

Speech to the Valley of the Giants, Wai‘anae civic club, Nānākuli civic club, and the Nānākuli senior citizens coffee hour

Senator Daniel K. Akaka Papers

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CONGRESSMAN DANIEL K. AKAKA
SPEECH TO THE VALLEY OF THE GIANTS,
WAIANAE CIVIC CLUB, NANAKULI CIVIC
CLUB, AND THE NANAKULI SENIOR
CITIZENS COFFEE HOUR
NANAKULI PARK PAVILION
OCTOBER 26, 1978

ACKNOWLEDGE SPECIAL GUESTS

ALOHA!!!

It is indeed a pleasure to be here with you tonight at this coffee hour. I especially enjoy meeting with Civic groups such as tonight's hosts, the Nanakuli Civic Club, the Waianae Civic Club, the Valley of the Giants and the Nanakuli Senior Citizens because you take an active interest in the workings of the federal government and how it affects not only Hawaii, but the rest of the country as well.

As all of you know, this has been my Freshman year in Congress. When I was elected to the U. S. House of Representatives I had the distinction of being the first native Hawaiian to serve as a voting member of Congress. And I want you to know that it was with deepest pride that I accepted the oath of office in January, 1977.

It has been a rewarding experience serving in what has been recently called one of the most successful and productive Congresses in history. As a freshman representative, I have had the privilege of being appointed by the Speaker of the House, Tip O'Neill, to sit on five House committees and two conference committees as well as preside as chairman of two subcommittees.

However, I view the achievements of the past Congress with mixed emotions. For while many positive pieces of legislation were enacted, there remains much to be done.

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The 95th Congress, as a whole, took more recorded votes and worked longer hours than any other before it. The House of Representatives broke an adjournment session record with a marathon 30 hour, 46 minute legislative day. When the Speaker's gavel sounded the end of the 95th Congress, we could be proud of landmark legislation in the fields of energy, environmental protection, government reform, employment and tax reduction.

I'd like to share with you some of the thoughts on the major issues...in the area of agriculture, for example, a number of bills were passed which will directly encourage the continued development of the agricultural community all over the country, and especially in the State of Hawaii.

The Agricultural Trade Act is specifically intended to promote the purchase of U. S. agricultural products by foreign countries. The Agricultural Credit Act will provide up to \$4 billion dollars in emergency credit loans as well as extend the Emergency Livestock Act. With the House Agriculture Committee, I have worked to bring these and numerous agricultural issues to the floor. Hawaii's economy is inherently dependent upon the strength of its agriculture, and I will continue to make this type of legislation a priority in the 96th Congress.

In the field of education, Congress has had the foresight to create programs in which aid goes directly to help the student... instead of the bureaucracy which distributes such funds. I believe

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that more federal aid should go directly to areas which develop basic skills. This strong foundation will help make academic excellence a tangible reality rather than an impossible dream.

Equally as important to Hawaii...as well as the entire country... is a national policy for the growth of aquaculture...historically... the Hawaiians have always seen the need for such an industry which makes maximum use of all the available resources in the ocean. Even today one can see the remnants of the ancient fish ponds hugging the shores of the islands...this very philosophy is behind the National Aquaculture Act of 1978. Even though the President has chosen to veto this measure...I am confident that such a policy can ultimately be established.

Another major issue facing the nation is energy. The National Energy Act will encourage the use and development of alternate energy sources. Hawaii is fortunate to have an abundance of geothermal energy as well as other potential energy resources. The Solar Energy Tax Credit, for instance, will allow commercial and residential users of solar, wind and geothermal energy a maximum \$2,000 tax credit.

A related area is deep sea bed mining. The Merchant Marine and Fisheries Committee worked to bring the Deep Seabed Minerals Act to the floor of the House. We were able to bring this bill through, but the Senate was not able to act on it before the adjournment deadline. Although it was not passed in the 95th Congress, it will certainly be a priority item on the calendar of the 96th Congress.

