its cattle and sheep farmers, and every here and there a little bit of bottom cultivated. Look at Maui with its cattle, its sheep, its wheat, and its sugar. Look at Hawaii where the articles of produce are still more numerous, including amongst other items, coffee, and oranges and pulu. Molokai has done a little, and as I hear, is likely to do more. I have not heard much as yet about Lanai, but Kauai is a thriving place. The islet of Nihau is biding its time; if my recollections of it are correct, it will also do for sheep. And now, last and almost least, Kahoalawe begins to show its head and promises to add its quota to the general fund.

It may be very simple in me to put these thoughts on paper, but I hate stagnation as I hate the Devil, and wherever I see a little sign of progress, one acre cultivated, or depastured (except by horses), I rejoice over it, more than over ninety and nine acres that have been constantly used since the good old times of Kamehameha I and Captain Cook.

That they have begun to grow wheat in the district of Kau, on Hawaii, is something to say, and I hope that the Rev. Mr. Shipman will long be remembered for the zeal with which he has fostered that undertaking. For my part I always did admire a minister who could set an example in the field as well as cultivate the vineyard, which is his more peculiar charge.

A HAWAIIAN DANDY

Honolulu had a Hawaiian Beau Brummel along in the '70s who well deserves this has-been story. Known generally as Ioane, he filled the humble position of porter in a wholesale and retail store, where during the week he patiently and laboriously performed the duties of his station in life, clothed in a plain denim suit. But after four o'clock on Saturday afternoons he was quite a different individual. His tall and shapely form was then clothed in white-st and finest of linen suits; with stand-up shirt collar so stiff as to
prevent a turn of the head; a shiny beaver cocked on one side; gloves—sometimes green, yellow or fawn colored—and shoes to match; a neat rattan twirling in his hand; a good cigar, alternately puffed or carried daintily between the fingers. Our Hawaiian dandy, as he majestically walked the streets on Saturday afternoons or Sundays, was the observed of all observers, the envy of his compatriots of less cultured tastes, and an object of admiration of the fair sex. In due time Ioane became master of the hula entertainments of Kalakaua's coronation festivities, and was soon thereafter lost to public view.

FIRST SUGAR REFINERY EFFORT

We once had a sugar refinery in Honolulu. A company was organized, a charter obtained from the government, and the following officers chosen. S. N. Castle, president; Wm. Hillebrand, vice-president; I. Bartlett, secretary and treasurer; G. M. Robertson, director; Samuel Savidge, auditor. This was in the early '60s. The old custom house—a three-story coral building at the water-front, ewa of Nuuanu street—was leased for a refinery and the capital was put down not to exceed $25,000. This was regarded by many as one of the most hopeful projects undertaken here for a long time. With the gradual increase of plantations and mills, there was (in the then imperfect state of manufacture) an increase of molasses and inferior grade of sugar which hardly paid to export. These, by the operation of a refinery, could be consumed in the production of refined or white sugar, yielding an income to the planters from what before barely paid for the containers to pack for export. Something was also said about the fact that in the West Indies and some other sugar producing countries, distilleries were allowed on plantations, whereby the poorer grades of molasses and sugar were converted into marketable rum, whereas distilleries were prohibited here. The Honolulu Sugar Refinery was a prominent institution while it lasted, but eventually, when greatly improved machinery was introduced on the plantations, its mission was gone, and it became a thing of the past.
January 2d, 1863, a number of copies of an anonymous pamphlet entitled "The Honolulu Merchants' Looking-Glass," were found distributed about the town, some being thrown into the premises of foreign residents, or left at the doors of stores, where they were found in the morning. It had evidently been printed in San Francisco, and brought here on the bark Comet, which arrived on the 1st. The author, in his preface, admitted that his object was to make somebody feel bad but expressed the hope that the wounds inflicted would soon heal, and that the parties mentioned would thereby learn to mind their own business, and not meddle with that of other people. Short biographical sketches were given of some thirty-five of the prominent foreign residents of Honolulu, commencing with R. C. Wyllie, Minister of Foreign Affairs, and concluding with Captain Thomas Spencer. For the most part these sketches were good-humored in tone, the prominent characteristics of each individual being stated, and his supposed money value, with disparaging or eulogistic comments, apparently as the writer's bias dictated. Some of the comments, however, were offensive and libellous. It appeared that some five or six persons were particularly obnoxious to the writer, and his main design was evidently to retaliate in this novel manner for some real or fancied injury. The affair caused a good deal of excitement at the time, and was a "nine days wonder." The author was never discovered, although many surmises were made as to who he might be.

First Sidewalk.—Previous to the year 1857 there could hardly be found a regular sidewalk on any of Honolulu's public streets. Saml. Rawson, watchmaker, whose establishment was a small shop on lower side of Merchant street, midway between Fort and Kaahumanu, was the first one to lay down a brick sidewalk, and his example was followed soon by Messrs. Hackfeld & Co. and Dr. E. Hoffman, on Queen street.
WHICH SHALL IT BE?

$351 MILS OR KAHOOLawe

INPUT TO HAWAII'S ECONOMY RETURN TO STATE OF HAWAII

PUBLISHED BY PEARL HARBOR ASSOCIATION, INCORPORATED AS A NON-PROFIT ORGANIZATION UNDER THE LAWS OF THE STATE OF HAWAII. OPINIONS EXPRESSED BY WRITERS AND ILLUSTRATORS ARE THEIR OWN AND ARE NOT TO BE CONSIDERED OFFICIAL EXPRESSIONS OF THE NAVY OR MARINE CORPS.
THE NAME OF THIS ORGANIZATION IS "THE PEARL HARBOR ASSOCIATION". THIS ASSOCIATION IS INCORPORATED AS A NON-PROFIT ORGANIZATION UNDER THE LAWS OF THE STATE OF HAWAII.

IT IS TIME FOR A CALM AND RATIONAL EVALUATION OF KAHOOLawe AND WHAT THIS ISLAND REALLY MEANS TO THE PEOPLE OF HAWAII. MUCH PUBLICITY HAS BEEN GIVEN TO THE HIGHLY VOCAL AND IMPASSIONED OPINIONS OF THOSE WHO RIGHTEOUSLY ESPouse THE CAUSE OF ECOLOGY AND HAWAIIAN HERITAGE. THIS BROCHURE HAS BEEN PREPARED BY CONCERNED MEMBERS OF THE PEARL HARBOR ASSOCIATION TO HIGHLIGHT WHAT HAS BEEN OVERLOOKED BY THE MEDIA; THAT IS, THE ECONOMIC AND MILITARY SIGNIFICANCE OF KAHOOLawe. THE SPECIFIC ISSUES PRESENTED IN THIS BROCHURE WERE RESEARCHED BY EXPERTS IN THE FIELD WITH OVER 30 YEARS OF CIVIL SERVICE EXPERIENCE, AND ILLUSTRATES WHAT THE PEARL HARBOR ASSOCIATION FEELS ARE SERIOUS PROBLEMS WHICH MUST BE CONFRONTED BY ALL WHO ARE CONCERNED WITH THE FUTURE OF THE STATE OF HAWAII.

THE PEARL HARBOR ASSOCIATION DOES NOT ATTRACT HEADLINES BY DEMONSTRATIONS AND FORCEFULLY IMPOSING OUR VIEWS ON GOVERNMENT OFFICIALS. THE ASSOCIATION AND ITS MEMBERS, HOWEVER, HAVE BEEN ACTIVELY INVOLVED IN ATTEMPTING TO PRESENT THE REAL ISSUES OF THE KAHOOLawe CONTROVERSY THROUGH CORRESPONDENCE AND DISCUSSIONS WITH CONCERNED GROUPS AND ORGANIZATIONS, INCLUDING GOVERNMENT OFFICIALS.
HERE ARE A FEW OF THE LETTERS WRITTEN BY THE PEARL HARBOR ASSOCIATION TO INFORM THE PUBLIC ON KAHOOLAWE:

**PHA LETTER TO MR. CARL DAMASO, PRESIDENT, ILWU:**

SEPTEMBER 30, 1977

"(MEMBERS OF THE PEARL HARBOR ASSOCIATION) ARE CONCERNED ABOUT THE RESOLUTION ADOPTED AT THE CLOSING SESSION OF THE 1977 CONVENTION OF ILWU LOCAL 142 WHICH ASKS THE NAVY TO STOP THE BOMBINGS OF KAHOOLAWE AT ONCE. IF KAHOOLAWE IS RETURNED TO THE STATE, IT WILL REDUCE THE HOMEPORTED SHIPS IN PEARL HARBOR AND OBVIOUSLY THE CARGO SHIPS AND BARGES WILL BE REDUCED."

ALFRED WONG
PRESIDENT, PHA

**A PARTICULAR POINT OF VIEW - KAHOOLAWE AND JOBS**

( Honolulu Star Bulletin, August 24, 1977)

"...TO GIVE BACK KAHOOLAWE TO THE STATE WOULD ADD TO OUR ECONOMIC PROBLEMS... IT WOULD MEAN THAT THE NAVY MIGHT LOOK FOR ANOTHER TRAINING SITE... AND COMMON SENSE TELLS THAT THIS WILL REDUCE OUR WORKLOAD, WHERE DOES THIS LEAVE US? THIS WOULD SKYROCKET OUR UNEMPLOYMENT FIGURES... WHAT THEN IS IN STORE FOR THE STATE OF HAWAII AND ITS FUTURE GENERATIONS? THE MILITARY HAS BEEN A VAILABLE AND ESSENTIAL SOURCE OF INCOME FOR THE PEOPLE OF THE STATE OF HAWAII. WHY SHOULD WE RISK OUR MEANS OF 'LIVELIHOOD' FOR ANY INTANGIBLE AND IMPRACTICAL MEANS OF EXISTENCE?"

BRIAN HO
DIRECTOR, PHA
PRES., HAWAII FEDERAL EMPLOYERS
METAL TRades COUNCIL, AFL-CIO

**PHA LETTER TO MEMBERS OF STATE BOARD OF LAND AND NATURAL RESOURCES; MARCH 31, 1978**

"THE PEARL HARBOR ASSOCIATION RECOGNIZES THAT THE CONCERN OF BOARD MEMBERS REGARDING CONTINUED BOMBING ON KAHOOLAWE ARE WELL-FOUNDED IN THE PROTECTIVE CONCERN FOR OUR ENVIRONMENT AND JUSTIFIED PRIDE IN OUR NATIVE HAWAIIAN HERITAGE AND CULTURE. THE ASSOCIATION, HOWEVER, FIRMLY BELIEVES THAT THESE CONCERNS MUST BE TEMPERED BY THE ECONOMIC REALITIES FACING THE STATE OF HAWAII... THE END RESULT OF IMMEDIATE CESSION OF TRAINING ON KAHOOLAWE WOULD BE THE TRANSFER OF THE BULK OF THE NAVY FLEET AND SUPPORT PERSONNEL... THIS WOULD HAVE A CATASTROPHIC IMPACT ON OUR ALREADY OVERBURDENED STATE ECONOMY..."

ALFRED WONG
PRESIDENT, PHA

**Particular Point of View**

Kahoala and Jobs

By Brian Ho

President, Pearl Harbor Federal Employees Local 2150, CWA

The (unpublished) opinion of the folks at the Pearl Harbor Federal Employees Local 2150 is that our state leaders are ignoring the fact that the military is a major source of income for the state of Hawaii. The military has been a major employer in Hawaii for many years, and they have helped to keep the state's economy strong. If the military were to leave, it would have a devastating effect on our state's economy. Therefore, we believe that the state leaders should do everything they can to keep the military in Hawaii.
IT IS OBVIOUS THAT THE PEARL HARBOR ASSOCIATION IS DEEPLY CONCERNED WITH PRESENTING THE FACTS OF KAHOOLAWE BEFORE THE PUBLIC. AS TO THE REASON FOR THIS CONCERN, LET'S FIRST EXPLAIN THE NECESSITY FOR THE USE OF KAHOOLAWE AS A MILITARY TRAINING SITE BY ANSWERING SOME OF THE QUESTIONS WHICH ARE FREQUENTLY ASKED ABOUT KAHOOLAWE.

WHY TRAIN ON KAHOOLAWE?

THE NAVY AND MARINES OBVIOUSLY MUST TRAIN TO KEEP UP THEIR COMBAT READINESS POSTURE. KAHOOLAWE PROVIDES AN IDEAL TRAINING GROUND FOR CONDUCTING COMBINED ARMS SUPPORT AND LANDING EXERCISES.

WHAT ARE ALTERNATIVES TO TRAINING ON KAHOOLAWE?

ONE SUGGESTION HAS BEEN TO USE SIMULATORS. CONSIDER A BASEBALL TEAM WHICH FOREGOES SPRING TRAINING EXHIBITION GAMES AND USES ONLY PITCHING MACHINES FOR BATTING PRACTICE. UNDER THESE CIRCUMSTANCES, HOW WOULD SUCH A TEAM PERFORM UNDER ACTUAL GAME SITUATIONS? BASEBALL IS ONLY A GAME: THE MILITARY IS FACED WITH LIFE AND DEATH SITUATIONS, DO WE HAVE SO LITTLE CONCERN FOR THE DEFENDERS OF OUR NATION THAT WE WOULD DEPRIVE THEM OF THE TRAINING THEY NEED TO SURVIVE A WAR?

