

# Ke Ke'ena Kuleana Hawai'i • The Office of Hawaiian Affairs

## Origins

## 1980

## 1990

## 2000

## 2005

### 1959

The federal Admission Act making Hawai'i a state specifies that a share of revenue from the state's "public land trust," made up of 1.4 million acres of former Kingdom of Hawai'i crown and government lands, should be used for the betterment of native Hawaiians.

### 1970s

Sparked by grassroots land struggles and the civil rights movements of the era, Hawaiians ignite a cultural renaissance and rekindle awareness of their native history and rights. Amid such efforts as the movement to reclaim Kaho'olawe and the Kalama Valley land struggle, activists increasingly call for the reinstatement of Native Hawaiian self-determination.

### Summer 1978

At the state Constitutional Convention, delegate Frenchy De Soto and others lead efforts to establish a state agency dedicated to the welfare of Hawaiians, funded by a share of ceded-lands revenue. In the end, Con-Con delegates overwhelmingly approve a constitutional amendment to create the Office of Hawaiian Affairs.

In the November general election, state voters narrowly ratify the amendment creating OHA, along with amendments protecting ancestral lands, upholding native access rights, mandating education on Hawaiian culture in public schools and making 'ōlelo Hawai'i an official language of the state.



### 1979 - '80

The state Legislature narrowly passes laws that define OHA's purpose, powers and revenues. OHA's share of ceded lands revenue is set at 20 percent, and the agency is charged with a broad mandate of bettering Hawaiians. Voting in OHA elections is limited to those of Hawaiian ancestry, and candidates for trustee must also be Hawaiian.

### Nov. 4, 1980

For the first time in a century, Hawaiians are able to vote for their own representatives. Some 43,000 Hawaiian voters elect OHA's first group of nine trustees: Peter Apo, Roy Benham, Rodney Burgess, Frenchy De Soto, Thomas Kaulukukui Sr., Moke Keale, Joseph Kealoha, Walter Ritte and Malama Solomon.

### Nov. 26, 1980

Trustees hold their first official meeting, selecting De Soto as board chairperson and Joseph Kealoha as vice chair. Committees are formed on economic development, land and natural resources, education, culture, health, and human resources and budget.

### Nov. 27, 1980

The trustees are officially sworn in by Hawai'i Chief Justice Richardson, a Native Hawaiian, who sheds tears of emotion during the ceremony.

### January 1981

The trustees secure a small office in Kawaiaha'o Plaza, furnished with three pieces of military surplus furniture and staffed by one administrative employee.

### Jan. 17, 1981

Amid high protocol at 'Iolani Palace on the 88th anniversary of the overthrow, OHA is officially dedicated and the trustees inaugurated.

### Summer 1981

OHA launches its free newspaper, *Ka Wai Ola o OHA* (The Living Water of OHA), which is initially published quarterly and mailed to 45,000 beneficiaries.

### 1980s

Throughout its first decade, OHA is unable to collect its fair share of ceded lands revenue from various state agencies. OHA receives an average of \$1.4 million a year, far less than it is owed and barely enough to keep the agency functioning.

### April 1983

OHA initiates the first of several lengthy, controversial lawsuits against the state to recover ceded-lands revenue. The courts repeatedly refer the agency back to the Legislature for a political resolution, but to this day such a solution has not been fully achieved.

### Mid-'80s

OHA initiates a variety of programs to address Hawaiian needs, including business loans, training for kupuna educators and review of development plans for potential impact on Hawaiian sites and cultural access.

### Jan. 23, 1988

The state's official Ho'olaha: Year of the Hawaiian culminates in "Ho'olakahii," a massive celebration at Aloha Stadium. Attended by some 50,000 people, it is the largest gathering of Hawaiians in living memory.

### 1989

OHA launches Operation 'Ohana, its first effort to compile a registry of Native Hawaiians. By the time the program is ended in 2002, about 25,000 names have been collected.

### Feb. 8, 1990

After 2 1/2 years of negotiations, OHA reaches a partial agreement on ceded lands revenue issues with Gov. John Waihe'e II, who was one of the main proponents of OHA at the 1978 Con-Con. The Legislature approves the agreement as Act 304, and OHA eventually receives more than \$130 million in back payments and interest, along with about \$8 million annually.



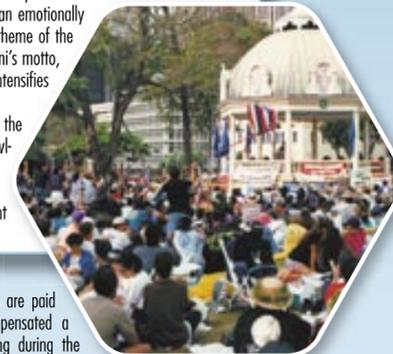
### February 1991

OHA moves to its present headquarters at 711 Kapi'olani Blvd.

### Jan. 17, 1993

Thousands mark the 100th anniversary of the overthrow of the Hawaiian Kingdom at an emotionally charged rally at 'Iolani Palace. The theme of the commemoration is Queen Lili'uokalani's motto, "Onipa'a" (stand firm). The event intensifies calls for Hawaiian self-determination.

Soon afterward, Congress passes the Apology Resolution, which acknowledges the illegality of the overthrow and calls for a process of reconciliation between the U.S. government and Hawaiians.