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Legislation in this area is in the future national interest if we are to become self-sufficient in providing hard minerals for our nation's industries. We need to encourage research and exploration in deep seabed mining. We must become independent of the export policies of other countries if we are to fully develop our own hard mineral resources.

In its efforts to reduce unemployment, Congress passed the Humphrey-Hawkins Bill. For the first time, Congress is encouraging private industry to become actively involved in reducing unemployment through the expansion of conventional private jobs and private jobs with federal assistance. As a cosponsor of this bill, I firmly believe that Congress is acting in what will ultimately be in the best interest of the nation's economy.

The past two years have been filled with many successes. Yet there are tasks not realized. I am optimistic that in the 96th Congress we will see the encouragement of diversified agriculture and with it the continuation of the small farm system which is the basis of the American agricultural community.

Hawaii experienced two major setbacks in the recent Congress. The sugar legislation was defeated in the last hours and was a major blow to Hawaii's sugar industry. The other was the defeat of the bill that would have created a commission to study native Hawaiian claims.

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Still, I am not discouraged by these events, for the people of Hawaii are a hardy race of people with strong roots just like all of you here today. Much of our strength lies in our belief in the values of our ancestors who toiled the land before us.

A very famous saying in Hawaii which has become our State's motto is, "Ua mau ke ea o ka aina i ka pono...the life of the land is perpetuated in righteousness." These are the words of King Kamehameha the Third and they allude to the intimate relationship native Hawaiians, in ancient times, had with the land. It is a relationship that was eroded with the imposition of western cultural values upon Hawaii, and it is a relationship that many Hawaiians today are trying to revive and restore. The Hawaiian people are working together...coming together...it is a renaissance...a rebirth of a Polynesian race. It is being accomplished through greater familiarity with the law--both federal and state--greater interest and participation in federal and state programs...and through a better understanding of what it is to be a Hawaiian...a revival of the cultural arts and the development of a new positive attitude of self. This attitude is evident in the efforts of many young Hawaiians who are familiarizing and educating themselves with the land rights established by ancient laws which were incorporated into present day Hawaiian property law...these land rights involve eight land rights afforded to every kamaaina...or person of the land...known as native tenant rights. They include the right to water for taro...the right to thatch for shelter...the right to

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ti and ko...used for food and to make various necessary tools and implements for everyday life...the right of way to allow access to the forests and streams and the ocean. These rights were recognized in a law enacted in 1893 by the kingdom of Hawaii. It is still the law today. Thus, the law of Hawaii combines a unique blend of not only English and American common law...but also... Hawaii judicial precedent and law established by Hawaiian usage... defined as usage predating 1892.

Another source of land rights emanates from ancient Hawaiian custom and usage. A right based upon custom and usage can be established by the use of what is known as kamaaina testimony. This permits the use of testimony which has been related to the one testifying by another individual who knew the ancient custom on usage. The Hawaii Supreme Court recognized the use of what is essentially hearsay in 1968. It has proved invaluable to the establishment and preservation of rights to individual pieces of property. Specifically...it has been the key to establishing seaward boundaries...water rights...and the inheritance status of an adopted or hanai child.

Native Hawaiians are becoming actively involved in enforcing these rights. One non-profit native Hawaiian corporation which has been designated as a prime sponsor in distributing federal grant money, Alu Like, has utilized CETA money to fund additional positions for attorneys and para-legal aids in the Hawaii Legal Aid offices. At the new University of Hawaii School of Law, a

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group of native Hawaiian law students formed Aha Hui O Hawaii, the Hawaiian Law Students Association. From all indications in the years ahead, there will be a substantial rise in the number of native Hawaiian lawyers in the Hawaii Bar.

I am encouraged by the increased involvement of native Hawaiians in determining their own future as individuals and as a group. It is a step that requires great courage and personal responsibility...but, it is a step that today's Hawaiians are taking with zest...with dignity...with pride...and within the limits of the law.

In closing, I would like to say that Hawaii's motto.."Ua mau ke ea o ka aina i ka pono"...can also be the motto for our country... for it is from the soil that all peoples and all nations receive their sustenance.

Mahalo for being such a fine audience.

Aloha pumehana.