WHAT ABOUT TRAINING ON OTHER ISLANDS IN THE PACIFIC?

THE NAVY HAS ISSUED A REPORT ON THE RESULTS OF EXTENSIVE SURVEYS CONDUCTED ON SEVEN MAJOR ISLANDS AND 124 MINOR ISLANDS IN THE PACIFIC BASIN. USING SUCH EVALUATION FACTORS AS CLIMATE, TERRAIN, SIZE, PROXIMITY TO HOMEPORTS, AND THE PRESENCE OF WILDLIFE REFUGES AND HABITATION, THE NAVY HAS CONCLUDED THAT, EXCEPT FOR KAHOOLAWE, THERE ARE NO ISLANDS WITHIN THE PACIFIC BASIN WHICH CAN MEET THE TACTICAL REQUIREMENTS OF A COMBINED ARMS SUPPORT TRAINING SITE.
WHAT ABOUT TRAINING ON THE MAINLAND?

TRAINING FACILITIES ARE AVAILABLE ON THE MAINLAND; HOWEVER, THE LOGISTICS OF MAIN­
TAINING A HOMEPORT IN HAWAII, AND TRAINING ON THE WEST COAST, WOULD BE STAGGERING, AND IN
THE CASE OF TACTICAL AIRCRAFT, IMPOSSIBLE. FUEL COSTS ALONE WOULD BE NEARLY $100,000 PER
SHIP FOR EACH ROUND TRIP. DISREGARDING THE ALREADY TIGHTENED DEFENSE BUDGET AND PRE­
SIDENTIAL EDICTS ON ENERGY CONSERVATION, THE TWO WEEKS REQUIRED FOR TRAVEL TO AND FROM THE
WEST COAST WOULD BE INCOMPATIBLE WITH OPERATIONAL READINESS AND MISSION COMMITMENTS.

WHY CAN'T THE NAVY PROVIDE MORE FACTS TO JUSTIFY THEIR CONTINUED USE OF KAHOOLawe?

THE NAVY HAS FACED CONTINUOUS CARPING CRITICISMS AND DEMANDS FOR HARD FACTS TO
JUSTIFY THEIR NEED FOR TRAINING ON KAHOOLawe. CONSIDER THE FOLLOWING ANALOGY. HOW WOULD
YOU FEEL IF YOU WANTED TO BUY A NEW STATION WAGON AND THE SALESMAN ASKED YOU TO JUSTIFY
YOUR NEED FOR THE STATION WAGON? ALTHOUGH TAKEN ABACK, YOU NONETHELESS REPLY THAT A
STATION WAGON MEETS THE NEEDS OF YOUR LARGE FAMILY. THE SALESMAN THEN PUTS YOU
DOWN FOR NOT PRACTICING BIRTH CONTROL AND TELLS YOU THAT, IN THE INTERESTS OF ENERGY
CONSERVATION, HE CAN ONLY SELL YOU A 2-DOOR COUPE, PROVIDED YOU PROMISE TO DRIVE IT
ONLY ON WEEKENDS AND HOLIDAYS. AS YOU LEAVE TO GO TO ANOTHER DEALER, YOU HEAR HIM
SHOUTING THAT IF YOU BUY A STATION WAGON FROM SOMEWHERE ELSE, YOU MUST HAVE IT SERVICED AT
HIS DEALERSHIP. RIDICULOUS? YET THE NAVY, ONE OF THE LARGEST CONTRIBUTORS TO THE STATE
ECONOMY, IS BEING GIVEN ULTIMATUMS AS TO HOW, WHEN, AND WHERE IT MUST CONDUCT ITS TRAINING.
THE NAVY HAS NO OBLIGATION TO SUPPORT THE ISLAND ECONOMY. FACED WITH NO REASONABLE
ALTERNATIVES THE NAVY AND MARINES MAY HAVE NO RECURSE OTHER THAN OUTRIGHT TRANSFER OF THEIR
UNITS TO AREAS WHICH ARE MORE RECEPTIVE TO THEIR TRAINING NEEDS. AS RECENT HEADLINES
INDICATE, SUCH MOVEMENT IS NOT FARFETCHED SINCE CONSOLIDATION OF UNITS REDUCES THE DEFENSE
BUDGET. AND THERE ARE AREAS WITH ESTABLISHED BASES WHICH WOULD WELCOME THE INFUX OF
ADDITIONAL MILITARY DOLLARS TO THEIR LOCAL ECONOMY.
THE FOREGOING BACKGROUND INFORMATION LEADS US TO THE CONCLUSION THAT CESSION OF TRAINING ON KAHOOLAWE WILL RESULT IN A MILITARY PULL-OUT. THESE ARE NOT IDLE FEARS OF ONLY THE PEARL HARBOR ASSOCIATION. AT LEAST ONE STATE LEGISLATOR SHARES SIMILAR VIEWS AS INDICATED BY THE FOLLOWING ARTICLE EXCERPTED FROM WEST HAWAII TODAY (VOL. XV, NO.15, FRIDAY, FEB. 3, 1978).

"Rep. Jack Suwa, one of the most influential leaders in the State Legislature, says he's deeply worried about the possibility of a drastic cutback by the military industry in Hawaii.

They will definitely be moving out of Pearl Harbor within the next five or 10 years. Suwa said. Overall, I can't give you a definite time frame but I feel they'll all be moving out.

I'm worried about the impact here. It's the second largest income producing industry. I'm very worried about the effect it will have on our citizens here.

..."the whole Kahoolawe thing" has alienated the military. (He was referring to the sometimes emotional dispute by native Hawaiians about the Navy's use of the island as a bombing target site.)

The controversy has created a sour feeling on the part of many military leaders who feel they'd please the civilian population by moving, he said.

We've given them the impression that we're not interested in them, Suwa said. It's an excuse to look for other locations for their bases.

The impetus to move will be increased during the next few years, Suwa said, especially if Kahoolawe is taken away from the military, leaving them without adequate training sites in the Islands.
THERE ARE A NUMBER OF WEST COAST COMMUNITIES THAT WOULD WELCOME MILITARY BASES TO HELP BOLSTER THEIR ECONOMY, SUWA SAID, AND BASES IN THE PACIFIC AREAS LIKE GUAM ARE GROWING, TOO, AND COULD TAKE MORE EXPANSION, HE SAID.

IT WOULDN'T SURPRISE HIM AT ALL, SUWA SAID, IF AN ANNOUNCEMENT WERE MADE IN THE NEXT FEW YEARS THAT PEARL HARBOR WERE TO BE CLOSED DOWN.

PRESIDENT CARTER'S PLANS FOR A BALANCED BUDGET ALSO DEMAND THAT CORNERS BE CUT ON THE DEFENSE BUDGET, SUWA SAID, AND THAT WILL FORCE THE SHUTDOWN OF MANY MILITARY BASES HERE.

IT SEEMS THE FIRST STEP IN RESTRICTING THE BUDGET WILL BE TO CHOP ANY UNNECESSARY EXPENDITURES HERE.
WE HAVE PRESENTED OPINIONS ON THE EFFECTS OF EXCLUDING THE USE OF KAHOOLawe BY THE MILITARY. LET US NOW CONSIDER THE HARSH REALITIES SUCH ACTION WOULD HAVE ON THE ECONOMY OF THE STATE OF HAWAIi.

**EFFECT ON PEARL HARBOR NAVAL SHIPYARD**

ANY TRANSFER OF THE SURFACE CRAFT FLEET WOULD BE OF GRAVE CONCERN TO THE EMPLOYEES OF PEARL HARBOR NAVAL SHIPYARD. A REVIEW OF SHIPS CURRENTLY SCHEDULED FOR OVERHAUL IN THE SHIPYARD DURING FISCAL YEAR 1978 SHOWS THAT ONLY ONE SHIP WOULD STILL BE OVERHAULED IN HAWAIi IF THE NAVY RELOCATES ITS COMBATANT SURFACE CRAFT AND SUPPORTING UNITS TO THE WEST COAST. SINCE IT WOULD NOT BE COST EFFECTIVE TO MAINTAIN THE PRESENT WORK FORCE TO OVERHAUL ONLY ONE SHIP A YEAR, THE SHIPYARD WOULD BE REDUCED TO THE STATUS OF OTHER MINOR REPAIR FACILITIES IN THE PACIFIC AREA. THIS MEANS A CUTBACK IN SHIPYARD OPERATIONS OF OVER 3,700 JOBS. THE DIRECT RESULT OF THIS ACTION WOULD BE A DRASTIC REDUCTION-IN-FORCE NOT ONLY AT THE SHIPYARD BUT AT ALL OTHER SUPPORTING FACILITIES.
PEARL HARBOR HOMEPORTED SHIPS TRANSFER TO SAN DIEGO & LONG BEACH NAVAL SHIPYARD

SHIPS TO BE TRANSFERRED

| CG  | 24 USS REEVES | FF-1045 USS DAVIDSON |
| DD  | 950 USS EDWARDS | FF-1048 USS SAMPLE |
| DDG | 16 USS STRAUSS | FF-1057 USS RATHBURN |
| DDG | 20 USS GOLDSBOROUGH | FF-1062 USS WHIPPLE |
| DDG | 21 USS COCHRANE | FF-1071 USS BADGER |
| DDG | 22 USS STODDERT | FF-1073 USS PEARY |
| DDG | 34 USS SOMERS | FF-1074 USS HOLT |
| DDG | 46 USS PREBLE | FF-1077 USS QUELLET |
|     |               | FF-1086 USS BREWTON |

TOTAL SHIPS 17

$$ Loss to Economy

| Personnel Salary | $2,340,000 |
| Local Purchases  | $780,000   |
| Repairs          | $5,670,000 |

TOTAL PER SHIP $8,790,000

X 17 SHIPS $149,430,000
PRESENT CIVILIAN EMPLOYEES

PEARL HARBOR NAVAL SHIPYARD

1977

- 5,200 employees, $98 impact

1978 (JUNE)

- 6,200 employees, $117 impact

KAHOOLawe IMPACT ON EMPLOYMENT

SUPPORT ACTIVITIES*

1977

- 6,800 employees, $128 impact

1978 (JUNE)

- 7,300 employees, $133 impact

KAHOOLawe IMPACT ON EMPLOYMENT

TOTAL CIVILIAN EMPLOYEES

1977

- 12,000 employees, $226 (MILS)

1978 (JUNE)

- 13,500 employees, $254 (MILS)

KAHOOLawe IMPACT ON EMPLOYMENT

AVERAGE SHIPYARD SALARY

- $18,850 PER YEAR

*INCLUDES: NSC, PUBLIC WORKS CENTER, KANEOHE MARINE BASE, NAVAL STATION, PEARL
FOR THOSE WHO STILL THINK WHAT HAPPENS AT PEARL HARBOR HAS NO BEARING ON DOWNTOWN BUSINESS, HERE'S THE STORY OF "SHIYARD PETE".

"SHIYARD PETE" IS A SIMPLISTIC DEPICTION OF THE AVERAGE SHIYARD WORKER BUT IT SERVES TO DRAMATIZE THE IMPORTANT ROLE HE PLAYS IN SUPPORTING OUR WHOLE STATE ECONOMY; DIRECTLY THROUGH THE TAXES ON HIS SALARY AND SALES TAXES, AND INDIRECTLY THROUGH THE GOODS AND SERVICES HE PURCHASES FROM LOCAL BUSINESSES. EACH OF THE DOLLARS HE SPENDS, GOES BACK INTO OTHER PAYROLLS AND BUSINESSES, GENERATING MORE JOBS AND INCOME FOR THE TOTAL POPULATION OF THE STATE OF HAWAII. IN OTHER WORDS, PETE IS PEARL HARBOR - HE IS ALSO HAWAII. HE LIVES HERE BY CHOICE - WORKS HERE - SPENDS HIS MONEY HERE - ADDING HIS INCOME ALONG WITH THAT OF THE REST OF THE 894,000 RESIDENTS OF OUR 50TH STATE.