### July 1993

For the first time, OHA trustees are paid a regular salary, after being compensated a relatively small amount per meeting during the agency's first 13 years. The state Legislature sets the trustee salaries at \$32,000 per year and \$37,000 for the board's chairperson.

### May 1994

The federal government agrees to return ownership of Kaho'olawe to the state to hold in trust for eventual transfer to a future Hawaiian government.

### November 1994

President Bill Clinton signs the Apology Resolution. Six years later, after gathering input from the Hawaiian community, the U.S. government issues a report on the reconciliation process called for in the resolution. The report recommends that "the Native Hawaiian people should have self-determination over their own affairs within the framework of federal law, as do Native American tribes."

### April 1996

Hawai'i island rancher and missionary descendant Harold "Freddy" Rice files a federal lawsuit contending that, as a non-Hawaiian, he has been unconstitutionally denied the right to vote in the election for Office of Hawaiian Affairs trustees. His suit is dismissed, but he appeals to the U.S. Supreme Court.



### Feb. 23, 2000

Delivering a verdict in the *Rice* case, the U.S. Supreme Court rules 7-2 that Hawaiians-only voting in OHA elections is unconstitutional. The court indicates that its decision hinges largely on Hawaiians' lack of any special U.S. government recognition as an indigenous group.

Gov. Ben Cayetano immediately declares his intention to replace the sitting, Hawaiian-elected board with interim appointees.

### July 2000

In the wake of the Supreme Court's ruling, the first of several lawsuits is filed challenging the constitutionality of OHA, Hawaiian Home Lands and other government programs. The suits are all dismissed, although one, *Arakaki v. Lingle*, is currently still in the appeal process.

### July 20, 2000

Sen. Daniel Akaka introduces the first of his series of bills to gain federal recognition of Hawaiians' special native status. In September, the bill passes in the U.S. House of Representatives, but fails to advance in the Senate, as it does each year through 2005.



### Aug. 15, 2000

In light of the *Rice* decision, a federal judge rules that non-Hawaiians must be allowed to run for OHA trustee.

### Sept. 8, 2000

Faced with the prospect of forced removal by Cayetano, OHA's trustees resign en masse. Cayetano reappoints five as interim trustees, along with four new members, including the agency's first-ever non-Hawaiian trustee, former Maui Councilman and UH Regent Charles Ota.

### Nov. 7, 2000

For the first time, non-Hawaiians are permitted to vote in the OHA election. Voters return six of the former trustees to office, including Ota.

### Sept. 12, 2001

The Hawai'i Supreme Court invalidates Act 304, the law that determines OHA's share of ceded lands revenue, because portions dealing with airport revenues conflict with federal law. Gov. Cayetano subsequently stops all ceded-land payments to OHA, including those that are undisputed.

### March 2002

OHA launches the Hawaiian Registry program to verify ancestry and provide ID cards for Native Hawaiians. In 2003, the program is given the backing of state law.

### April 2003

Gov. Linda Lingle restores ceded lands payments to OHA.

### Sept. 7, 2003

An estimated 10,000 Hawaiian-rights supporters in a sea of red T-shirts participate in a Kū i ka Pono (stand for justice) march through Waikiki to protest court challenges to Hawaiian programs and assets.

### January 2004

OHA provides funding and support for the formation of the Native Hawaiian Coalition, a broad-based community alliance seeking to agree upon a process for forming a Hawaiian governing entity. As part of the effort, OHA backs the launch of Kau Inoa, a drive to enroll Native Hawaiians who wish to participate in the nation-building process.



### Aug. 2, 2005

A federal appeals court rules that Kamehameha Schools' Hawaiian-preference admission policy violates federal anti-discrimination law. More than 20,000 Hawaiians and their supporters turn out at rallies to protest the decision throughout Hawai'i and on the U.S. continent.

### Aug. 31, 2005

The same appeals court affirms that the plaintiffs in the *Arakaki* suit cannot challenge OHA's use of ceded lands funds, but rules that they may challenge OHA's use of state tax funds, which amount to about 10 percent of the agency's annual budget. The plaintiffs have appealed for reconsideration, asking that their full challenge be reinstated.

### September 2005

OHA, the state and the nonprofit Trust for Public Land announce a landmark conservation agreement to transfer the 25,000-acre Wao Kele o Puna rainforest to OHA control, making it the agency's first major land acquisition. One of the state's last unprotected lowland native forests, Wao Kele had long been the focus of controversy over geothermal drilling and native access.

### November 2005

A vote on the Akaka Bill is pending in the U.S. Senate. The *Arakaki* lawsuit continues in federal court, and a new suit has just been filed against OHA's expenditure of funds to benefit Hawaiians of less than 50 percent blood quantum.

The Native Hawaiian Coalition carries on its work of establishing the steps toward forming a Hawaiian government, and the Kau Inoa initiative to enroll a potential Hawaiian electorate continues, with more than 35,000 Hawaiians now signed up.

Meanwhile, OHA's trust fund now stands at more than \$350 million, and the agency continues its mission of serving the Hawaiian people through community grants; business loans; health, housing and education funding; homeownership assistance; native rights advocacy and other programs.



25  
YEARS