ACCORDING TO DR. THOMAS K. HITCH, SENIOR VICE-PRESIDENT FOR THE FIRST HAWAIIAN BANK, DESPITE THE RAPID GROWTH OF THE VISITOR INDUSTRY, THE MILITARY SERVICES AND THEIR SPENDING REMAIN FAR AND AWAY THE MOST IMPORTANT ELEMENT IN HAWAII'S ECONOMY. EACH DOLLAR OF "SHIYARD PETE'S" PAYCHECK WILL PASS THROUGH ENOUGH HANDS THROUGH SECOND AND THIRD ROUND SPENDING AND RESPENDING, THAT IT MULTIPLIES TO $1.72 IN LOCAL SPENDING BEFORE IT ALL LEAKS AWAY.
PETE'S PAYCHECK PER MONTH IS $1,570.83
UNCLE SAM TAKES OUT $263.03
RETIREMENT FUNDS KEEP $109.96
HAWAII STATE TAX TAKES $96.14

THAT LEAVES PETE WITH $1,101.70

AFTER PETE CASHES HIS PAYCHECK,
HE PAYS HIS MONTHLY HOUSE RENTAL OF $325.00
AND THEN GIVES MRS. PETE THE REMAINING $776.70
MRS. PETE IS A GENIUS AT BUDGETING AND HER BREAKDOWN COMES TO...

TRANSPORTATION 7.4%
RECREATION 7.5%
UTILITIES 9.6%
SAVINGS 8.2%

MISCELLANEOUS* 15.5%
GROCERIES 33.3%
CLOTHING 9.1%
MEDICAL 9.4%

HOME/CAR REPAIRS, TOILETRIES, NEWSPAPER, ETC, ETC.

STUDY BY THE BUREAU OF LABOR STATISTICS SHOWS PETE'S FAMILY IS BETWEEN LOWER AND MIDDLE INCOME FAMILIES

BUT NEVERTHELESS, PETE IS PROUD AND HAPPY WHEN HE WALKS DOWN THE STREET....

HIYA PETE! SAY HELLO TO THE MAIL GROcerY

YES SIR, THE NAVY IS PROUD OF ITS 13,000+ EMPLOYEES AND "SHIPYARD PETE" IS ONLY ONE OF THEM, I KNOW HE'S PROUD TO BE ON HAWAII'S CONTRIBUTING TEAM TO THE LOCAL ECONOMY

...ROUND AND ROUND THE ECONOMY GOES, AND "SHIPYARD PETE" GOT NO WOES....
ASIDE FROM CIVILIANS DIRECTLY EMPLOYED BY THE NAVY, THE IMPACT OF A REDUCTION IN SHIPYARD OPERATIONS WOULD BE FELT BY LOCAL BUSINESSES THAT PROVIDE SUPPLIES AND SERVICES TO THE NAVY. MOST SIGNIFICANT OF THESE ARE THE COMPANIES IN THE SHIP REPAIR BUSINESS THAT WILL STAND TO LOSE $21,179,959.

TOTAL CONTRIBUTION TO LOCAL ECONOMY

(A) MSR CONTRACT AWARDS $19,326,498
(B) ANNUAL PAYROLL 889,993
(C) LOCAL PROCUREMENT 963,468

$21,179,959
## Private Ship Repair Contractors

<table>
<thead>
<tr>
<th>Repair Facilities</th>
<th>No. of Employees</th>
</tr>
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<tr>
<td>Dillingham Shipyard</td>
<td>232</td>
</tr>
<tr>
<td>Pacific Marine &amp; Supply</td>
<td>125</td>
</tr>
<tr>
<td>Hawaiian Tuna Packers</td>
<td>30</td>
</tr>
<tr>
<td>Ski's Enterprise</td>
<td>16</td>
</tr>
<tr>
<td>Arcwel</td>
<td>10</td>
</tr>
<tr>
<td>Marisco</td>
<td>36</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>449</strong></td>
</tr>
</tbody>
</table>

**FY 1977 Total Business**: $21,180,000
LIST OF REPRESENTATIVE FIRMS IN HAWAII DOING BUSINESS WITH THE NAVY
(PEarl Harbor Naval Shipyard)

A-1 HYDRO MECHANICS CORP.,
AA ALUMINUM PRODUCTS, INC.
AB DICK
ADDRESSOGRAPH-MULTIGRAPH CORP.
AIR ENGINEERING CO., INC.
AIR & HYDRAULIC SERVICE
ALLIED MACHINERY CORP.
AMFAC MARINE SUPPLY
ATLAS ELECTRIC CO., INC.
BECKMAN INSTRUMENTS, INC.
BLACK & DECKER MFG. CO.
BLUE PRINT CO.
BONDED MATERIALS CO.
BREWER CHEMICAL CORP.
BURROUGHS CORP.
C & F MACHINERY
CALCULATORS HAWAII
CARTER, CHARLES W. CO.
CENTRAL PACIFIC SUPPLY CORP.
CHEMICAL SALES & SERVICE, INC.
CHEMICAL SYSTEMS, INC.
CITY MILL CO., LTD.
COAST MARINE & INDUSTRY SUPPLY INC.
CONTROL DATA CORP.
CONSOLIDATED ELECTRICAL DIST., INC.
CRAIG & CO., LTD.
CUMMINS ENGINE SALES OF HAWAII, INC.
DANG MACHINE WORKS, INC.
DEARBORN CHEMICAL DIVISION
DEROCHER CO.
DEVOE & RAYNOLDS, CO., INC.
DIESEL INJECTOR SERVICE
DIESEL EQUIPMENT & COMPONENTS
DIGITAL EQUIPMENT CORP.

DUCOMMUN METAL HAWAII
DURANT - IRVINE CO.
DUPONT CO.
EDP PRODUCTS CO.
ELECTRICAL DISTRIBUTORS
ELECTRICAL EQUIPMENT CO., LTD.
ELECTRONIC SYSTEMS, INC.
ESCO, CORP.
FIBERGLASS HAWAII
FILTERS PACIFIC, INC.
FIRE CONTROL, LTD.
FLUID SYSTEMS HAWAII, INC.
GASCO, INC.
GASPRO, LTD.
GENERAL ELECTRIC
GRACE BROS.
GRANGER - PACIFIC, INC.
GRAY, H.S. CO.
GRINNON, JOHN CO., INC.
HANNAH R.S. CO.
HEIDE & COOKE, LTD.
HAWAII BLUEPRINT & SUPPLY
HAWAII CHEMICAL CO., LTD.
HAWAII ENGINEERING SUPPLIES, INC.
HAWAII METAL FORMING CORP.
HAWAII PLASTICS CORP.
HAWAII VALVE & FITTING CO.
HAWAIIAN EQUIPMENT CO.
HAWAIIAN FLUID POWER CORP.
HAWAIIAN TUNA PACKERS
HOBART CORP.
HONEYWELL, INC.
HONOLULU ELECTRONICS
HONOLULU GAS EQUIPMENT CO.
<table>
<thead>
<tr>
<th>Company Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>HONOLULU ROOFING CO., LTD.</td>
</tr>
<tr>
<td>HOPACO</td>
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<tr>
<td>HOWELCO, LTD.</td>
</tr>
<tr>
<td>IBM CORP.</td>
</tr>
<tr>
<td>INDUSTRIAL ELECTRONICS, INC.</td>
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<tr>
<td>INMONT CORP.</td>
</tr>
<tr>
<td>ITT TELECOMMUNICATIONS</td>
</tr>
<tr>
<td>JORGENSEN EARLE M., CO.</td>
</tr>
<tr>
<td>KAMAN BEARING &amp; SUPPLY CORP.</td>
</tr>
<tr>
<td>KENNETH'S MOTOR REWINDING SHOP</td>
</tr>
<tr>
<td>KENTRON HAWAII, LTD.</td>
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<tr>
<td>KEYSTON BROS.</td>
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<tr>
<td>KIRWIL INC.</td>
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<td>KILGO, AL CO.</td>
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<tr>
<td>KOKUA SALES &amp; SUPPLY, LTD.</td>
</tr>
<tr>
<td>KULEANA VALVE &amp; FITTING CO.</td>
</tr>
<tr>
<td>LAMBERT-COLE, INC.</td>
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<tr>
<td>LANCO ENGINE SERVICES, INC.</td>
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<tr>
<td>LANAKILA MARINE SERVICE</td>
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<tr>
<td>LEWERS &amp; COOKE, INC.</td>
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<tr>
<td>LINDY SALES</td>
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<tr>
<td>LYNCH CO., INC.</td>
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<tr>
<td>MACHINE TOOLS HAWAII</td>
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<td>MAGUIRE BEARING CO., LTD.</td>
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<td>MCWAYNE MARINE SUPPLY, LTD.</td>
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<td>MIDPAC LUMBER CO.</td>
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<td>MONROE CALCULATOR CO.</td>
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<td>MUTUAL DISTRIBUTORS, LTD.</td>
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<td>MUTUAL PLUMBING &amp; SUPPLY</td>
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<td>NCR CORP.</td>
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<td>NYLEN BROS. &amp; CO., LTD.</td>
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<td>OAHU WELDING SUPPLY CO., INC.</td>
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<td>OFFICE APPLIANCE CO., LTD.</td>
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<td>OLIVETTI CORP., OF AMERICA</td>
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<td>PACIFIC MARINE &amp; SUPPLY CO., LTD.</td>
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<td>PACIFIC MACHINERY, INC.</td>
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<td>PAMECO-AIRE</td>
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<td>PITNEY-BOWES, INC.</td>
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<td>PLUMBING SPECIALITIES &amp; SUPPLIES</td>
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<td>PRYCO, INC.</td>
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<td>PROPELLERS HAWAI</td>
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<td>ROCKWELL INTERNATIONAL POWER TOOL</td>
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<td>ROYAL BUSINESS MACHINES, INC.</td>
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<td>SCIENTIFIC PRODUCTS</td>
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<td>SCM CORP.</td>
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<td>SEARS ROEBUCK &amp; CO.</td>
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<td>SECURITY EQUIPMENT CORP.</td>
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<td>SEN CO., INC.</td>
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<td>SERVCO-PACIFIC, INC.</td>
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<td>SHERWIN WILLIAMS CO.</td>
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<td>SIMPLEX INTERNATIONAL</td>
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<td>SNAP ON TOOLS</td>
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<td>STATE REFRIGERATION SUPPLIES, INC.</td>
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<td>SWIFT &amp; CO.</td>
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<tr>
<td>TECHNICAL, INC.</td>
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<td>TEKTRONIX INC.</td>
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<td>TERRITORIAL DISTRIBUTORS</td>
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<td>THOM EQUIPMENT CO., INC.</td>
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<td>3M CO.</td>
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<td>TOM'S CANVAS SHOP</td>
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<td>TRUGMAN STEEL, INC.</td>
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<td>UNIROYAL TIRE AND AUTO SERVICE</td>
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<td>VETERANS ELECTRIC CO., LTD.</td>
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<td>VICTOR COMPTOMETER CORP.</td>
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<td>WONG'S DRAPERY</td>
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<td>XEROX CORP.</td>
</tr>
</tbody>
</table>

+ An additional 317 vendors for a total of 455
MILITARY CONSTRUCTION

The most obvious commercial sector that would be critically affected by a cutback in operations is the construction industry. As shown in the following table, on-going military construction projects in the shipyard and other naval activities have been a windfall to the local construction industry at a time when the industry has suffered major setbacks from the peak periods of the seventies. Needless to say, any cutback in shipyard operations would curtail continued funding of modernization projects.

<table>
<thead>
<tr>
<th>YEAR</th>
<th>MILITARY CONSTRUCTION FUNDED</th>
<th>CONSTRUCTION EMPLOYMENT</th>
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</thead>
<tbody>
<tr>
<td>1977</td>
<td>$41,500,000</td>
<td>900 per day for 18 mos</td>
</tr>
<tr>
<td>1978</td>
<td>$64,900,000</td>
<td>1500 per day for 18 mos</td>
</tr>
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</table>
Aside from military construction projects at Pearl Harbor, the effect of total military projects on the state of Hawaii can be measured by the following headlines culled from the Honolulu Star Bulletin:

$41.5 Million for Military Projects (June 17, 1976)

"The Senate appropriation subcommittee on military construction today approved $41,521,000 for 10 projects on Oahu."

HONOLULU STAR BULLETIN, JUNE 17, 1976

$41.5 Million for Military Projects

By Arlene Lum

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SENATE PANEL OKAYS $64.9 MILLION CONSTRUCTION APPROPRIATION FOR HAWAII (MAY 18, 1977)

"The $64.9 million approved this week by a Senate Appropriations subcommittee for military installations in Hawaii is more than $8 million above President Carter's request."

news from

Senator DANIEL K. INOUYE

$41.5 Million for Military Projects

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<table>
<thead>
<tr>
<th>PROJECTS</th>
<th>CONTRACTORS</th>
<th>COST (MILS)</th>
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<tbody>
<tr>
<td>SHOP 31 MODERNIZATION</td>
<td>KENNETH SHIOI</td>
<td>$3.4</td>
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<tr>
<td>ELECTRIC SHOP MODERNIZATION</td>
<td>HARVIS CONSTRUCTION</td>
<td>$7.4</td>
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<tr>
<td>QUALITY ASSURANCE FACILITY</td>
<td>TEVAL CORPORATION</td>
<td>$3.6</td>
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<tr>
<td>ELECTRO PLATING FACILITY</td>
<td>KENNETH SHIOI</td>
<td>$2.3</td>
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<tr>
<td>DRYDOCK NO. 4 IMPROVEMENTS</td>
<td>QUALITY PACIFIC CONST.</td>
<td>$0.8</td>
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<tr>
<td>FUNDING FY 79 PROJECTS</td>
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<td>$6.2</td>
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<td><strong>TOTAL CONSTRUCTION</strong></td>
<td></td>
<td><strong>$22.9</strong></td>
</tr>
</tbody>
</table>
**EFFECT OF MCASKB ON LOCAL ECONOMY**

<table>
<thead>
<tr>
<th>Loss Of:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Military Personnel</td>
<td>8,565</td>
</tr>
<tr>
<td>Civilian Personnel</td>
<td>1,086</td>
</tr>
<tr>
<td>Military Salaries</td>
<td>$19.2</td>
</tr>
<tr>
<td>Civilian Salaries</td>
<td>$12.1</td>
</tr>
<tr>
<td>Local Purchase</td>
<td>$31.1</td>
</tr>
<tr>
<td>Maint/Construction</td>
<td>$6.7</td>
</tr>
<tr>
<td>Utilities</td>
<td>$2.8</td>
</tr>
<tr>
<td><strong>Total (Mils)</strong></td>
<td><strong>$71.9</strong></td>
</tr>
</tbody>
</table>
IN SUMMARY, THE PEARL HARBOR ASSOCIATION HAS STRIVED TO HIGHLIGHT BASIC ISSUES WHICH ARE CRUCIAL TO THE PEOPLE OF HAWAII. BEFORE ANY CONCLUSIONS CAN BE REACHED REGARDING KAHOOLAWE, THE FOLLOWING QUESTIONS MUST BE ANSWERED BY EVERYONE CONCERNED WITH THE FUTURE OF HAWAII.

WHAT IS THE ULTIMATE COST OF KAHOOLAWE?

THE FOLLOWING ARE HARD FACTS ABOUT THE IMPORTANT ROLE THE MILITARY PLAYS IN THE STATE'S ECONOMY:

1. THE MILITARY SPENDS OVER ONE BILLION DOLLARS PER ANNUM IN THE STATE OF HAWAII. BASED ON ECONOMIC STUDIES PUBLISHED BY FIRST HAWAIIAN BANK, THESE DOLLARS ARE EVEN MORE SIGNIFICANT BECAUSE, UNLIKE TOURIST AND AGRICULTURAL DOLLARS, MOST OF THE MILITARY DOLLARS STAY IN THE STATE OF HAWAII.

2. THE NAVY AND THE MARINES ACCOUNT FOR ABOUT 45% OF THE TOTAL MILITARY EXPENDITURES.

3. THREE-QUARTERS OF THE TOTAL NAVY-MARINE PRESENCE IN THE ISLANDS (17 SURFACE CRAFT/AIRCRAFT UNITS, 9,000 MARINES AND SUPPORTING FACILITIES AND PERSONNEL) WOULD BE TRANSFERRED OUT-OF-STATE IF ADEQUATE TRAINING FACILITIES ARE NOT AVAILABLE.

IT DOESN'T TAKE ANY ADVANCED MATHEMATICS TO REALIZE THAT THE IMMEDIATE RESULT OF FORCING THE NAVY AND MARINES TO TRAIN ELSEWHERE WOULD BE THE LOSS OF NEARLY $351M FROM THE STATE'S ECONOMY.
IS KAHOOLawe WORTH IT?


WHAT WILL BECOME OF KAHOOLawe?

WITH ELIMINATION OF MILITARY TRAINING ON KAHOOLawe, THE STATE WILL HAVE TO ASSUME THE COSTS OF MAINTAINING THE ISLAND AS AN EXPENSIVE SHOWCASE FOR ARCHAEOLOGISTS AND OTHER SPECIAL INTEREST GROUPS. THIS WILL BE AN ADDITIONAL BURDEN FOR THE TAX PAYING PUBLIC WHO WILL ALREADY BE SUFFERING FROM THE LOSS OF REVENUE AND JOBS FROM THE EXPULSION OF MILITARY UNITS.

CONCLUSION.

KAHOOLawe IS NOT A SIMPLE CASE OF TAKING BACK WHAT IS RIGHTFULLY OURS AND EXULTING OUR PAST HERITAGE. SUCH A COURSE OF ACTION WILL HAVE FAR REACHING IMPACT ON PRESENT AND FUTURE GENERATIONS OF HAWAI'I. CELEBRATION OF THE PAST IS A LUXURY WE CAN ILL AFFORD SO LONG AS THE WANTS AND NEEDS OF PRESENT AND FUTURE GENERATIONS GO UNFULFILLED.

ALFRED WONG
PRESIDENT, PEARL HARBOR ASSOCIATION
P. O. BOX 8653
HONOLULU, HAWAI'I 96815

BENSON KEALAO KAMALAMALAMA LEE
CHAIRMAN, KAHOOLawe COMMITTEE
PEARL HARBOR ASSOCIATION
### SUMMARY OF LOSSES TO HAWAI'I'S ECONOMY

<table>
<thead>
<tr>
<th>Description</th>
<th>Millions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Civilian Payroll (PHNSY, NSC, MCAS Kaneohe)</td>
<td>$130.00</td>
</tr>
<tr>
<td>Military Payroll (17 Ships, Marines)</td>
<td>58.95</td>
</tr>
<tr>
<td>Private Shipyard Contracts (Dillingham, Pacmarine, etc.)</td>
<td>21.18</td>
</tr>
<tr>
<td>Local Business (Provisions and Other Supplies)</td>
<td>44.41</td>
</tr>
<tr>
<td>Local Business (Naval Shipyard and Support)</td>
<td>30.00</td>
</tr>
<tr>
<td>Telephone, Electricity, Minor Maintenance/Construction, etc.</td>
<td>66.47</td>
</tr>
<tr>
<td><strong>Total Navy/Marine Losses</strong></td>
<td><strong>$351.01</strong></td>
</tr>
</tbody>
</table>


WHAT WILL WE DO WITH KAHOOLawe
BESIDES PROTECTION & CONSERVATION
AS APPROVED BY STATE LAND BOARD?

- UNEMPLOYMENT INCREASED 1 1/4%
- LOSS TO ECONOMY=$351,000,000
- TREMENDOUS LOSS OF STATE TAXES

STATE OF HAWAI'I
"YOU KILLED MY SON ON TARAWA"

A BEREAVED MOTHER TO ADMIRAL NIMITZ, 1943

(POTTER, E.B., "NIMITZ", PG. 264. ANNAPOLIS, NAVAL INSTITUTE PRESS, 1976)

IN THE MILITARY BUSINESS, THE PRIMARY RESPONSIBILITY OF ANY COMMANDER IS TO ENSURE THAT EVERY MAN IS READY FOR COMBAT. BEING READY MEANS BEING TRAINED. IN BATTLE, AS IN SPORTS, TRAINING MAKES THE DIFFERENCE BETWEEN WINNING OR LOSING. BUT IN BATTLE, THE CONSEQUENCE OF LOSING IS NEEDLESS DEATH. IN ORDER TO BE NO. 1, LIKE NOTRE DAME, A TEAM MUST HAVE THE BEST OF EVERYTHING; FACILITIES, EQUIPMENT, AND COACHES. IN ORDER FOR THE U. S. NAVY AND MARINES TO WIN, THEY TOO MUST HAVE THE BEST TRAINING AVAILABLE. THE ISLAND OF KAHOOLAWE IS THE BEST TRAINING SITE. OUR MILITARY COMMANDERS WANT THE BEST FOR THEIR MEN. THEY DON'T WANT TO RECEIVE LETTERS FROM BEREAVED MOTHERS SUCH AS THE ONE THAT ADMIRAL NIMITZ RECEIVED.

ARE YOU GOING TO IGNORE THE LESSONS OF HISTORY AND COMMIT YOUR SONS TO ANOTHER TARAWA, OR ARE YOU GOING TO OFFER THEM THE BEST?
Mr. Inouye introduced the following bill; which was read twice and referred to the Committee on ________________

A BILL

To direct the Secretary of the Navy to develop the technology necessary for clearing unexploded ordnance from land and waters with certain characteristics in order to determine the feasibility and cost of clearing the island of Kahoolawe, Hawaii, and adjacent waters of ordnance and other debris.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

That in order to determine the feasibility and cost of clearing the island of Kahoolawe, Hawaii, and the adjacent waters of ordnance and other debris resulting from the use of such island as a target range by the United States Navy, the Secretary of the Navy is authorized and directed to (1) develop appropriate technology for clearing unexploded ordnance from test land which has the same or similar soil composition as the island of Kahoolawe and from submerged
land which has the ecology characteristics of subtropical waters, and (2) demonstrate the developed technology at selected sites on the island of Kahoolawe.

Sec. 2. The Secretary of the Navy shall begin work on the development of the technology described in the first section within six months after the date of enactment of this Act and shall complete the development and demonstration of such technology at the earliest practicable date. The Secretary of the Navy shall submit progress reports to the Committees on Armed Services of the Senate and the House of Representatives each year until the project provided for in the first section is completed.

Sec. 3. Any land or water area which may be cleared of unexploded ordnance incident to the demonstration of the technology shall be fenced or buoyed and be used for such purpose or purposes as the Secretary of the Navy may approve.

Sec. 4. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.
CONGRESS
---------------
Session

A BILL

(Insert title of bill here)

By Mr.

, 19---Read twice and referred to the Committee on

U.S. GOVERNMENT PRINTING OFFICE 31-495-4
IN THE SENATE OF THE UNITED STATES

Mr. INOUYE

introduced the following bill; which was read twice and referred to the Committee on

A BILL

To provide for a study and investigation of the Island of Kahoolawe, Hawaii, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is hereby established a special commission (hereinafter referred to as the "Commission") composed of _____ members to be appointed by the President. Not less than _____ members of the Commission shall be appointed from among citizens of the State of Hawaii recommended by the Governor of the State of Hawaii.

(b) (1) The President shall, at the time of appointment, designate one member of the Commission as Chairman and one member of the Commission as Vice Chairman.

(2) A majority of the members of the Commission shall constitute a quorum, but a lesser number may conduct hearings.

(3) A vacancy in the Commission shall not affect its powers, but shall be filled by appointment of the President in the same manner as the original appointment.
(c) If any member of the Commission is an officer or full-time employee of the United States, such member shall serve without compensation in addition to that received for his services as an officer or employee of the United States.

(d) Members of the Commission who are not officers or full-time employees of the United States shall each receive $100 per diem when engaged in the actual performance of duties vested in the Commission.

(e) All members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of Title 5, United States Code, for persons in the Government service employed intermittently.

(f) The Commission is authorized to appoint such personnel as it deems necessary to carry out its duty under this Act.

(g) The Commission is authorized to enter into contracts with public agencies, private firms, institutions, and individuals for the conduct of research surveys, the preparation of reports, and other activities necessary to the discharge of its duties.

(h) The Commission is authorized to request from any Federal department or agency any information and assistance it deems necessary to carry out its duties; and such department or agency is authorized to cooperate with the Commission and, to the extent permitted by law, to furnish such information and assistance to the Commission upon request made by the Chairman or any other member when acting as Chairman.

(i) It shall be the duty of the Commission to conduct a full and complete study and investigation for the purpose of determining--

(l) whether or not it is feasible to make the Island of Kahoolawe fit for human habitation or appropriate civilian use by the removal from such Island and immediate surrounding waters of undetonated explosives and other military ordnance and by instituting appropriate soil and water conserving practices;
whether or not it is essential to the national security of the United States that the United States Navy be permitted to continue to use the Island of Kahoolawe for naval bombardment activities; and

(3) whether or not there is any reasonable alternative Pacific site available to the United States for naval bombardment activities.

(j) Not later than 180 days after the date of enactment of this Act the Commission shall submit to the President and the Congress the results of its study together with such recommendations as it deems appropriate. The Commission shall cease to exist 30 days after the date of the submission of its report.

Sec. 2  (a) In the event that the Commission determines (1) that it is not feasible to make the Island of Kahoolawe fit for human habitation or appropriate civilian use or (2) that the use of the Island by the United States Navy is essential to the national security and there is no reasonable alternative Pacific site available for naval bombardment activities, the United States shall pay, out of any money in the Treasury not otherwise appropriated, the sum of $________________ to the State of Hawaii as compensation for the use of such island, and the United States Navy shall be permitted to continue to use such island subject to the same terms, conditions, and limitations that were in effect immediately prior to the enactment of this Act, except that the South Kona Bombing Range on the Island of Hawaii may no longer be used for bombardment practice purposes.

Sec. 2  (b) In the event the Commission determines that it is feasible for the Island of Kahoolawe to be made fit for human habitation and that it is not essential to the national security for the United States Navy to use such island for naval bombardment activities, the Secretary of the Navy shall convey, without consideration, to the State of Hawaii,
all right, title, and interest of the United States in and to the Island of Kahoollawe no later than ______________________________ and the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $____________________ to the State of Hawaii for the purpose of carrying out appropriate soil and water conservation practices essential to human habitation of such island and for the removal of ordnance remaining on the island and in the immediate surrounding waters.
EXECUTIVE ORDER

Reserving Kahoolawe Island, Territory of Hawaii, for the use of the United States for Naval purposes and placing it under the jurisdiction of The Secretary of the Navy

Whereas it appears necessary and in the public interest that the island of Kahoolawe, Territory of Hawaii, which comprises an area of approximately forty-five square miles, and which forms a part of the public lands ceded and transferred to the United States by the Republic of Hawaii under the joint resolution of annexation of July 7, 1898, 30 Stat. 750, be taken and reserved for the use of the United States for naval purposes, except that portion comprising an area of 23.3 acres, more or less, heretofore taken for lighthouse purposes by Proclamation No. 1827 of the President of the United States dated February 3, 1928 (45 Stat. 2937); and

Whereas it is deemed desirable and in the public interest that provision be made for the conducting of a program of soil conservation on the island while the reservation made hereby is in force, and that the area within such reservation be restored to a condition reasonably safe for human habitation when it is no longer needed for naval purposes.

Now, Therefore, by virtue of the authority vested in me by section 91 of the act of April 30, 1900, 31 Stat. 159, as amended by section 7 of the act of May 27, 1910, 36 Stat. 447, it is ordered as follows:

1. The Island of Kahoolawe, Territory of Hawaii, except that portion taken by the United States for lighthouse purposes by Proclamation No. 1827 of February 3, 1928, is hereby taken and reserved for the use of the United States for naval purposes, and is placed under the jurisdiction of the Secretary of the Navy.

2. The Secretary of the Navy shall, within a reasonable period following the date of this order, eradicate from the island all cloven-hooved animals, or shall within such period and at all times thereafter while the area hereby reserved or any portion thereof is under his jurisdiction take such steps as may be necessary to assure that the number of such animals on the island at any given time shall not exceed two hundred.

3. The Territory of Hawaii shall have the right, at its expense and risk, at reasonable intervals to enter and inspect the island to ascertain the extent of forest cover, erosion, and animal life thereon, and to sow or plant suitable grasses and plants under a program of soil conservation. Provided, that such entrance and inspection shall not interfere unreasonably with activities of the Department of the Navy or of the United States Coast Guard.

4. When there is no longer a need for the use of the area hereby reserved, or any portion thereof, for naval purposes of the United States, the Department of the Navy shall so notify the Territory of Hawaii, and shall, upon reasonable request of the Territory, render such area, or such portion thereof, reasonably safe for human habitation, without cost to the Territory.
EXECUTIVE ORDERS

No. 1013S

Feb. 25, 1953, 18 F. R. 1051

RESERVING KAHoolawe ISLAND, TERRITORY OF HAWAIi, FOR THE USE OF THE UNITED STATES FOR NAVAL PURPOSES AND PLACING IT UNDER THE JURISDICTION OF THE SECRETARY OF THE NAVY

WHEREAS it appears necessary and in the public interest that the Island of Kahoolawe, Territory of Hawaii, which comprises an area of approximately forty-five square miles, and which forms a part of the public lands ceded and transferred to the United States by the Republic of Hawaii under the joint resolution of annexation of July 7, 1898, 30 Stat. 750, be taken and reserved for the use of the United States for naval purposes, except that portion comprising an area of 23.3 acres, more or less, heretofore taken for lighthouse purposes by Proclamation No. 1827 of the President of the United States dated February 3, 1928 (43 Stat. 2937); and

WHEREAS it is deemed desirable and in the public interest that provision be made for the conducting of a program of soil conservation on the island while the reservation made hereby is in force, and that the area within such reservation be restored to a condition reasonably safe for human habitation when it is no longer needed for naval purposes;

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2. The Secretary of the Navy shall, within a reasonable period following the date of this order, eradicate from the island all cloven-hoofed animals, or shall within such period and at all times thereafter while the area hereby reserved or any portion thereof is under his jurisdiction take such steps as may be necessary to assure that the number of such animals on the island at any given time shall not exceed two hundred.

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Dwight D. Eisenhower

The White House
February 20, 1953.

TIT. 48, § 1486

TERRITORIES

The Secretary of Commerce and Labor was designated the Secretary of Commerce by Act Mar. 4, 1933.

The words "Secretary of Commerce" were substituted for "Secretary of the Treasury" to conform to Act Feb. 14, 1911, which transferred to the Secretary of Commerce and Labor all duties, powers, etc., of the Secretary of the Treasury, relating to merchant vessels or yachts, their entry, clearance, etc.

§ 1487. Extraordinary sessions

No extraordinary session of the legislature of any Territory, wherever the same is now authorized by law, shall be called unless the reasons for the same have been presented to the President of the United States, and his approval thereof has been duly given. Jan. 22, 1874, c. 388, 18 Stat. 135.

Notes of Decisions

1. Special sessions

The governor of Arizona Territory was without power to convene a special session of the territorial legislature, 10 Op. Atty. Gen. 310.

§ 1488. Vacancy in office of justice of the peace

When from any cause there shall be a vacancy in the office of justice of the peace in any of the Territories of the United States, it shall be lawful to fill such vacancy by appointment or election in such manner as has been or may be provided by the governor or legislative assembly of such Territory: Provided, That such appointee, or person elected to fill such vacancy, shall hold office until his successor shall be regularly elected and qualified as provided by law. Apr. 16, 1889, c. 56, 21 Stat. 74.

Cross References

Commissioner to be ex officio justice of peace in Alaska, see section 109 of this title.

§ 1489. Loss of title of United States to lands in territories through adverse possession or prescription forbidden

No prescription or statute of limitations shall run, or continue to run, against the title of the United States to lands in any territory or possession or place or territory under the jurisdiction or control of the United States; and no title to any such lands of the United States or any right therein shall be acquired by adverse possession or prescription, or otherwise than by conveyance from the United States. Mar. 27, 1934, c. 99, 48 Stat. 507; 1946 Proc.No.1365.
made which was transmitted to Congress by the President on December 6, 1898. U.S. Senate Document No. 16, 55th Cong., 3d Sess. It dealt with the Public Domain and shows that the Crown Lands had been taken over by the Hawaiian Government in 1894, p. 4 et seq. In 1894, the Crown Lands were in area 971,463 acres. There were no Crown Lands shown on the smaller islands. P. 102. An appendix shows the Government lands as of September 30, 1897, and lists in acres and values those of the principal islands of the group. Pp. 47-51. They amounted, in acres, to 1,749,713. In the recapitulation, though not included in the lists of public lands, there is an item that may include Palmyra. It reads, "Laysan, etc., islands, Acres — Value $40,000." At another point, p. 102, under "Area and Population" appears the only reference to Palmyra. The reference, in its setting appears in the margin.22

the Territory, formerly the Foreign Office, and from other sources of information, I find that the authority of the Territory of Hawaii over these islands is as follows:

"It appears in the report of J. A. King, Minister of the Interior, dated the 2nd day of June, 1894, to Sanford D. Dole, President of the Republic of Hawaii, that formal possession was taken of Necker Island by the said J. A. King, representing the Republic of Hawaii, on May 22, 1894; it also appears by that report that the government of the Hawaiian Islands had sent Captain John Paty to take possession of said island about 1857; it also appears that he did take such possession at that time.

"Palmyra Island, seems to have been acquired during the reign of Kamehameha IV, by a proclamation signed by him, dated the 15th day of June, 1872.

"Lisiansky Island was taken by the government of the Hawaiian Islands through Capt. John Paty on the 10th day of May, 1857.

"Morell Island and Patrocino or Byer Island were both taken for the Republic of Hawaii in 1898, by G. N. Wilcox, a Commissioner for that purpose appointed.

"While I was unable to find any official records of the acquisition of the other islands, the government has, for many years, assumed jurisdiction over them. The following leases have been made, from time to time, and have been undisputed:

"Lease of Necker Island, dated the 2nd day of June, 1884, to A. H. C. Dovekin, at $500 per annum, term twenty-five years.

"Lease of J. A. King, Minister of the Interior, to the North Pacific Phosphate & Fertilizer Co. of Morell, Ocean, Pearl and Hermes reef, Midway and French Frigate Shoals, twenty-five years from the 15th day of February, 1894.

"Laysan and Lisiansky Islands to G. D. Freeth, April 17th, 1893.

"While it is to be regretted that the records of our foreign office are not more complete, possibly a more exhaustive search might find other documents which, in the present state of the old foreign office, it was impossible for me to find. I believe that from these records the government's right to lease the islands or any privileges thereon, is clear, also to lease the same, as suggested in your letter. The fact of making such leases, and the lessees taking possession thereunder, recognizing the Territory of Hawaii as the landlord would be prima facie evidence in international law of our right to the same and would be the best evidence the government could make of its claim to the various islands in question.

"Yours truly,

"(sgd) Lorrin Andrews

"Attorney General."
Respondents' claim of title exists in a series of transactions beginning in 1882 with a deed to Wilkinson from Bent. The deed was recorded in the Registry of Conveyances of Hawaii in 1885. It conveyed all Bent's "right, title and interest in and to all the property of what description now lying or situated on Palmyra Island in the Pacific Ocean which island by a proclamation of His Majesty Kamehameha IV at present belongs to the Hawaiian Kingdom. And also all my right, title and interest in and to any partnership property that I may have an interest in as Co-partner with the said Johnson Wilkinson." The language, we think, is consistent with an intention to convey a claimed interest in the realty "lying and situated on Palmyra Island" as well as "any partnership personal property." Thereafter Wilkinson died in New Zealand in 1866 and left a will devising to his wife, Kalama:

And also all my landed freehold and leasehold estates in the Province of Auckland aforesaid, at Honolulu

In 1912 Cooper petitioned the Land Court of Hawaii to confirm title in him. Maui and Clarke contested the petition, claiming to own a dower interest in an "undivided one-third of the Island." Through its Attorney General, the Territory of Hawaii answered the petition and disclaimed "any interest in, to or concerning" Palmyra. The court decreed that Cooper was the owner in fee simple of the island subject to the dower interest of Annie Ringer held by Maui and Clarke. In 1920, Cooper leased the Island to Meng and White who

The will was proven and registered in New Zealand and was later admitted to probate in Hawaii in 1898. In 1885, after the death of Kalama, two of her heirs transferred all their "right, title and interest as heirs at law of the said Kalama or otherwise, in and to the Island of Palmyra" to one Wilcox, who conveyed to the Pacific Navigation Company. By a series of some four mesne conveyances between 1888 and 1911 the interest of Pacific Navigation Company in the island was eventually transferred to one Henry Cooper. A third heir of Kalama's transferred his rights in the island to one Ringer, whose children transferred their rights in the island to Henry Cooper in 1912. Ringer's widow in 1912 sold all her right, title, and interest in the island to Maui and Clarke.

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HAWAII

Historical Note

Notes of Decisions

1. Election laws

The "election laws" of Hawaii referred to in this section, were none other than such as were included in the general definition of section 236 of this title. Cooke v. Thayer, 1944, 22 Hawaii 247.

The laws which the local legislature is given the power to amend are those which were continued in force by section 61 of Act April 30, 1900, c. 339, 31 Stat. 72, and referred to in this section. Id.

PUBLIC LANDS

§ 661. Public lands; management and disposition

The laws of the United States existing on July 7, 1898, relative to public lands shall not apply to such lands in the Hawaiian Islands; but the Congress of the United States shall enact special laws for their management and disposition: Provided, That all revenue from or proceeds of the same, except as regards such part thereof as may be used or occupied for the civil, military, or naval purposes of the United States, shall be used solely for the benefit of the inhabitants of the Hawaiian Islands for educational and other public purposes.

July 7, 1898, No. 55, § 1, 30 Stat. 750.

Notes of Decisions

Disposal by Hawaiian Government

1. Taking for use of United States

The President is authorized, under section 311 of this title, to take such of the public lands of Hawaii as he deems proper for the uses and purposes of the United States. 1903, 24 Op. Atty.-Gen. 600.

The Secretary of the Treasury may, if authorized by the President, accept a site for a federal building in Honolulu acquired in exchange for public land in Hawaii. Id.

2. Disposal by Hawaiian Government

The officers of the Hawaiian Government have no authority to sell or otherwise dispose of the public lands in the Hawaiian Islands. 1903, 22 Op. Atty.-Gen. 57.

By the resolution of annexation the public property of Hawaii, including the lands, become vested in the United States, and only by their authority or direction can those lands be disposed of. 1892, 2 Op. Atty.-Gen. 627.

All interest of the republic of Hawaii in public lands at the time the resolution of annexation took effect was thereby transferred to the United States, and therefore the officials of Hawaii were without power to convey by grant or otherwise to the legal or equitable title to the United States. Id.

The Hawaiian Government has no power to convey or confirm title to public lands where conditional sales or entries were made prior to the resolution of annexation, and the conditions entered into by such persons or entries to a grant have not heretofore been performed, such power having been transferred to the United States. Id.

Congress having failed to legislate on the subject of public lands for the Hawaiian Islands, the Government of Hawaii is not invested with the power of their disposition. Id.

§ 662. Crown land property of Government

The portion of the public domain known as Crown lands is declared to have been, on, and prior thereto, the property of the state of Hawaii, and to be free and clear from any trust or claim from all claim of any nature whatsoever and profits thereof. It shall be subject to all laws which may be provided by law. Apr. 30, 1900, c. 339, 31 Stat. 72, 350.

Notes of Decisions

States claim on Palmyra Island under Act of 1903, 33 Stat. 51.

Evidence on possession of title to Palmyra Island under that Act (Act of 1903) is not sufficient to support a claim of title to the island.

§ 663. Public lands; definitions

When used in sections 663, 664, and 665-6, the word "public land" mean public lands of the Territory of Hawaii; and the word "land board" means the board of commissioners established by section of this title; and the term "public lands" includes all lands classed as Government or Crown land, or acquired by the Government upon purchase, exchange, escheat, or the exercise of dominion over them.
The laws which the local legislature, or given the power to amend are those of general were continued in force by sections 267, and referred to in this section. id.

UBIC LANDS

agement and disposition
States existing on July 7, 1898, relative apply to such lands in the Hawaiian prior to the United States shall enact special laws disposition: Provided, That all revenue, except as regards such part thereof for the civil, military, or naval purp may be assigned for the use of the landly for the benefit of the inhabitants or educational and other public purposes. Stat. 750.

otes of Decisions

By the resolution of annexation, public property of Hawaiian lands, became vested in the United States, and only by their authority or die can those lands be disposed of. Op. Atty. Gen. 627.

All interest of the republic of the public lands at the time the resolution of annexation took effect was transferred to the United States thereafter the officials of Hawa without power to convey by grant other than the legal or equitable title to the United States. Id.

The Hawaiian Government has never to convey or confirm title to lands where conditional sales or covenants were made prior to the resoluti and the conditions in said persons or entrymen to abide been substantially performed, shall have been transferred to the States. Id.

Congress having failed to legisla the subject of public lands for Walian islands, the Government wall is not vested with the power of their disposition. Id.

Notes of Decisions

Evidence established that the taking possession by two individuals of Plymouth Island in 1852 as an agent of Hawaiian Government was based on Hawaiian law and continued after United States acquired whatever rights Hawaii had, the validity of defendants' claim was to be adjudged also in light of public land law the United States. Id.

The term "commissioner" means the commissioner of public of the Territory of Hawaii; the term "land board" means the board of public lands, as provided in section 673 of this title;

The term "public lands" includes all lands in the Territory of Hawaii classified as Government or Crown lands previous to August 15, 1895, or acquired by the Government upon or subsequent to such date by purchase, exchange, escheat, or the exercise of the right of emi-
Sec. 88

ORGANIC ACT

on coal used on steamers engaged in trade between Atlantic and Pacific ports of United States: 24 Ops. 6. See also §§93, 98, of this act; also Chronological Note of Acts Affecting Hawaii for other legislation by Congress relating to customs and kindred subjects; and note to Joint Resolution of annexion, as to customs duties between annexion and the establishment of Territorial government in RLH 1955.

Honolulu is a "port or place in the United States" within the meaning of the shipping act. 36 Ops. 352.

CHAPTER VI.

MISCELLANEOUS

§89. Wharves and Landings. The wharves and landings constructed or controlled by the Republic of Hawaii on any seacoast, bay, roadstead, or harbor shall remain under the control of the government of the Territory of Hawaii, which shall receive and enjoy all revenue derived therefrom. [Am June 29, 1954, c 418, 68 Stat 323]

Referred to in 217 U. S. 244 (Federal jurisdiction of murder in harbor of Honolulu).

The Act of December 22, 1942, c 803, 56 Stat. 1071, authorizes federal departments and agencies to pay the Territory "the reasonable value, as determined by the department or agency concerned," of the use of such property, notwithstanding this section, during the period from Jan. 1, 1942 until 6 mo. after end of war, unless sooner terminated by Congress.

§90. That Hawaiian postage stamps, postal cards, and stamped envelopes at the post-offices of the Hawaiian Islands when this Act takes effect, shall not be sold, but, together with those that shall thereafter be received at such offices as herein provided, shall be canceled under the direction of the Postmaster-General of the United States; those previously sold and uncanceled shall, if presented at such offices within six months after this Act takes effect, be received at their face value in exchange for postage stamps, postal cards, and stamped envelopes of the United States of the same aggregate face value and, so far as may be, of such denominations as desired.


§91. That, except as otherwise provided, the public property ceded and transferred to the United States by the Republic of Hawaii under the joint resolution of annexation, approved July seventh, eighteen hundred and ninety-eight, shall be and remain in the possession, use, and control of the government of the Territory of Hawaii, and shall be maintained, managed, and cared for by it, at its own expense, until otherwise provided for by Congress, or taken for the uses and purposes of the United States by direction of the President or of the Governor of Hawaii. And any such public property so taken for the uses and purposes of the United States may be restored to its previous status by direction of the President; and the title to any such public property in the possession and use of the Territory for the purposes of water, sewer, electric, and other public works, penal, charitable, scientific, and educational institutions, cemeteries, hospitals, parks, highways, wharves, landings, harbor improvements, public buildings, or other public purposes, or required for any such purposes, may be transferred to the Territory by direction of the President, and the title to any property so transferred to the Territory may thereafter be transferred to any city, county, or other political subdivision thereof, or the Un-


MISCELLANEOUS Sec. 93

iversity of Hawaii by direction of the governor when thereunto authorized by the legislature; Provided, That when any such public property so taken for the uses and purposes of the United States, if instead of being used for public purpose, is thereafter by the United States leased, rented, or granted upon revocable permits to private parties, the rentals or consideration shall be covered into the treasury of the Territory of Hawaii for the use and benefit of the purposes named in this section. [Am May 27, 1910, c 258, §7, 36 Stat 447; June 19, 1930, c 546, 46 Stat 789; Aug. 21, 1958, Pub L 85-719, 72 Stat 709]


See the Joint Resolution of Annexation and the note thereto, in regard to ceded public lands, RLH 1955, page 13; see Chronological Note of Acts Affecting Hawaii for Acts of Congress, presidential proclamations, and executive orders, RLH 1955, page 9; see also notes to §73. For transfers made by the Governor, see notes to this section in R. L. 1925 and R. L. 1935 and the records of the commissioner of public lands.

See §73 (q) re further power of the Governor to set land aside for use of United States.

Nature of authority granted Territory. 66 F.Supp. 782.

Under the original §, the Territory could not sell ceded movable property: 25 Ops. 523 (tugboat); but previous sales were ratified and further sales authorized by an Act of May 26, 1906 (34 Stat. 204). The title of the government to the crown lands cannot be questioned by the courts: 18 H. 651; 18 H. 645; 20 H. 548. The Territory may maintain a bill for an injunction to remove obstructions to public rights of the shore outside of high water mark: 16 H. 376. Setting aside land for a naval reservation does not deprive the Territorial courts of jurisdiction over misdemeanors committed thereon against local laws: 19 H. 200. (See also 23 H. 63; 4 U. S. D. C. Haw. 466; notes to 822, 55, and 86.) Referred to in 15 H. 367; 16 H. 245; 21 H. 144; 217 U. S. 244; 20 H. 217 U. S. D. C. Haw. 95. See also 25 Ops. 225; 150 F. 2d 1016.

Palmyra Island was part of the land ceded to the U. S. by Hawaii, 133 F. 2d 743. However, for claim of private ownership based on presumption of lost grant, see 156 F. 2d 556, affd 331 U. S. 256.

Sand island, created by the deposit of spoil on submerged land, is subject to the provisions of this section and after having been set aside by the President for military purposes could be transferred by him to the Treasury Dept. 39 Ops. 460.

§92. Salaries, certain officers. That the following officers shall receive the following annual salaries, to be paid by the United States: The governor, $15,000; the secretary of the Territory, $5,400; the chief justice of the Supreme Court of the Territory, $10,500; the associate judges of the Supreme Court, $10,000 each; the judges of the Circuit Court for the First Circuit of the Territory of Hawaii the sum of $7,500 and, to each of the judges of the Second, Third, Fourth and Fifth Circuits of the Territory of Hawaii the sum of $7,000. The governor shall receive annually from the United States, in addition to his salary, (1) the sum of $1,000 for stationery, postage, and incidentals, and (2) his traveling expenses while absent from the capital on official business. The governor is authorized to employ a private secretary who shall receive an annual salary of $3,000 to be paid by the United States. [Am May 27, 1910, c 258, §8, 36 Stat 448; July 9, 1921, c 42, §314, 42 Stat 120; May 29, 1928, c 904, §812, 45 Stat 997; Oct. 15, 1949, c 693, §9 (a), 63 Stat 880; rep March 18, 1959, Pub L 86-3, 174 (e), 73 Stat 4]

See §93, salaries of justices of supreme court and circuit courts not to be diminished during their term of office. But see 307 U. S. 277. See §86 for salaries of U. S. judges appointed thereto or other salaries.

Repeal of judges of supreme court and U. S. District Court of Hawaii is provided by the Act of May 31, 1938, c 301, 52 Stat. 591, 48 U. S. C. A. §663c, 634c.

§93. Imports from Hawaii into the United States. That imports
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Action provided for is not an action to quiet title to real property; may he brought in circuit different from that in which fishery is; 18 H. 460. Referred to in 21 H. 632: 205 U. S. 353; 39 H. 129; 41 H. 597.

Jurisdiction of court does not include power to adjudicate title to submerged land. 48 H. 152, 397 P. 2d 593.

See note to §95.

§97. Quarantine. The health laws of the government of Hawaii relating to the harbor of Honolulu and other harbors and inlets from the sea and to the internal control of the health of the islands shall remain in the jurisdiction of the government of the Territory of Hawaii, subject to the quarantine laws and regulations of the United States. [Am July 1, 1944, c 373, §611, 58 Stat 714]

Quarantine station and grounds thus transferred included only the island known as Kamokukulikuli and not tracts on Sand and Quarantine Islands set aside for military purposes by executive order of Nov. 24, 1920, which therefore was valid; 33 Ops. 409. Referred to in 13 H. 21.

§98. That all vessels carrying Hawaiian registers on the twelfth day of August, eighteen hundred and ninety-eight, and which were owned bona fide by citizens of the United States, or the citizens of Hawaii, together with the following-named vessels claiming Hawaiian register, Star of France, Euterpe, Star of Russia, Falls of Clyde, and Willscott, shall be entitled to be registered as American vessels, with the benefits and privileges appertaining thereto, and the coasting trade between the islands aforesaid and any other portion of the United States, shall be regulated in accordance with the provisions of law applicable to such trade between any two great coasting districts.

See also §88 of this act. On authority to register Hawaiian vessels after annexation and before this act, see note to Joint Resolution of Annexation, RLH 1955, page 13. For special act for register of barkentine "Hawaii," see 32 Stat. 33. On issuance of register to American citizen of Chinese birth, see note to §4. Referred to in 182 U. S. 397 and 105 Fed. 78, to show that "coasting trade" is not limited to interior waters or contiguous coast. Referred to in 23 Ops. 416; 24 Ops. 7.

§99. That the portion of the public domain heretofore known as Crown land is hereby declared to have been, on the twelfth day of August, eighteen hundred and ninety-eight, and prior thereto, the property of the Hawaiian government, and to be free and clear from any trust of or concerning the same, and from all claim of any nature whatsoever, upon the rents, issues, and profits thereof. It shall be subject to alienation and other uses as may be provided by law.

Compare Const. of 1894, art. 95. In view of this s, the title of the government to crown lands cannot be questioned by the courts: 18 H. 645; 18 H. 651; 20 H. 548. When monarchy ceased, crown lands became part of the public domain, irrespective of Mon. § or the corresponding § of the Const. of 1894, and no equitable interest remained in retiring queen: 45 C. CIs. R. 418; if there were any trust it was denied by this §, and the statute of limitations (six years) began to run: 16 H. 245. See note to §73.

§100. All records relating to naturalization, all declarations of intention to become citizens of the United States, and all certificates of naturalization filed, recorded, or issued prior to the taking effect of the Naturalization Act of June twenty-ninth, nineteen hundred and six, in or from any circuit court of the Territory of Hawaii, shall for all purposes be deemed to be and have been made, filed, recorded, or issued by
COMPILATION

OF

REPORTS

OF

COMMITTEE ON FOREIGN RELATIONS,

UNITED STATES SENATE,

1789-1901,

First Congress, First Session, to Fifty-sixth Congress, Second Session.

DIPLOMATIC RELATIONS WITH FOREIGN NATIONS—AFFAIRS IN CUBA.

VOL. VII.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1901.
A DIGEST OF INTERNATIONAL LAW

AS EMBODIED IN

DIPLOMATIC DISCUSSIONS, TREATIES AND OTHER INTERNATIONAL AGREEMENTS, INTERNATIONAL AWARDS, THE DECISIONS OF MUNICIPAL COURTS, AND THE WRITINGS OF JURISTS,

AND ESPECIALLY IN DOCUMENTS, PUBLISHED AND UNPUBLISHED, ISSUED BY PRESIDENTS AND SECRETARIES OF STATE OF THE UNITED STATES, THE OPINIONS OF THE ATTORNEYS-GENERAL, AND THE DECISIONS OF COURTS, FEDERAL AND STATE.

BY

JOHN BASSETT MOORE, LL. D.,

Hamilton Fish Professor of International Law and Diplomacy, Columbia University, Associate of the Institute of International Law; Sometimes Third Assistant Secretary of State and Assistant Secretary of the United States; Author of a Treatise on Extradition and Interstate rendition, of American Notes on the Conflict of Laws, of a History and Digest of International Arbitrations, of an Exposition of the Spirit and Achievements of American Diplomacy, etc.

IN EIGHT VOLUMES (THE EIGHTH BEING INDEXICAL).

VOLUME I.

WASHINGTON: GOVERNMENT PRINTING OFFICE 1906.
WHEREAS, General Land Office supplemental plats showing retracements and resurveys in T. 20 N., R. 8 W., T. 21 N., R. 10 W., T. 21 N., R. 11 W., and T. 21 N., R. 12 W., New Mexico Principal Meridian, accepted March 29, 1923, covering the principal ruins in the Chaco Canyon National Monument, New Mexico, as set aside by Presidential Proclamation dated March 11, 1907, (35 Stat., 2119), disclose that certain of the ruins intended to be included in and preserved by the Chaco Canyon National Monument do not fall within the present Monument boundaries as shown on said supplemental resurvey plats; and

WHEREAS, the public good would be promoted by extending the boundaries of said National Monument to include the ruins aforementioned.

NOW, THEREFORE, I, CALVIN COOLIDGE, President of the United States of America, by authority of the power in me vested by section two of the act of Congress entitled, “An Act for the preservation of American antiquities,” approved June 8, 1906 (34 Stat., 225) do proclaim that the SW 1/4, Sec. 10, T. 20 N., R. 8 W., all of Sec. 24, T. 21 N., R. 11 W., NW 1/4, NW 1/4, Sec. 25, and the SE 1/4 SW 1/4, Sec. 32, T. 21 N., R. 12 W., New Mexico Principal Meridian, are hereby reserved from all forms of appropriation under the public land laws, subject to all valid existing claims, and added to the Chaco Canyon National Monument, and that the boundaries of the Chaco Canyon National Monument in San Juan and McKinley Counties, state of New Mexico, are now as shown on the diagram hereto annexed and made a part hereof.

Warning is hereby expressly given to all unauthorized persons not authorized acts. to appropriate, injure, destroy or remove any feature of this Monument and not to locate or settle upon any of the lands thereof.

The Director of the National Park Service, under the direction of the Secretary of the Interior, shall have the supervision, management, and control of this Monument as provided in the act of Congress entitled, “An Act to establish a National Park Service and for other purposes,” approved August 25, 1916 (39 Stat., 535) and Acts additional thereto or amendatory thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

DONE at the City of Washington this tenth day of January in the year of our Lord one thousand nine hundred and twenty-eight, and of the Independence of the United States of America the one hundred and fifty-second.

Calvin Coolidge

By the President:
FRANK B. KELLOGG
Secretary of State.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION.

WHEREAS, it appears, that the land hereinafter described, ceded by the Republic of Hawaii to the United States of America, and in the possession, use and control of the Territory of Hawaii is necessary for the uses and purposes of the United States of America, to wit, for Lighthouse purposes.
Now, therefore, I, Calvin Coolidge, President of the United States, by virtue of the authority in me vested, and pursuant to the provisions of Section 91 of the Act of April 30, 1900, (31 Stat., 159,) entitled An Act to provide a government for the Territory of Hawaii, as amended by Section 7 of the Act of May 27, 1910, (36 Stat., 447,) do hereby declare and proclaim that the following described land be and hereby is taken for the uses and purposes of the United States, to wit, for Lighthouse purposes:

All that piece and parcel of land situated on the Island of Kahoolawe, in the Territory of Hawaii, described as follows, to wit:

Beginning at a point marked by a brass pin in a concrete block stamped "U. S. L. H. S." said point bearing 139°00'30" and distant 540.4 feet from triangulation station "Hope", thence by true azimuths and distances, as follows:

1. 264°34'00" 1369.23 feet to a 5/8" brass pin in a concrete block stamped "U. S. L. H. S."; thence
2. 278°54'00" 290.0 feet to a point on the seashore at highwater mark;
3. Thence along the meanderings of highwater mark to seashore to a point which bears 840°34'00" and is distant 188.00 feet from the point of beginning; thence
4. 264°34'00" 185.0 feet to the point of beginning, AND CONTAINING AN AREA OF 23.3 ACRES MORE OR LESS.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this 3rd day of February, in the year of our Lord one thousand nine hundred and twenty-eight and of the Independence of the United States the one hundred and fifty-second.

CALVIN COOLIDGE

By the President:
FRANK B KELLOGG Secretary of State.

February 13, 1928.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Whereas in and by section 315 (a) of Title III of the act of Congress approved September 21, 1922, entitled "An act to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, and for other purposes," it is, among other things, provided that whenever the President, upon investigation of the differences in costs of production of articles wholly or in part the growth or product of the United States and of like or similar articles wholly or in part the growth or product of competing foreign countries, shall find it thereby shown that the duties fixed in this act do not equalize the said differences in costs of production in the United States and the principal competing country he shall, by such investigation, ascertain said differences and determine and proclaim the changes in classifications or increases or decreases in rates of duty provided in said act shown by said ascertained differences in such costs of production necessary to equalize the same;

Whereas in and by section 315 (b) of said act it is further provided that whenever the President upon such investigation shall find it thereby shown that the duties prescribed in said act do not equalize said differences, and shall further find it thereby shown that the said differences in costs of production in the United States and the
EXECUTIVE ORDER 11593
Protection and Enhancement of the Cultural Environment


SECTION 1. Policy. The Federal Government shall provide leadership in preserving, restoring and maintaining the historic and cultural environment of the Nation. Agencies of the executive branch of the Government (hereinafter referred to as “Federal agencies”) shall (1) administer the cultural properties under their control in a spirit of stewardship and trusteeship for future generations, (2) initiate measures necessary to direct their policies, plans and programs in such a way that federally owned sites, structures, and objects of historical, architectural or archaeological significance are preserved, restored and maintained for the inspiration and benefit of the people, and (3), in consultation with the Advisory Council on Historic Preservation (16 U.S.C. 470i), institute procedures to assure that Federal plans and programs contribute to the preservation and enhancement of non-federally owned sites, structures and objects of historical, architectural or archaeological significance.

SEC. 2. Responsibilities of Federal agencies. Consonant with the provisions of the acts cited in the first paragraph of this order, the heads of Federal agencies shall:

(a) no later than July 1, 1973, with the advice of the Secretary of the Interior, and in cooperation with the liaison officer for historic preservation for the State or territory involved, locate, inventory, and nominate to the Secretary of the Interior all sites, buildings, districts, and objects under their jurisdiction or control that appear to qualify for listing on the National Register of Historic Places.

(b) exercise caution during the interim period until inventories and evaluations required by subsection (a) are completed to assure that any federally owned property that might qualify for nomination is not inadvertently transferred, sold, demolished or substantially altered. The agency head shall refer any questionable actions to the Secretary of the Interior for an opinion respecting the property’s eligibility for inclusion on the National Register of Historic Places. The Secretary shall consult with the liaison officer for historic preservation for the State or territory.
involved in arriving at his opinion. Where, after a reasonable period in which to review and evaluate the property, the Secretary determines that the property is likely to meet the criteria prescribed for listing on the National Register of Historic Places, the Federal agency head shall reconsider the proposal in light of national environmental and preservation policy. Where, after such reconsideration, the Federal agency head proposes to transfer, sell, demolish or substantially alter the property he shall not act with respect to the property until the Advisory Council on Historic Preservation shall have been provided an opportunity to comment on the proposal.

(c) initiate measures to assure that where as a result of Federal action or assistance a property listed on the National Register of Historic Places is to be substantially altered or demolished, timely steps be taken to make or have made records, including measured drawings, photographs and maps, of the property, and that copy of such records then be deposited in the Library of Congress as part of the Historic American Buildings Survey or Historic American Engineering Record for future use and reference. Agencies may call on the Department of the Interior for advice and technical assistance in the completion of the above records.

(d) initiate measures and procedures to provide for the maintenance, through preservation, rehabilitation, or restoration, of federally owned and registered sites at professional standards prescribed by the Secretary of the Interior.

(e) submit procedures required pursuant to subsection (d), to the Secretary of the Interior and to the Advisory Council on Historic Preservation no later than January 1, 1972, and annually thereafter, for review and comment.

(f) cooperate with purchasers and transferees of a property listed on the National Register of Historic Places in the development of viable plans to use such property in a manner compatible with preservation objectives and which does not result in an unreasonable economic burden to public or private interests.

Sec. 3. Responsibilities of the Secretary of the Interior. The Secretary of the Interior shall:

(a) encourage State and local historic preservation officials to evaluate and survey federally owned historic properties and, where appropriate, to nominate such properties for listing on the National Register of Historic Places.

(b) develop criteria and procedures to be applied by Federal agencies in the reviews and nominations required by section 2(a). Such criteria and procedures shall be developed in consultation with the affected agencies.

(c) expedite action upon nominations to the National Register of Historic Places concerning federally owned properties proposed for sale, transfer, demolition or substantial alteration.

(d) encourage State and Territorial liaison officers for historic preservation to furnish information upon request to Federal agencies regarding their properties which have been evaluated with respect to historic,
architectural or archaeological significance and which as a result of such evaluations have not been found suitable for listing on the National Register of Historic Places.

(e) develop and make available to Federal agencies and State and local governments information concerning professional methods and techniques for preserving, improving, restoring and maintaining historic properties.

(f) advise Federal agencies in the evaluation, identification, preservation, improvement, restoration and maintenance of historic properties.

(g) review and evaluate the plans of transferees of surplus Federal properties transferred for historic monument purposes to assure that the historic character of such properties is preserved in rehabilitation, restoration, improvement, maintenance and repair of such properties.

(h) review and comment upon Federal agency procedures submitted pursuant to section 2(e) of this order.

THE WHITE HOUSE,
May 13, 1971.

[FR Doc.71-6951 Filed 5-14-71;12:18 pm]

1 until a period of thirty days has expired following the receipt
2 by the Committees on Armed Services of such notification.
3
4 DECONTAMINATION STUDY, KAUOLAWE ISLAND

5 SEC. 809. (a) In order to determine the feasibility and
6 cost of clearing the island of Kahoolawe, Hawaii, and the
7 adjacent waters of ordnance and other debris resulting from
8 the use of such island as a target range by the United States
9 Navy, the Secretary of the Navy is authorized and directed
10 to (1) develop appropriate technology for clearing unexploded
11 ordnance from test land which has the same or similar soil
12 composition as the island of Kahoolawe and from submerged
13 land which has the ecology characteristics of subtropical
14 waters, and (2) demonstrate the developed technology at se-
15 lected sites on the island of Kahoolawe.
16
17 (b) The Secretary of the Navy shall begin work on the
18 development of the technology described in the first section
19 within six months after the date of enactment of this Act and
20 shall complete the development and demonstration of such
21 technology at the earliest practicable date. The Secretary of
22 the Navy shall submit progress reports to the Committees on
23 Armed Services of the Senate and the House of Representa-
24 tives each year until the project provided for in subsection (a)
25 is completed.

26 (c) Any land or water area which may be cleared of
27 unexploded ordnance incident to the demonstration of the
technology shall be fenced or buoyed and be used for such
purpose or purposes as the Secretary of the Navy may
approve.

(d) There are authorized to be appropriated such sums
as may be necessary to carry out the provisions of this sec-
tion during fiscal year 1981.
effective until after the Secretary has notified the appropriate committees of the Congress of the waiver in writing.

(c) The Secretary of Defense may not provide heating service for any new facility or plant in increments in order to avoid the prohibition contained in subsection (a).

REMOVAL OF CHEMICAL MUNITIONS, ROCKY MOUNTAIN ARSENAL

Sec. 809. (a) Notwithstanding any other provision of law, the Secretary of Defense shall remove all chemical munitions from the Rocky Mountain Arsenal, Colorado, within one year after the date of the enactment of this Act.

(b) Within ninety days after the date of the enactment of this Act, the Secretary of Defense shall notify the Committees on Armed Services of the Senate and the House of Representatives in writing of the methods proposed to be used in carrying out the provisions of subsection (a).

(c) The Secretary of Defense shall not take any action to carry out the provisions of subsection (a) until a period of thirty days has elapsed after the receipt by the Committees on Armed Services of the notification required under subsection (b).

DECONTAMINATION STUDY, KAHOOLawe ISLAND

Sec. 810. (a) In order to determine the feasibility and cost of clearing the island of Kahoolawe, Hawaii, and the adjacent waters of ordnance and other debris resulting from the use of such island as a target range by the United States Navy, the Secretary of the Navy is authorized and directed to (1) develop appropriate technology for clearing unexploded ordnance from test land which has the same or similar soil composition as the island of Kahoolawe and from submerged land which has the ecology characteristics of subtropical waters, and (2) demonstrate the developed technology at selected sites on the island of Kahoolawe.

(b) The Secretary of the Navy shall begin work on the development of the technology described in subsection (a) within six months after the date of the enactment of this Act and shall complete the development and demonstration of such technology at the earliest practicable date. The Secretary of the Navy shall submit progress reports to the Committees on Armed Services of the Senate and the House of Representatives each year until the project provided for in subsection (a) is completed.

(c) Any land or water area which may be cleared of unexploded ordnance incident to the demonstration of the technology shall be fenced or buoyed and be used for such purpose or purposes as the Secretary of the Navy may approve.

(d) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section during fiscal year 1981.

STUDY OF CONDITION OF THE STRATEGIC RAIL CORRIDOR

Sec. 811. (a) The Secretary of Defense, in consultation with the Secretary of Transportation, shall conduct a study of the condition of railroad lines identified in the Strategic Rail Corridor Network (STRACNET) for National Defense (Military Traffic Management
RESOLUTION

RETURNING OF KAHOOLAWE TO THE PEOPLE OF HAWAII.

WHEREAS, Kahoolawe is an island endowed with a rich cultural and historical heritage; and

WHEREAS, the Island's shrines and heiaus are living monuments to the rich cultural historical past; and

WHEREAS, Kahoolawe's beautiful flora and fauna are representative of native species; and

WHEREAS, policies of the United States Government have caused and are causing the deterioration of Kahoolawe; and

WHEREAS, the Island of Kahoolawe has an outstanding potential to be utilized by Hawaii's peoples for recreational and cultural purposes; now, therefore,

BE IT RESOLVED by the Democratic Party of the State of Hawaii in 1976 convention assembled, that the United State Government be urged to discontinue its bombing and desecration of the Island of Kahoolawe and return the Island of Kahoolawe to all the people of Hawaii.

BE IT FURTHER RESOLVED that certified copies of this Resolution be transmitted to the President of the United States, the U. S. Secretary of Defense, the Hawaii Congressional Delegation, and the mayor of Maui County.
JOINT RESOLUTION

Establishing the Hawaiian Native Claims Settlement Study Commission, and for other purposes.

Whereas, in the year 1893, the United States Minister accredited to the sovereign and independent Kingdom of Hawaii, acting wholly without the authority or knowledge of the Congress or the President, unlawfully conspired with a small group of non-Hawaiian residents of that kingdom, including citizens of the United States, to overthrow the indigenous and lawful government of Hawaii; and

Whereas, in pursuance of such conspiracy, the United States Minister and the naval representative of the United States, also acting without authority, caused Armed Forces of the United States to be put ashore and deployed in support of the overthrow of such indigenous and lawful government;
and the United States Minister thereupon extended diplomatic recognition to a provisional government formed by the conspirators without the consent of the people or of the lawful government of Hawaii, which provisional government was sustained solely by the Armed Forces of the United States; and

Whereas, on December 18, 1893, in a message to the Congress, President Cleveland did report fully and accurately on these illegal actions, which statement acknowledged that “by an act of war, committed with the participation of a diplomatic representative of the United States and without the authority of the Congress, the government of a feeble but friendly and confiding people has been overthrown”, that “a substantial wrong has thus been done which a due regard for our national character as well as the rights of the injured people requires that we endeavor to repair”, and that “the United States cannot fail to vindicate its honor and its sense of justice by an earnest effort to make all possible reparation”; and

Whereas a claim for repair of these wrongs to the Hawaiian people was presented to the Government of the United States of America by Queen Liliuokalani, the lawful monarch of Hawaii and on July 15, 1893, a petition for redress was also presented by the Hawaiian Patriotic League, representing Hawaiian Natives; and

Whereas, in 1898, Hawaii was annexed to the United States, and by such annexation, among other things, the United States acquired ownership of vast landholdings that had been common property of the Hawaiian Natives prior to the overthrow of their indigenous government; and
Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress hereby declares that a wrong has been committed against the Native Hawaiians which the United States is obligated to endeavor to remedy; that no wrong such as this committed eighty-three years ago in far different circumstances to a specific people few of whom survive today can be fully rectified in this or future Congresses; that the Congress, however, is desirous of determining whether a suitable remedy for such wrong can be fashioned; and a commission of distinguished Hawaiian Natives and other citizens should be convened to advise the Congress on all matters pertaining to such remedy.

Sec. 2. (a) There is hereby established the Hawaiian Native Claims Settlement Study Commission (hereinafter referred to as the “Commission”).

(b) (1) The Commission shall be composed of eleven members appointed by the President, of whom six shall be from a list of not less than twelve names submitted to the President by the Governor of Hawaii. Six of the members shall be of the blood of Natives of the Hawaiian Islands prior to 1778 (hereinafter “Natural blood”), two of whom shall
be of one-half degree or more of Native blood, two of whom shall be of one-quarter or more degree of Native blood, and two of whom shall be of any degree of Native blood. Each of the counties of Hawaii, Honolulu, Kauai, and Maui shall be represented on the Commission by a member of Native blood who is an inhabitant thereof. At least four members shall be conversant in Hawaiian Native culture, history, or language and one member shall be knowledgeable concerning Federal and State laws which are addressed to or significantly affect Hawaiian Natives.

(2) The Commission shall elect a Chairman and Vice Chairman from among its members.

(3) Six members of the Commission shall constitute a quorum, but a smaller number, as determined by the Commission, may conduct hearings.

(4) Vacancies in the membership of the Commission shall not affect the powers of the remaining members to execute the functions of the Commission and shall be filled in the same manner as in the case of the original appointments.

(5) Each member of the Commission shall receive $100 for each day such member is engaged in the actual performance of duties vested in the Commission. Each member shall be reimbursed for travel expenses, including per
1. diem in lieu of subsistence; as shall be provided from time to time by regulations adopted by the Committee on House Administration of the United States House of Representatives.

(c) The first meeting of the Commission shall be called by the President within the sixty-calendar-day period following the date of approval of this resolution.

(d) Subject to such rules and regulations as may be adopted by the Commission, the Chairman shall have the power to—

(1) appoint and fix the compensation of an executive director, a general counsel, and such additional staff personnel as he deems necessary, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, but at rates not in excess of the maximum rate for GC-18 of the General Schedule under section 5332 of such title; and

(2) procure temporary and intermittent services to the same extent as is authorized by section 3109 of title 5, United States Code, but at rates not to exceed $100 a day for individuals.
(e) Each Federal department, agency, and instrumentality is authorized to furnish the Commission such data, reports, information, and other resources as the Chairman of the Commission may request.

Sec. 3. (a) The Commission shall, within one year from the date of the approval of this resolution—

(1) conduct a study of the culture, needs, and concerns of the Hawaiian Natives; the nature of the wrong committed against, and the extent of the injuries to, the Hawaiian Natives by reason of the actions set forth in the preamble of this resolution; and various means to remedy such wrong; and

(2) submit a report of its findings to the Congress.

(b) (1) The report required by this section shall provide recommendations for a remedy. Such recommendations shall include—

(A) the distribution, expenditure, investment, or other use of funds to be appropriated in equal increments over a period of years as a component of any such remedy: Provided, That emphasis shall be placed not on direct grants but on investment of funds by an Hawaiian Native organization or organizations and issuance of shares to Hawaiian Natives as stockholders therein, loans or guarantees of loans to or for Hawaiian Natives, or other innovative uses of the funds which will insure such
moneys are employed successively for the benefit of Hawaiian Natives;

(B) the provision of land as a component of any such remedy through any method, including the surplusing of Federal land and amendments to the Hawaiian Homes Commission Act of 1920 (42 Stat. 109), except purchase or condemnation of lands by the Federal Government: Provided, That, should the surplusing of Federal lands be recommended as a component of any such remedy, the Commission shall propose a method or methods for resolving, whenever a tract of such land is offered, whether such tract shall be conveyed to the State under applicable law or the Hawaiian Natives under a subsequent Act to provide for such remedy;

(C) such other recommendations concerning the components set forth in clauses (A) and (B) of this paragraph as the Commission deems appropriate;

(D) the preservation and enhancement of Hawaiian Native culture and the education of Hawaiian Natives as principal purposes of any such remedy;

(E) the blood quantum requirements for eligibility to receive the benefits of any remedy and, if the Commission deems appropriate, to receive specific benefits or shares of benefits;

(F) the form or forms of organization best suited to
receive, distribute, or administer the benefits of any remedy; and

(G) other matters concerning any such remedy, including but not limited to alienability and tax status of the benefits of any such remedy, provision of technical assistance to Hawaiian Natives on the use of such benefits, and the reporting of the disposition of such benefits to the Federal Government and the Hawaiian Natives.

(2) Any such recommendations shall, to the extent possible, be designed to insure that any such remedy—

(A) will be a final settlement which extinguishes all claims of Hawaiian Natives against the United States arising from the actions set forth in the preamble of this resolution;

(B) will be capable of prompt implementation with a minimum of litigation;

(C) will be in conformity with the real economic and social needs of the Hawaiian Natives;

(D) is fashioned and will be implemented with the maximum participation of Hawaiian Natives;

(E) will not create a wardship or trusteeship;

(F) will not replace or diminish any right, privilege, or obligation of the Hawaiian Natives as citizens of the United States or the State of Hawaii; and
(G) will not relieve, replace, or diminish any obligation of the United States or the State of Hawaii to protect and promote the rights and welfare of Hawaiian Natives as citizens of the United States or Hawaii.

SEC. 4. Upon the expiration of the sixty-day period following the submission of the report required by section 3 of this resolution, the Commission shall cease to exist.

SEC. 5. No provision of this joint resolution shall be construed as—

(1) constituting a jurisdictional act, conferring jurisdiction to sue, or granting implied consent to Hawaiian Natives to sue the United States or any of its officers with respect to claims arising from the actions set forth in the preamble of this resolution; or

(2) constituting a precedent for reopening, renegotiating, or legislating upon any past settlement involving land claims of, or other matters with, any Native organization or any tribe, band, or identifiable group of American Indians.

SEC. 6. There are hereby authorized to be appropriated such sums as are necessary to carry out the provisions of this resolution. Until such time as funds are appropriated pursuant to this section, salaries and expenses of the Commission shall be paid from the contingent fund of the Senate upon
vouchers approved by the Chairman. To the extent that any payments are made from the contingent fund of the Senate prior to the time appropriation is made, such payments shall be chargeable against the authorization provided herein.
JOINT RESOLUTION

Establishing the Hawaiian Native Claims Settlement Study Commission, and for other purposes.

By Mr. Inouye and Mr. Matsunaga

JANUARY 10, 1977

Read twice and referred to the Committee on Interior and Insular Affairs
This action came on for trial (hearing) before the Court, Honorable DICK YIN WONG, United States District Judge, presiding, and the issues having been duly tried (heard) and a decision having been duly rendered, that:

1. Partial summary judgment be entered in favor of the plaintiffs and against the defendants as to Claim One; defendants are found to be in violation of 42 U.S.C. section 4332 (National Environmental Policy Act), 40 C.F.R. section 1500.5 and 32 C.F.R. section 214.6(d).

2. Partial summary judgment be entered in favor of the plaintiffs and against the defendants as to Claim Nine; defendants are found to be in violation of Executive Order No. 11593 and 36 C.F.R. Part 800. Defendants' cross-motion for partial summary judgment on Claim Nine is accordingly denied.

3. Injunctive relief against the defendants enjoining them from using live ordinance on Kahoolawe until defendants have complied with the requirements of NEPA and Executive Order No. 11593 is denied.

4. Defendants file an environmental impact statement as least by draft form within 45 days and in final form within a reasonable period of time after the filing of the draft form. They are also ordered to file an environmental impact statement annually so long as they shall continue to bomb Kahoolawe. All such statements may be updated versions.

5. Defendants comply forthwith with the applicable provisions of Executive Order No. 11593 and 36 C.F.R. Part 800, including but not limited to the continued full cooperation with the Hawaii Office of Historic Preservation in identifying, inventorying, and protecting historic sites on Kahoolawe; submission for nomination to the Secretary of the Interior of those sites which appear to qualify for listing in the National Register of Historic Places, without waiting for the completion of the survey of the entire island; and referral of its bombing actions on the Island of Kahoolawe to the Secretary of the Interior for an opinion respecting the entire island's eligibility for inclusion in the National Register.

Dated at Honolulu, Hawaii, this 15th day of September, 1977.